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# Mater et Magistra and “Loyal Dissent”

by

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In the interval between the appointment of the Birth Control Commission by Pope Paul VI in 1964 and the release of *Humanae Vitae* in July of 1968, my father and I engaged in joyous debate. Though we both completely agreed that the promised encyclical would again define the constant teaching of the Church opposing all forms of artificial birth control, my father insisted that since His Holiness would speak from the Chair of Peter, the encyclical would be *ex cathedra*. I, on the other hand, contended it would be reiteration of authentic magisterial teaching, thus binding doctrine even though not “infallible” in the strict sense of Vatican I. Little did we realize our intense debate would become irrelevant to vast numbers of Catholics worldwide. Theologians, priests, laity and even some bishops pridefully rose in dissent from the official and unchanging magisterial tradition. Decades of “cafeteria Catholicism” were off to a running start! I trust this paper will demonstrate whether Pope Paul VI was speaking *ex cathedra* or restating magisterial truth. *Humanae Vitae* must be recognized as binding to the properly formed conscience.

The first inter-congregational council was held in Jerusalem within a few years of Our Lord’s death and is mentioned in the Acts of the Apostles. A general council is essentially a gathering of the bishops in communion with the Pope as the teaching magisterium that can thus both define doctrine but also make practical binding laws. Since the Council of Nicea in 325 A.D., Church history is marked by a succession of General Councils. The last two of these, Vatican I and Vatican II, are among the most controversial.

Vatican I (1869-1870) settled the centuries’ old dispute between papal and conciliar views. It defined the primacy of jurisdiction of the Pope and his infallibility (under certain precisely stated conditions.) The status of the episcopate was not as clearly defined. *The Disputations de Fide* and *The Infallibility Decree* were agreed upon after intense debate. The Council had already defined the primacy of the Pope as successor of

Peter, but went on to formulate the definition of papal infallibility. Literally over one hundred modifications were proposed. Finally, the form accepted and enacted read as follows:

The Roman Pontiff, when he speaks *ex cathedra*, that is when exercising the office of pastor and teacher of all Christians, he defines with his supreme apostolic authority a doctrine concerning faith and morals to be held by the universal Church, through the divine assistance promised to him in St. Peter, is possessed of that infallibility with which the divine Redeemer willed His Church to be endowed in defining doctrine concerning faith and morals, and therefore, such definitions of the Roman Pontiff are irreformable of themselves (and not from the consent of the Church).<sup>1</sup>

No significant challenge followed until dissent became *de rigueur* leading to the clarification defined by Vatican II (1963-1965). The documents of Vatican II clearly reiterate and expand understanding of magisterial infallibility in the *Dogmatic Constitution of the Church (Lumen Gentium)*:

Although the individual bishops do not enjoy the prerogative of infallibility, they can nevertheless proclaim Christ's doctrine infallibly – provided that while maintaining the bond of unity among themselves and with Peter's successor, and which teaching authentically on a matter of faith and morals, they concur in a simple viewpoint as the one which must be held conclusively.... This infallibility with which the divine Redeemer willed His Church to be endowed in defining a doctrine of faith and morals extends as far as extends the deposit of divine revelation expounded. This infallibility that the Roman Pontiff, the head of the college of bishops, enjoys in virtue of his office.... Therefore, his definitions of themselves, and not from the consent of the Church, are justly styled irreformable, for they are pronounced with the assistance of the Holy Spirit, an assistance promised to him in blessed Peter. Therefore, they need no approval of others, nor do they allow an appeal to any other judgment.<sup>2</sup>

We can then proceed to *The Church Today (Gaudium et spes)* in Vatican II. The Council recognized the modern conditions that might lead to a couple wishing, at least temporarily, to limit the size of their family. It emphasized the need to protect human life from the moment of conception. It referred to abortion and infanticide as "unspeakable crimes." It further stated in *Gaudium et spes*: "Sons of the Church may not undertake methods of

procreation that are found blameworthy by the teaching authority of the Church.”

Official footnotes appended referred to Pope Paul VI’s creation of a commission to study questions in dispute regarding birth control. It notes that despite Paul VI’s reference to prior definitions by Pius XI and Pius XII, certain questions would await further study by the commission and the Council would defer further teaching to the “Supreme Pontiff.”<sup>3</sup>

On July 25, 1968, some three years after the conclusion of the Council, Pope Paul VI issued the long awaited *Encyclical Letter of His Holiness Pope Paul VI on the Regulation of Birth, Humanae Vitae* was addressed “To the venerable Patriarchs, Archbishops and Bishops and other local ordinaries in peace and communion with the Apostolic See, to priests, the faithful, and to all men of good will.” He states in the introductory remarks of *Humanae Vitae* (Human Life) that after personal examination of the serious questions on the moral teaching on marriage, that “by virtue of the mandate entrusted to us by Christ, to give our reply to these grave questions.”<sup>4</sup> It becomes self-evident upon unbiased review he invoked papal primacy in definition and teaching on matters of faith and morals as recorded in both Vatican I and II. Pope Paul VI was speaking with the authority granted from the chair of Peter. Much has been made challenging his teaching as lacking “infallibility.”

Whether infallible as *ex cathedra* or as reiteration of binding doctrine previously defined by his predecessors, Pius XI and Pius XII among others, the much reflected document *Humanae Vitae* must be recognized as binding. Venerable John Henry Newman once advised that unless one can say after prayerful examination of conscience, “I must disobey the Pope,” there is an overriding obligation in obedience to follow his teaching, even on less specific matters of faith and morals.

A reading of the encyclical reveals Paul VI addressing the beauty of the transmission of life, with emphasis on responsible parenthood. He carefully formulated the problems of our times: rapid demographic developments, world population, economics, educational and social conditions, before a masterful application of doctrinal principles and guidance for use of licit means to participate in responsible parenthood – both personal and societal.

The violent dissent to follow was unpredictable. Within days, an astonishing number of Catholic theologians, laymen, physicians, and clergy embraced fully the pragmatic language of Planned Parenthood on a basic moral issue upon which there had been solemn papal declarations, especially throughout the past one hundred years.<sup>5</sup> Despite the unequivocal directives issued by the Council and Pope Paul VI that “no one should arrogate to himself the right to take a stand differing from the norm now in

force,” controversy over the question of artificial birth control raged from “loyal dissent.” The Catholic physician felt the impact of this rejection of magisterial teaching on natural law and in many instances, if not generally, yielded to the permissiveness, and sometimes positive advocacy of theologians and patients’ confessors. I hesitate to add fear of financial loss to the physician as a stimulus to the major departure from traditional teaching. It became acceptable to believe the magisterium of the Catholic Church could teach in error on a matter of profound moral significance. It became acceptable to ignore the solemn condemnation of contraception by Pope Pius XI in *Casti Connubii*,<sup>6</sup> as well. Dissent became popular.

Obviously, regulation of conception can be effected in two radically different ways: abstinence or contraception. There are circumstances within marriage when total abstinence is a sacrifice demanded by duty and love. Abstinence during the fertile period within the rhythm method or natural family planning (NFP) is a lesser hardship but is consonant with the disciplined consideration and tenderness that a man and wife should bear for each other. Neither the intent nor the intrinsic capability to block the fertility of the particular act of intercourse exists. The conjugal act is performed with normality without intervention by mechanical or chemical means. It is compatible with the dignity of the marital relation, with its physiologic and emotional integrity. It is not contraceptive.

Humankind is unique in the order of nature, a body-soul dualism with extraordinary dignity that each individual soul is in the unique image and likeness of God as a special creation. In this relationship, our generative function shows a creative act with our Maker. It is procreative.

On the other hand, a vicious casuistry would have morality depend on the shifting values of time, place, circumstance, choice and personal gratification. The methods and means to obtain “sterile,sex” include:

- Surgical Sterilization: hysterectomy, salpingectomy, tubal ligation, vasectomy – the removal or modification of normal organs for the direct purpose of preventing their function – repugnant self-mutilation;
- Coitus Interruptus (Onanism): male withdrawal before ejaculation of the sperm – a major physiological, psychological, and aesthetic affront to the partners in the act aside from the scriptural condemnation;
- The Condom: traditionally used to protect, if imperfectly, against venereal disease in intercourse with male or female prostitutes – a mechanical implementation of onanism. The male takes God’s gift of the stuff of life, misuses it, and casually discards it in the garbage;

- The Vaginal Diaphragm: the female equivalent to the condom. It is inserted by the woman prior to intercourse as a prosaic preparation for the marriage bed;
- Spermicidal Jelly: used a direct assault on the source of life contained in the vital principle of the spermatozoon;
- The Intrauterine Device: spirals, rings and other devices that operate by prevention of implantation of the fertilized ovum. They are abortifacient.
- Oral Steroid Hormones: give the illusion of normality and even morality. Aside from questionable safety and at times abortifacient action, the “pill” blocks the necessary maturation of the ovum. It is a real interference with the natural process of generation – a chemical mutilation of normal function with the direct intent of contraception.

These measures, apart from their inherent repugnance, require a calculated concern, a meticulous preparation, which tends to inhibition of the generous mutual giving, the very being of husband and wife, in marital love.

*Humanae Vitae* – this substance made in God’s image. Human Life: is it to be reduced by contraception of the human’s very generation? My father, now deceased, and I could no longer debate enthusiastically the trivial disagreement we had on the nature of authentic teaching. The proliferation of serious dissent has become routine. Contraception, abortion, embryonic stem cell research, prenuptial cohabitation, and homosexual marriage are joined by an ever growing attitude of “anything goes” by the laity and seldom challenged publicly from the pulpit. Mater et Magistra, mother and teacher, remains the source for truth, but desperately needs to be voiced.

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