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The Personalist Meaning of Childbearing

Robert Slesinski

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Over the past generation, especially since the promulgation of Pope Paul VI's encyclical, "Humanae Vitae" (July 25, 1968),¹ it has become commonplace, both in the press and secular media, as well as in the writings of various theologians and religious commentators, to attribute the rather pervasive, contemporary crisis of authority in the Church to the alleged incomprehensibility of our times and the traditional Christian teaching on the question of artificial birth control as maintained and defended by the Magisterium of the Church. To make a causal connection here, that is, between the Church's standard teaching on the sin of contraception and the waning of respect for her authority by the body faithful is, however, to make too blanket a statement. A crisis of authority, after all, is clearly manifest at *all* levels of contemporary society, be it civil or religious, local, national or international, extra-familial or intra-familial. Could not any crisis of authority within the Church, then, be merely symptomatic of an unfortunate, but certainly widely disseminated, characteristic of our time?

There is, on the other hand, a reason why the Church's traditional teaching on contraception and artificial birth control could have indeed occasioned the watershed of protest that went well beyond this specific moral teaching alone. What is at stake in this area is no mere point of vain philosophical or theological speculation, but a very sensitive and core area in the lives of possibly the vast majority of the faithful. If Church teaching on various dogmatic points interests the average layperson to a certain degree, usually moral matters do so all the more, but especially if these are somehow related to the sexual domain. "Madison Avenue" has, in its own way, known the dynamics involved in this for years, and the fact not only is not surprising, it has even become jejune.

But in just short of a generation's time, there is serious reason to believe that the climate of today's world and today's society may well be more open to the Church's message — and that regarding sexual, moral matters in particular. One evidence of this is the initial reception given to the "Instruction on Respect for Human Life in Its Origin and the Dignity of Procreation: Replies to Certain Questions of the Day," issued by the Sacred Congregation for the Doctrine of the Faith, with the approval of Pope John Paul II, dated Feb. 22, 1987, but actually made public on March 10.² Quite unlike the uproar which met "Humanae Vitae," a certain gasp of relief was heard this time around from many different quarters. *The New York Times*,³ for instance, gave the "Instruction" a prominent press (printing it in full), not overlooking the usual dissenters of course, but still giving defenders of this document their "day in court," as it were. Considering the range of highly charged issues treated in this most recent instruction, from experimentation on human embryos, in vitro fertilization, artificial insemination to surrogacy in motherhood, no wonder the moral voice of the Vatican was granted an audience by the general news media, confused in their own attempts to sort out all the critical issues at stake, and not just in the short run but, more gravely, in the long run when the seeds of whatever is sown today will come to full term.

A Unity of Teaching

It is important for all the Church's ministers, wherever they may be serving — at the altar, in the pulpit, in the classroom, in the hospital setting — to realize that today is an especially "preachable moment" for bringing some very difficult ethical matters of the conjugal life to the attention of the faithful-at-large, with the real hope that they will not be put off by these teachings, but will, instead, find a new impetus to renew their faith *and lives* in Christ. But to preach successfully on the "Instruction", one must not neglect the encyclical whose teaching in its day was so largely protested. It might not be apparent to the average reader that there could be a connection between "Humanae Vitae" and the latest "Instruction", but, ethically speaking, the two represent obverse sides of the same coin. There is one anthropological vision of man at stake in both and one understanding of the dignity of human sexual intercourse and any ensuing conception of human life resulting from this act. The profound unity of teaching between "Humanae Vitae" and the "Instruction" can aptly be summed up by noting that whereas in the former, no sexual intercourse is possible without a link to procreation, the latter upholds the view that there is to be no procreation without sexual intercourse.⁴

The key to the whole problem appears to lie in grasping that there is indeed an *essential link* between the two: sexual intercourse and the procreation of new offspring. It is this insight which seems to escape so many today, but it is the one *prise de conscience*, I would maintain, which

puts us in immediate contact with the primordial intuition underlying the true *Christian* understanding of sexuality, especially as it is related to the growth of the human family.⁵ In the already mentioned discussion of the "Instruction" in *The New York Times* (March 11, 1987), Rev Richard A. McCormick, S.J., a usually dissenting voice to much of authentic contemporary Catholic moral teaching, especially in regard to sexual ethics, opines that the "Instruction" is not persuasive in its argumentation that a child should only be born from a sexual act. "The most that can be argued," he is quoted as saying, "is that a child should be born within a marriage from a loving act. Sexual intercourse is not the only loving act."⁶ Elsewhere, in his "Notes on Moral Theology," he raises the very same objection: "Why must the parents be personally involved in all, even exceptional and last-resort cases of generation of new life?"⁷

Direct Answer

The most direct answer to this question, "because their children's dignity *deserves* no less," however, cannot be fully understood in its own right, unless there is a prior insight into the very *structure* itself of parenting, metaphysically and *not* just biologically, understood. This point goes right to the heart of the alleged biologism of "Humanae Vitae."⁸ This oft-repeated charge has so insinuated itself into contemporary "theological conscience," as it were, that it has again returned to the fore with the present "Instruction". Obviously, this charge must be met head-on, if Church tradition on various fronts, from artificial contraception to the various birth technologies now available to couples and even to single women, for that matter, is to be sustained. The central lament against this alleged "biologism" is that the nature of the moral act is reduced to the *physical* structure of that act, thereby unduly restricting possible human action and furthermore serving to preclude the possibility of other real goods being achieved. If man has the medical and technical power to realize these goods, why should the limitations of, for example, the natural conjugal act, make him forswear his doing so? Several key notions and grave equivocations on these terms need to be clarified before this question can be properly answered. Secondly, it should be noted that any given understanding of sexuality undoubtedly points to a larger understanding about the nature and dignity of man himself.

In regard to the former point, it is imperative that we have a clear idea as to the range of meaning of a term like "nature", at the same time that we try to understand the exact "dominion" man has over nature. It has been argued from the time of "Humanae Vitae" until now, that man with his God-given rational powers should be able to put his "nature" at the service of his rationality and enlightened needs. In the "Majority Report" to the Papal Birth Control Commission, formed by Pope Paul VI to assist him in his decision-making on whether a change in Catholic teaching was warranted, let alone possible, we read some pointed words in this regard:

"It is proper to man, created to the image of God, to use what is given in physical nature in a way that he may develop it to its full significance with a view to the good of the whole person."⁹ More telling, however, is the subsequent affirmation of the need for a "better grasp of the duty of man *to humanize* and bring to greater perfection for the life of man what is given in nature"¹⁰ (*italics ours*). These affirmations clearly indicate an imprecise use of the term, "nature."

The term, in these passages, refers to basic material and biological creation. Here indeed "nature" should serve man and be subject to his dominion. The crux question, however, is whether all that is "biological" in man is of the same character. It must be stated at the outset that even those areas of man's being not carrying any specific significance one way or another for man's *personal* meaning, e.g., his respiratory, endocrine, circulatory, and digestive systems, are not "merely biological" or "physiological" in the sense they are with common animals. Why?, it may be asked. The answer is because they are *man's*. For this reason, they cannot be interfered with, even if only good can result, unless the human person involved gives his or her *consent*. The human person transcends the merely factual order of material creation and enjoys an inalienable dignity which simply places the whole of humanity in an essentially different order of "nature". But at the same time, it must be noted, within man himself a gradation of "nature" is also seen. While the human person can consent to have medical or surgical interventions performed to alleviate or correct pathological conditions or physical deformities, he or she *cannot* do so uniformly in regard to all the domains of human being. The notable exception, of course, as the Church has always taught, is the sexual domain. This has always been a puzzling point for many observers, both Catholic and non-Catholic. Somewhat impishly, Michael Novak lodges such a complaint, lamenting "I do not understand why men who take aspirin, cold tablets, pills for ulcers, inoculations for smallpox, and other assorted measures to 'kill' or to modify the relations of certain juices, organisms, and cells in the body suddenly become alarmed when pills are taken to 'kill' or to modify the relations of other juices, organisms, and cells. Is the ovum more sacred than the brain, the heart, the blood, the kidneys? Our whole lives are directed and shaped by the technical skills of modern medicine. Hence, when persons accept countless varieties of artificial intervention in connection with every other organism and cell, it is difficult to understand why suddenly their attitude changes when there is question of sperm or ovum."¹¹ Two very grave misconceptions are evidenced in this passage, and it is a matter of crucial importance to expose them forthrightly as they recur over and over again, especially in popular discussions.

Misconceptions To Be Dispelled

First, why is it that man takes medications or undergoes surgical

procedures? Is it just for pleasure? Or is it not to correct some medical or surgical *pathology*?¹² If Novak's analogy is to be given credence, what then is the *pathology* involved in a woman's or a man's normal fertility? Contraceptives would make fertility into some kind of pathological condition. Interestingly, the first anovulant pill was, indeed, developed to ameliorate a bona fide medical condition in women, namely, irregular cycles. The resultant, temporary sterility caused the woman was only an unintended side effect. But it was from this unintended side effect that a whole industry, the contraceptive industry, was born. Our basic point thus remains unchanged. Contraceptives cannot be approved of, owing to pathological reasons. Human fertility not only is not a diseased condition, it is a positive *good* of man, a feature of man's intrinsic goodness as a created word of almighty God.

Secondly, and more gravely, it is a profound error not to see the *link* that arises between sex and man's spiritual being. The sexual sphere in man from this standpoint can never be likened to that in the animal world where instinct exclusively holds sway. In man, to the contrary, the actuation of sex is meant to be the result of free decision in accordance with the dictates of love. In its deepest actuation, that is, in the act of conjugal intercourse, sex serves not only as the *symbol* of the mutual, exclusive, and total giving of self of a husband and wife, but is indeed the *consummating moment* in which this donation of selves is irrevocably fixed. It, of course, cannot be denied that so often in life the gift of sex is abused and is not used to express marital love and fidelity. But the fact that this intimate domain of man's being and self-expression can be used crassly, childishly, even cruelly does not detract from the fact that it *should* be used only to express the ideals of Christian commitment and love in marriage. It is also because of this special link which sex in man has to wedded love that makes it quite impossible to equate this sphere in man with all his other physiological processes. To be faithful to man and his true *personal* value means also to be respectful of the sexual domain and not to reduce the question of sperm and ova to a neutral, biological concern, but to see this domain in its own right as *value-laden*, both in regard to the *expression* of love, but equally in regard to its concomitant *link to life*. How wondrous it is, indeed, that the very act which most intimately expresses man's love for woman also is the very act which may give rise to a child as the most marvelous *fruit* of this love!

The Unique Significance of Sex

The unique place sex enjoys in the Christian vision of man comes to the fore at this time. Sex has a dual significance, indicating a twofold value for man. First, it serves to *unite* husband and wife in the very expression of mutual love and self-surrender, and second, it renders *procreative* this very same union of love and commitment. Pope Paul VI, in his encyclical, "Humanae Vitae" explicitly draws attention to the twofold meaning, the

unitive and the procreative, of the conjugal act¹³ and states that it is the very basis of the Church's teaching that "each and every marriage act must remain open to the transmission of life."¹⁴ It was Pope Paul's hope that by safeguarding these two essential aspects of the conjugal act that this act would preserve "in its fullness the sense of true mutual love and its ordination towards man's most high calling to parenthood."¹⁵ It must be said that the late pontiff was prescient in his fears concerning what would happen if this teaching were not followed and recourse to artificial birth control were taken instead. Specifically, he singled out several areas of concern: an increase of conjugal infidelity and the general lowering of morality, the loss of respect for women with little care for their physical and psychological equilibrium, and unwarranted governmental intrusion into this private arena.¹⁶ Sad to say, all of these have come true to some degree or other.

The truly *personalist* perspective on marriage and the conjugal act in particular offered by Pope Paul VI is an eloquent testimony to the efforts of various Catholic authors in this century to propose a vision of human sexuality fully in consonance with the sublime Christian vision of man as created to the very image and likeness of God. These efforts have largely sought to elucidate the importance of the conjugal sphere *in itself*, apart from any relation it might have with the bringing of new life into this world. Indeed, there is a gaping lacuna in much of Christian writing in past centuries. Much was said about the institution of marriage and many words were devoted to the procreation and upbringing of children, but little, even nothing at times, was said of the very love which lies at the root of marriage.¹⁷ The mistaken impression was even given that, in the Christian world view, the relation of spousal love and marriage to the procreation of offspring is *solely* an *instrumental* one, that of a mere means to an end.

In the Christian West, this impoverished understanding of the conjugal sphere was first unmasked and replaced by a fully positive vision of marriage and the conjugal life in the writings of the German phenomenologist, Dietrich von Hildebrand (1889-1977),¹⁸ whose initial works on marriage and the nature of sex and purity were to become classics in his own lifetime. One of his last published works before his death in New Rochelle, NY on Jan. 26, 1977 includes a clear defense of the doctrine of "Humanae Vitae."¹⁹ In the Christian East, the honor for first raising this issue, already in the 19th century, goes to Vladimir Solovyev (1853-1900). Among his many works, Solovyev penned a marvelous little essay, entitled *The Meaning of Love (Smysl lyubvi)*²⁰ in which the question of the meaning of love and its relation to sex is raised to the level of personality and not confined to the matter of childbearing and the continuation of the species. It was Solovyev's merit to grasp that conjugal love is fully personal and not merely "racial" and enjoys a value in itself independently of any possible offspring. At the same time however, Solovyev fell short of a full *prise de conscience* of the relation that obtains

between sex, love, and procreation.²¹ He succeeded only in negating a purely *extrinsic* relation between sexual love and the propagation of the species wherein the one is in relation to the other as a strict means to an end. He failed to ask whether there might be an *intrinsic* link between them wherein a superabundant, gift relation might truly apply between spousal love and potential offspring.²²

The Contribution of Berdyaev and the Orthodox

Nicholas Berdyaev, in his own development of Solovyev's views, likewise fails to see the importance of this particular question. This is a regrettable oversight, since the person lies at the heart of Berdyaev's thought, and nothing is more needed than a fully personalist understanding of sexuality, specifically as it relates spousal love to life. One particular affirmation of Berdyaev is especially baffling in this regard. In his *Slavery and Freedom*, he writes: "There is a physical link between sexual intercourse and childbearing, but no spiritual link, just as there is no necessary connection between sexual intercourse and love."²³ This threefold affirmation bears analysis. The first part is confirmed by biology: there is a physical link between sexual intercourse and childbearing, even if this link is *not* a necessary one. The same is also true for the third part of Berdyaev's affirmation, namely, that there is no necessary link between sexual intercourse and love. We need only think of cases of prostitution and casual sex — apart from the possibility of this occurring in marriage itself — to find ample proof of this assertion. But the difficulty comes with Berdyaev's rather bald, second affirmation that there is no *spiritual* link between sexual intercourse and childbearing. This is simply to be denied. The question that arises, in fact, is how Berdyaev, personalist that he was, even made this statement.

If Berdyaev was thinking only of an *extrinsic*, spiritual link, on the level of desire, for example, with an express procreative intent, he is, of course, right in denying such a linkage. But he is precipitous in apparently ruling out any *intrinsic* link between them on the order of *meaning*. Children are fully personal beings in themselves, and the fact that they are a fruit of the most intimate bodily act of communion between spouses is hardly of the accidental order. Something of the very mysterious designs of the Creator is at stake. There is a reason, however, why Berdyaev may not have grasped this truth. His thought was marred by a latent dualism, which is reflected in his understanding of sex as being a strictly impersonal phenomenon within man. He writes: "Sex is the impersonal in man, the power of the 'common,' the racial; love alone can be personal. It is not sexuality which is personal but erotics."²⁴ But is there not, then, we ask in rejoinder to Berdyaev, a link in erotics between sex and love, and subsequently, sex, love, and childbearing? If not, how is one, in the last analysis, to determine the difference between erotics as a personalist category and base eroticism? Berdyaev, of course, would undoubtedly

agree with much of our objection, if it were so posed to him. Certainly an acceptable resolution to it is *implicit* in his thought categories, though his own explicit words would lead us to believe there is no intrinsic link whatsoever between sex, love, and childbearing.

The thought of Solovyev and Berdyaev on the crucial question of the link between sex, love, and childbearing certainly bears further analysis and creative development by Orthodox authors today. Such a treatment would also permit a valuable, philosophic cast to be given the whole ethical discussion of recourse to contraception within marriage. To date, it would appear no Orthodox theologian has treated this specific facet of the discussion, so an Eastern Catholic voice may have to suffice for now. In general, Orthodox treatments of the problem of contraception and artificial birth control, like those of Paul Evdokimov,²⁵ John Meyendorff,²⁶ Chrysostom Zaphiris,²⁷ Nikon D. Patrinos,²⁸ Demetrios Costantelos,²⁹ and Stanley S. Harakas,³⁰ are found wanting.³¹ On the whole, these contributions are "impressionistic" and do not represent the serious applied thought of a developed moral theology. Secondly, contemporary Orthodox contributions often skirt a key issue, namely, that there is a moral tradition within Orthodoxy *against* all forms of artificial birth control. The statements of some Orthodox hierarchs, like Metropolitan Nikodim of Leningrad, in the wake of "Humanae Vitae" manifest this.³² Also, the important encyclical letter of the Church of Greece of 1937, which condemns all measures of artificial birth control, is generally passed over in silence.³³ Thus, a crucial, hermeneutical problem arises: What is the value of authoritative episcopal statements within Orthodoxy? Who is to speak for the Orthodox Church? The contemporary Orthodox authors who have spoken on the sensitive topic of contraception often purport to give an "Orthodox" position on the question, frequently not unlike the position of dissenting Catholic voices without, however, frankly setting forth the *whole* of Orthodox tradition. Methodologically, this is a serious shortcoming in these treatments and is one that needs to be addressed by Orthodox theologians.

The Anthropological Question

All discussions of the problem of contraception ultimately come back to the anthropological question. What is the Christian vision of man and how is sexuality integrated into this vision? For the Christian, man is a fundamental unity of body and soul with an inalienable dignity founded upon man's being a *person*, that is, a unique creation made to the image and likeness of the Godhead, who "possesses himself," as it were, by acts of self-consciousness and self-determination, and who, at the same time, seeks to *transcend* himself by finding meaning in dialogic relation with others, from friends and acquaintances, spouse and family, to Almighty God Himself. Being a person, man is *not* reducible to the material order of creation, even though he is "of this world." And even if his being is

wounded by original sin, he remains *essentially good* as a created word of God, Who is himself personified Goodness. Not only is man, integrally considered, an inviolable good, not subject to the arbitrary interference either of self, guardian or government, all of his intrinsic dimensions of personhood are *likewise* inviolable domains, as they participate in the very *goodness* of man himself. That is why, in the Church's unitary vision of man, sexuality has always been considered a sacred domain and why the act of contraception, in particular, has been proscribed as an act of deliberate repudiation of human fecundity, which itself is understood to be an integral dimension of human personhood. If the Church allows recourse to the infecund periods of a woman as a means of naturally spacing children, she does so because of a profound difference between the observance of a temporarily *sterile* condition and the performance of a deliberate *sterilizing* act.

In the perspective of those who dissent from the teaching of "Humanae Vitae", what is generally found, on the other hand, is a *dualist* vision of man and a *separatist* understanding of human sexuality.³⁴ Such a dualist vision of a man is already intimated in the "Majority Report" of the Papal Birth Control Commission. When we read there of man's duty "to humanize"³⁵ what is given in nature, we must ask what there is to humanize in the conjugal act, if sexuality already is an integral dimension of the human person? Curiously, in the writings of those dissenting from the teaching of "Humanae Vitae", two visions of man are usually propounded. One, the unitary vision, is usually expressed to show continuity with Christian tradition. The other, the dualist, however, is generally the *operating* one in fashioning a view which could accept the practice of contraception in the conjugal life. Nowhere is this more apparent than in the study commissioned by the Catholic Theological Society of America, entitled *Human Sexuality: New Directions in American Catholic Thought*. On the one hand, the unitary point of view is well expressed: "Sexuality is a pervasive and constitutive factor in the structure of human existence . . . Implicit in this view is the realization that we *are* our bodies."³⁶ The dualist view, however, is stated in the very next paragraph: "Preeminently, it [sexuality] is the mode whereby an isolated subjectivity reaches out to communion with another subject."³⁷ This particular stance would make the sexual domain an *instrumental* good at the service of the person in meeting a legitimate interpersonal need, and not a good in itself. But the very core meaning of the Christian intuition is that the act of conjugal intercourse is not a mere means, but an *intelligible* act in which the love of a husband and wife is expressed as a total self-donation, including per se the fecund dimension of the person, whether the person involved *in fact* be fertile or sterile (barren). To hold back in our giving of self — and that includes our procreative potentiality — is *not* a total giving of self; it is just a *simulated* giving and therefore, as Pope Paul VI directly remarked, a "dishonest" attempt at self-donation.³⁸

The Dignity of the Conjugal Act

In the Christian perspective, the act of conjugal intercourse enjoys a meaning in and of itself. It is expressive of spousal love at the same time that it allows for the manifestation of the procreative dimension of the person. If the conjugal act enjoys a unique dignity among human acts, it does so because it is inextricably linked to the vocation of the person to serve life and love. Revelatory of the very depths of the person, the conjugal act can never be approached in a casual manner, but deserves utmost respect, and can no more be "used" than the person himself. This view only bespeaks an exalted view of human sexuality at one with a fully integral vision of man. Obviously alien to any puritanical standpoint, it likewise challenges all attempts of contemporary man to detract from the dignity of the conjugal act, which isolate it from man's total self-disclosure and total self-donation and make it just "one means among many" for human self-expression and personal enjoyment. This contemporary tact is no more evident than in the various new reproductive technologies which effectively sever the meaningful link that the conjugal act has with the generation of possible new life. Somehow the "inner logic" of the conjugal act which ties the procreation of new life with the very *bodily expression* of conjugal love has seemingly ceased to captivate the imagination. But this has happened only at the cost of a fully *personalist* world view.

The most recent Vatican "Instruction on Respect for Human Life in Its Origins and the Dignity of Procreation", brings out this point in a number of ways. First, its very point of departure, the absolute inviolability of *every* human being, including the human embryo, makes this abundantly clear.³⁹ Contemporary science would treat the human embryo as mere "fetal matter", as "tissue" subject to experimentation and even arbitrary disposal. A dualist vision of man, of course, could readily accommodate itself to this situation, because a human subjectivity does not appear to be yet at work in nascent human life. According to the Church, however, the new life resulting from the conjugal act is *equal* in dignity with its source. The Christian conscience thus cannot but abhor any procedure that would not respect the fundamental rights and dignity of the human embryo, the human person in nascent form. What does this mean in concrete terms? It means, first of all, that the human embryo cannot be subject to diagnostic procedures whose *sole* intent is to seek out deformed or genetically deficient beings for possible abortion. If there were a truly *therapeutic* aim to the procedure, on the other hand, parents could, if duly informed as to its full nature, consent to it on behalf of their child. But it is important to add that they could not consent to a purely *experimental* procedure without clear, therapeutic benefit to the child, as only each person for himself or herself can offer such consent. A human fetus obviously can never offer an informed consent, and no one can arrogate this right to himself.⁴⁰

The Morality of IVF, AID, and AIH

This basic moral point has telling relevance for *all* attempts at in vitro fertilization (IVF) and subsequent embryo transfer. In vitro fertilization per se is an experimental procedure and, therefore, can *never* be morally justified.⁴¹ An already immoral situation is further compounded by the fact that the normal procedure is to inseminate multiple eggs with the hope that at least one will “take”. What happens if multiple zygotes result? As a rule, those not used are discarded (i.e., aborted), while at times they are frozen for future use. Moral conscience can only shudder here. Obviously, these embryos are not treated as human beings with inalienable rights, but as mere *objects* with no more than an instrumental value for man.

Artificial insemination, both heterologous (AID) and homologous (AIH), presents new difficulties. Moral evaluation of this procedure is directly tied to an understanding of the meaning and value of the conjugal act and the place it holds in respect to both marriage and the family. This is one of the central points of the “Instruction.”⁴² Apart from any consideration of the intrinsic structure and value of the conjugal act, donor or heterologous artificial insemination can be rejected, morally speaking, as an equivalent to adultery. The sperm fertilizing the wife’s egg does not come from her husband, but from someone else. The recourse to donor sperm is contrary to the unity of marriage. Not only does heterologous artificial insemination detract from spousal dignity (a wife should only want her husband’s child and vice versa), it violates the natural rights of a child who should have every expectation to be born within marriage and not be deprived of a filial relationship with his or her parents.⁴³ Not to be overlooked is also the fact that the normal procedure for obtaining sperm is through the act of masturbation, itself a disordered act.⁴⁴

These considerations become all the more grave when the focus shifts to homologous artificial insemination. Here, at least, the sperm and egg involved do come from the spouses themselves. But insofar as *in vitro* fertilization is involved, all the above mentioned objections concerning unjustifiable experimental procedures still hold. More critical, however, is the failure to understand why the act of conjugal love is, as the “Instruction” notes, the “only setting worthy of human procreation.”⁴⁵ Pope Pius XII was truly prescient in this regard. As long ago as 1949, he formally rejected all artificial insemination in marriage.⁴⁶ Shortly thereafter, in 1951, in his famous Allocution to Italian Catholic Midwives on Oct. 29, Pope Pius stated his view that artificial insemination in marriage is indicative of an unworthy world view which does no more than “convert the domestic hearth, which is the family sanctuary, into a mere biological laboratory.”⁴⁷

What is it about this “domestic hearth” that one shudders at the very thought of its becoming a “biological laboratory”? A personalist world view is at stake. First, children should be conceived in spousal love and, indeed, from that very union through which a bodily expression is given

that love. They are not "objects" to be fabricated, but gifts, the superabundant fruit of wedded love. Moreover, children also have the right to be conceived and gestated in a *personalist* environment, meaning, of course, in the wombs of their mothers. All this is necessary not just for "biological" indications, but also for the bonding and emotional needs of the developing child. Any other act apart from the conjugal act cannot suffice, because it would have to come from without the parents and thereby function contrary to the unity of the bond, the essential "two in one flesh" truth of marriage.

Surrogacy and Sterility

For similar reasons, surrogacy in motherhood is to be rejected from a moral point of view. First and foremost, the unity of the marriage bond is compromised. The husband's sperm is used to artificially inseminate another woman, who then carries the child either to full term for the couple or until such time that there could be an embryo transfer to the "contracting mother". In addition, third parties (the physician, above all) are necessarily involved, thus further compromising the marital union, not just in its physical aspect, but in its psychological and spiritual aspects as well. Secondly, the natural rights of the child are by-passed in this process. It is forgotten or overlooked that children do have a right to be born from the union of love of *their* parents and to be brought up in the personalist environment of their mothers' wombs and then in the familial setting. Certainly they do *not* deserve to be the objects of contractual agreement. For these and other reasons, it ill suits humanity that children be brought into this world "for a price" of any kind.⁴⁸

Sterility is a serious problem affecting many marriages, if indeed the statistics are correct.⁴⁹ For a great number of these couples, this condition becomes their greatest cross to carry in marriage. What can the Church do to address their needs pastorally? In the first place, there are some important truths that need to be borne in mind.⁵⁰ In our day in particular, when "personal rights" always seem to be in the forefront and never to be impugned, it behooves pastors to remind married couples that they do not have a "right" to a child per se, but only to the conjugal act which is intrinsically ordered to procreation. This may be a hard truth to fathom in a consumeristic society, but the fact remains a child is not a "product" subject to ownership, and married couples have no "right" to one, as if a child were some precious commodity. The child, to the contrary, is essentially a *gift* and can never be viewed otherwise. As if to underscore this point, the "Instruction" itself even speaks somewhat redundantly, specifically stating that the child is the "most gratuitous gift of marriage."⁵¹ In addition, the "Instruction" cites a relevant passage from Pope John Paul II's apostolic exhortation, "Familiaris Consortio:" ". . . even when procreation is not possible, conjugal life does not for this reason lose its value. Physical sterility in fact can be for spouses the occasion for other

important services to the life of the human person, for example, adoption, various forms of educational work, and assistance to other families and to poor or handicapped children.”⁵²

Assisted Insemination

At the same time, the “Instruction” holds out additional hope. The medical and scientific community is again called upon to develop new modalities of treatment to assist the natural conjugal act in difficult cases to reach its goal of generation of new life.⁵³ The “Instruction” makes a careful distinction between those technical means which act as a *substitute* for the conjugal act (i.e., the standard means of artificial insemination) and those which only serve to *assist* or *facilitate* the conjugal act in reaching its natural end of procreation.⁵⁴ Although the “Instruction” itself does not specifically identify any of these means of “assisted insemination”, two seem to be cases in point: Tubal Ovum Transfer (TOT) and Gamete Intrafallopian Transfer (GIFT).⁵⁵ In both, there is the removal of an ovum from the wife’s ovary by laparoscopy. The ovum is then placed in a suitable liquid medium in a plastic tube of very small inner diameter. At the same time, a sample of the husband’s semen is obtained from the couple after conjugal intercourse by means of a perforated sheath. A portion of this sample is then placed into the same plastic tube as the ovum. They are separated, however, by an air bubble so that no mingling occurs within the tube. The contents are then injected into the upper end of the fallopian tube where the egg and sperm can now unite in the normal environment (*in vivo*). Both TOT and GIFT presuppose that one fallopian tube is unobstructed. To be morally acceptable, care must also be taken that in both instances the semen is obtained from the conjugal act and not by masturbation. If TOT and GIFT are followed in this way, there are three reasons to adduce in their moral favor. First, they require the conjugal act; secondly, fertilization takes place within the wife’s body, that is, *in vivo*; and thirdly, both aim at the wife carrying the child to birth. In such fashion, the full *personalist* scope of childbearing appears to be upheld, while the negativities of *in vitro* fertilization are avoided.

A Concluding Word: “Micro-Cosmic Viability”

Undoubtedly, those not formed in Catholic moral tradition may not fully grasp the full import of the various moral distinctions made by the Church in evaluating the various modalities of treatment for sterility. But the hope is still nurtured that all men of good will, regardless of their religious background, can appreciate something of the personalist world view maintained by the Church. Few people in today’s world are unaware of what ill an unbridled exaltation of modern technology can portend for man. The very technological progress that can benefit man can also be his downfall. If this is true on the “macro-cosmic” level where atomic

technology could destroy the world as we know it, it is no less true on the "micro-cosmic" level, that is, in the family which is the most basic unit of society. From the encyclical, "Humanae Vitae" to the most recent "Instruction" of the Sacred Congregation for the Doctrine of the Faith, the sole aim of the Church has been to secure "micro-cosmic" viability, that is, to see to it that a fully personalist world view forms the basis of all marital, familial, and societal relations in our very troubled and ever-impersonalist world. In this "holy effort," the Magisterium deserves nothing less than the full support of the body faithful.

References

1. *Acta Apostolicae Sedis*, 60(1968), pp. 481-503. English translation, Paulist Press, New York.
2. The official English translation of this work has been made available by Ignatius Press, San Francisco and in an April, 1987 supplement of *Ethics & Medics*.
3. In particular, the edition of Wednesday, March 11, 1987.
4. Just what this precise link is will be discussed more fully below.
5. Previously on the pages of this review I have developed this theme. See "Contraception and the Christian Institution," *Linacre Quarterly*, 46(1979) pp. 264-78. Editorial revision, however, replaced the word "intuition" in the original title with "institution."
6. *The New York Times*, March 11, 1987, p. A1.
7. *Theological Studies*, 45(1984): 102.
8. See Bernard Haring, "The Inseparability of the Unitive-Procreative Functions of the Marital Act" in *Contraception: Authority and Dissent*, ed. Charles E. Curran (New York: Herder & Herder, 1969), pp. 176-92, esp. 180. Charles Curran, for his part, decries the encyclical's "physicalism." See his "Natural Law and Moral Theology" in the same collection, pp. 151-75, esp. pp. 159f. See also his *Dissent In and For the Church* with Robert E. Hunt (New York: Sheed & Ward, 1969), pp. 155-95, esp. 162-3.
9. "Majority Papal Commission Report" in *The Catholic Case for Contraception*, Daniel Callahan, ed. (Toronto: The Macmillan Co., 1969), p. 158. The pontiff, of course, rejected the advice of the majority on this commission and instead took the "minority" point of view. Cf. "Humanae Vitae," 6.
10. *Ibid.*, p. 161.
11. Novak, Michael, "Frequent, Even Daily, Communion" in *The Catholic Case for Contraception*, p. 95.
12. The case of cosmetic surgery is somewhat different. It can be used to correct real deformities or eliminate unsightly blemishes. At the same time, it can be used for more venal reasons, e.g., for greater personal beauty, with moral impunity.
13. "Humanae Vitae", 12.
14. *Ibid.*, 11.
15. *Ibid.*, 12.
16. *Ibid.*, 17.
17. A notable exception to this general rule can be found in the writings of St. John Chrysostom, especially in his Homily 20 on Ephesians 5:22-33 and Homily 12 on Colossians 4:18. For these and other writings, see St. John Chrysostom, *On Marriage and Family Life* (Crestwood, NY: St. Vladimir's Seminary Press, 1986).
18. See, above all, his works, *In Defense of Purity* (Chicago: Franciscan Herald Press, 1970) and *Marriage: The Mystery of Faithful Love* (Manchester, NH: Sophia Institute Press, 1984). The German original of the former work, *Reinheit und Jungfräulichkeit*, appeared in 1925 and was first translated into English in 1930. The latter work, *Die Ehe*,

dates from a 1923 lecture to a Congress of the Catholic Academic Association and first appeared in English in 1942.

19. *The Encyclical Humanae Vitae: A Sign of Contradiction* (Chicago: Franciscan Herald Press, 1969), also a work in translation.

20. *Smysl lyubvi, Sobranie sochinenii* (Collected works) (Bruxelles: Foyer Oriental Chrétien, 1966), VII:3-60. The work was originally published in installments (1892-94) in *Voprosy filosofii i psikhologii* (Questions of philosophy and psychology). English translation (West Stockbridge, MA: The Lindisfarne Press, 1985).

21. See our critique in "Verso una comprensione ortodossa dell'*Humanae vitae*: Qualche apporto dalla storia del pensiero religioso russo," *Unitas*, Italian edition: 39(1984), pp. 46-49.

22. This is the question von Hildebrand does successfully pose and answer. See, e.g., *The Encyclical Humanae Vitae . . .*, pp. 29-34.

23. *O rabstve i svobode cheloveka* (Paris: YMCA Press, 1931), p. 185. English translation, *Slavery and Freedom* (New York: Scribners, 1939), pp. 224. For our critique of Berdyaev on this and other scores, see "Verso una comprensione ortodossa . . .," 49-51 and "Berdyaev and the Relation of Sex, Love and Marriage," *Proceedings of the American Catholic Philosophical Association*, 60(1986), pp. 245-52.

24. *O rabstve . . .*, 192 (Eng. trans., 233).

25. Evdokimov, Paul, *The Sacrament of Love* (Crestwood, NY: St. Vladimir's Seminary Press, 1985), pp. 174-80. The original work (in French) dates to 1943 and was enlarged in 1962.

26. Meyendorff, John, *Marriage: An Orthodox Perspective* (Crestwood, NY: St. Vladimir's Seminary Press, 1975), pp. 65-70.

27. Zaphiris, Chrysostom, "The Morality of Contraception: An Eastern Orthodox Opinion," *Journal of Ecumenical Studies*, 11(1974), pp. 677-90.

28. Patrinos, Nicon D., *The Orthodox Church on Birth Control* (Garwood, NJ: The Graphic Arts Press, 1975).

29. Costantelos, Demetrios, *Marriage, Sexuality and Celibacy: A Greek Orthodox Perspective* (Minneapolis, MN: Light and Life Publishing, Co., 1975).

30. Harakas, Stanley S. *For the Health of Body and Soul: An Eastern Orthodox Introduction to Bioethics* (Brookline, MA: Holy Cross Orthodox Press, 1980). This booklet contains the author's articles for the *Encyclopedia of Bioethics* (New York: The Free Press, 1978).

31. For a thorough overview, see Basilio Petra', "Questioni di morale coniugale: posizione ufficiale della Chiesa ortodossa," *Unitas*, Italian edition, 35(1980): 173-92, 251-79.

32. See the comments of Petra', *ibid.*, 184-85. Also, see Francis Edgecumbe, "Orthodox Reactions to 'Humanae Vitae,'" *Eastern Churches Review*, II(1968-69), p. 305.

33. Costantelos is an exception. Costantelos, *op. cit.*, 63, 65.

34. For treatments of this theme, see William E. May, "A Catholic Understanding of Sexuality," *Faith and Reason*, 6(1980), pp. 99-119 and his *Contraception and Catholicism* (Front Royal, VA: Christendom Publications, 1983).

35. Majority Papal Commission Report," *op. cit.*, p. 16.

36. Kosnik, Anthony, Carroll, William, Cunningham, Agnes, et al, *Human Sexuality: New Directions in American Catholic Thought* (New York: Paulist Press, 1977): p. 83.

37. *Ibid.*

38. "Humanae Vitae," 14.

39. See "Instruction on Respect for Human Life," Part I, 1.

40. *Ibid.*, Part I, 4.

41. *Ibid.*, Part I, 5.

42. *Ibid.*, Part II, A, 1.

43. *Ibid.*, Part II, A, 2.

44. It should be noted that for a masturbatory act to succeed, the person involved must typically harbor impure thoughts and indulge in sexual fantasy.
45. "Instruction on Respect for Human Life," Part II, B, 5.
46. Pope Pius XII, Address to the Fourth International Congress of Catholic Doctors, Sept. 29, 1949, "Acta Apostolicae Sedis" 41(1949), pp. 557-61.
47. "Acta Apostolicae Sedis," 43(1951) p. 850. The integral text is on pp. 835-854.
48. Chief among these is the danger of there becoming a "breeder class" of women who might bear children for the "professional class" of women.
49. Numbers as high as 20% of married couples being unable to bear children have been cited. See, e.g., John C. Wakefield, *Artful Childmaking* (St. Louis, MO: Pope John XXIII Medical-Moral Research and Education Center, 1978), p. 148.
50. The "Instruction" specifically draws attention to these in Part II, B, 8.
51. *Ibid.*
52. *Ibid.*, citing "Familiaris Consortio," 14: "Acta Apostolicae Sedis", 74(1982), p. 97.
53. Physicians medical researchers have already done this in an admirable way in regard to Natural Family Planning (NFP). For a discussion of NFP, see our "Pastoral Considerations for Natural Family Planning," *Pastoral Life*, 27:11(1978), pp. 9-14.
54. "Instruction on Respect for Human Life", Part II, B, 6.
55. For fuller explanations of these means, see Albert S. Moraczewski, "Marriage and Assisted Procreation," *Ethics & Medics*, 12:10(1987): 3-4. An earlier variant of TOT, namely LTOT (low tubal ovum transfer) also seems acceptable. In this latter case, the egg is placed in the fallopian tube near the uterus.
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