



THE DEFENSE OF *HUMANAE VITAE* IS NOT A PARTISAN ISSUE

Posted on May 1, 2023 by Fulvio Di Blasi



Michael G. Lawler and Todd A. Salzman [recently published an article](#) in the *National Catholic Reporter* entitled, "Conservative defense of Humanae Vitae is not just about contraception" (L&T). The authors focused on the debate generated by a [recent international conference](#) organized in response to some controversial claims on sexual morality contained in a volume published by the Pontifical Academy for Life. They report some of my statements out of context and without ever going into the merits of my arguments. Thus, when they ask why people like me defend Humanae Vitae (HV), they do so solely from the perspective of those who, like them, intend to criticize it. This is already a methodological error.

Another mistake is to give the impression, as they do throughout their discussion, that the defense of an encyclical such as HV is a matter of partisanship. Yet, encyclicals are not like legislative acts that a political party, after a victorious election, can simply overturn. This is not the way of the Church. The debate on how best to defend revealed truth cannot be reduced to a dispute between opposing factions, labeling those who defend a certain magisterial teaching "traditionalist", "conservative", "legalistic," and the like. This attitude pervades the entire article by Lawler and Salzman, giving it a negative and non-ecclesial tone. For my part, I would never label myself in those ways, and I claim that my thinking is centered on the true meaning of Christian love.

Paul VI's Advisory Commissions and Ordinary and Universal Magisterium

Lawler and Salzman's article contains several errors which are revealing of this way of conducting the debate in a biased way, without sincere respect for the others, including Popes.

For example, they use the work of the commission set up by Pope John XXIII to support the idea that the teaching of HV is not in line with the ordinary and universal Magisterium and is therefore not irreformable. Indeed, they reduce the meaning of the encyclical to a mere activity of approving or certifying the works of the commission, or of choosing between what they call the majority or minority reports, as if that commission was supposed to be a sort of official voice of the Church or as if it had some sort of proper theological meaning as an expression of the ordinary and universal Magisterium. This is how they put it,

"Nine bishops also voted in agreement with the commission's majority report... Given the votes of the commission's bishops, it is an incredible stretch of the imagination and

dishonors the consciences of the bishops to claim that the ordinary universal magisterium declares this teaching irreformable... Paul VI... approved the minority report in his encyclical letter *Humanae Vitae*" (L&T).

This way of arguing and speaking, in addition to being erroneous, is highly disrespectful to Paul VI, who declared in the very encyclical that he had to put aside the work of that mere consultative commission:

"especially because certain approaches and criteria for a solution to this question had emerged which were at variance with the moral doctrine on marriage constantly taught by the magisterium of the Church" (HV, 6).

It is Paul VI himself who declared the opinion of the commission not in line with the ordinary and universal Magisterium. To use Lawler and Salzman's language (and a fair principle of equality), aren't they "incredibly stretching their imagination and dishonoring the conscience of Paul VI"? Who is a better voice of the ordinary and universal Magisterium, the opinion of nine bishops in a consultative commission or the official statement by Paul VI in HV? Who deserves more deference in the Church by loyal faithful?

Procreative Model vs. New Interpersonal Union Model?

Another example of a biased approach is the fictitious opposition between two alleged models of marriage, the ugly (procreative) one chosen by Paul VI, and the new and beautiful one based on interpersonal union, on the "total meaning of marriage and of sexual intercourse within the marriage relationship" (L&T).

I don't know of any serious author who interprets marriage outside a context of deep love for God and the human person. Certainly, Paul VI did not, who begins his explanation addressing "God's Loving Design" and "Married Love":

"Married love particularly reveals its true nature and nobility when we realize that it takes its origin from God, who "is love" ...As a consequence, husband and wife, through that mutual gift of themselves, which is specific and exclusive to them alone, develop that union of two persons in which they perfect one another, cooperating with God in the generation and

rearing of new lives... This love is above all fully human... it is meant not only to survive the joys and sorrows of daily life, but also to grow, so that husband and wife become in a way one heart and one soul, and together attain their human fulfillment. It is a love which is total—that very special form of personal friendship in which husband and wife generously share everything..." (HV 8-9).

Intellectual honesty and due respect for the Church must lead to correctly portraying the opinions and moral attitudes of others. Whenever the debate over contraception, or sexual morality in general, is presented as a dispute between legalists, on the one hand, and lovers of love, on the other, something is wrong. Anyone who thinks that there are moral truths that must always be respected, limits that must not be crossed, is generally a person who truly loves (God, the truth, other human beings). Is a mother who refuses an abortion at the cost of her life a legalist? Is a saint willing to martyrdom a legalist?

In married life, we abstain from sex for many reasons, because the other is not feeling well, because we are unable to isolate ourselves from the kids (as in the recent lockdowns), because there are too many urgent and important things to do or to think about, etc. In a happy marriage, these abstentions breed love. When abstention creates marital problems, it generally means that sex is experienced in a selfish way, as a search for oneself rather than as a gift to the other. I can't remember a single case in which our abstention didn't become a reason for happy laughter, and I can't imagine the opposite in any loving marriage. Honestly, even if there are sometimes valid reasons to delay pregnancies, I have never even discussed them with my wife. I wonder if the very legitimate debate about natural family planning isn't today marred by a world that no longer loves God and children. Just as the pervasiveness of divorce ruins the purity of marriage will for many today, so the contraceptive mentality ruins the approach to NFP. It is too easy today to be afraid of a child, but the Gospel tells us not to be afraid. For me and my wife, it'd really take an apocalyptic reason, so to speak, to put aside, even momentarily, our passion to co-create with God the world of the future and to embrace a new child—the most beautiful thing I can imagine. We are never afraid, and that debunks and eliminates false problems, and constantly reignite our love for God, ourselves, and our kids.

The whole debate about contraception is surreal to me, not because of some kind of legalism, but because I don't understand how sometimes having to abstain from sex can be a problem for those you truly love. I can respect different opinions and I'm happy to discuss with those who hold opposing views, but I cannot accept being portrayed as one who does not put love at the center of his life and ideas. I cannot accept portraying people like Paul VI or John Paul II as Popes who didn't understand

love. Procreation is not opposed to love, but sex often is. One must ask oneself whether it is not the excessive attention to sex and the little love for children today that damage the correct understanding of conjugal love.

What Happened to *Veritatis Splendor*?

Surprisingly enough, Lawler and Salzman don't even mention *Veritatis Splendor* (VS). Yet, this is an encyclical written by a Pope other than Paul VI, devoted entirely to defending the doctrine of intrinsically evil acts, and which explicitly uses contraception as a prime example of an intrinsically evil act (VS 80). Again, whatever one's opinion, two encyclicals by two Popes should be better evidence of the ordinary and universal Magisterium than the opinion of nine bishops in a consultative commission. A respectful approach to the Church should at least recognize this fact.

Lawler and Salzman, to defend their alleged non-legalistic and HV-reformable view, refer to *Amoris Laetitia*'s pastoral approach. Yet, HV and VS are doctrinal documents while AL is a pastoral one. The Catholic hermeneutical criterion should first presuppose harmony between papal documents and, secondly, interpret the pastoral care as an affirmation of doctrine, not as a denial of it. A respectful method should also recognize that VS itself warned us against the use of pastoral approaches to deny doctrine:

"some authors have proposed a kind of double status of moral truth. Beyond the doctrinal and abstract level, one would have to acknowledge the priority of a certain more concrete existential consideration. The latter, by taking account of circumstances and the situation, could legitimately be the basis of certain exceptions to the general rule and thus permit one to do in practice and in good conscience what is qualified as intrinsically evil by the moral law. A separation, or even an opposition, is thus established in some cases between the teaching of the precept, which is valid in general, and the norm of the individual conscience, which would in fact make the final decision about what is good and what is evil. On this basis, an attempt is made to legitimize so-called "pastoral" solutions contrary to the teaching of the Magisterium, and to justify a "creative" hermeneutic according to which the moral conscience is in no way obliged, in every case, by a particular negative precept" (VS 56).

Thomas Aquinas to the Rescue?

Shouldn't Aquinas also receive the same honor and respect as those nine bishops? Indeed, Lawler and Salzman enthusiastically recall a passage quoted by AL in which Aquinas affirms that the practical truth, unlike the theoretical one, is not the same for everyone and, the closer one gets to concrete action, the more the truth is indeterminate (ST, I-II, q. 94 a. 4). Yet, this is obvious to anyone who has studied the concept of practical science in Aristotle and Aquinas—a concept that has never stopped either from asserting the existence of intrinsically evil acts.

Here too, a correct interpretative criterion should be that of not reading Aquinas or Aristotle as if they had stupidly contradicted themselves. Practical truth includes all the richness of human action. This is why laws are enough for us to guide action, but trials and verdicts are needed to evaluate and decide the concrete cases. Yet, negative precepts block the other elements of the concrete case. The concept is simple. There is no universal practical truth about what kind of home is ideal for my family, but there is a definite practical truth that whatever home I want for my family, I can't build it with peanut butter. There are things that cannot be done whatever the other elements of the concrete case are. This is why Aquinas explained that the negative precepts oblige "*semper et ad semper*," in each specific case (*Super Rom.* 13, l. 2), which is the same concept used by VS.

Aristotle and Aquinas address the need to correct the universality of the law, to dispense from it, through the concept of *epikeia*, the superior justice of the concrete case. But the justice of *epikeia* depends on understanding the true intention of the legislator, as when we violate a traffic law to let an ambulance pass. So, Aquinas clarifies that the precepts of the Decalogue "admit of no dispensation whatever" because they "contain the very intention of the lawgiver, who is God" (ST, I-II, q. 100 a. 8). Fully understanding the concepts of practical science, *epikeia*, or lawgiver's intention can be difficult, but confusing the functioning of positive and negative precepts is a serious mistake in moral theory.

Magisterium or New Morality?

For me, one of the most striking aspects of Lawler and Salzman's biased approach lies in the contradiction of presenting themselves as both defenders and demolishers of Church teaching. They maintain that HV does not correspond to the ordinary and universal Magisterium. In criticizing it, therefore, they position themselves as defenders of the universal and traditional truth of the Church (represented by the nine bishops). In the end, however, they state that if "the church recognizes the flaws in *Humanae Vitae*'s foundational principle, the entire edifice of official Catholic sexual teaching crumbles," and they even welcome a change of doctrine with respect to homosexual acts.

This is something we can agree on, that they intend to demolish the entire traditional teaching of the Church. Their strategy rests on the critique of the principle of inseparability of procreative and unitive meanings, and their best argument is based on the alleged lack of difference between natural family planning and contraception.

"The claim that there is a moral distinction between the intentions of the approved rhythm method or natural family planning and banned artificial contraception, both of which intend to prevent pregnancy, is disingenuous, counterintuitive and morally unjustifiable" (L&T).

Here too, their dogmatism and inability to grasp differing viewpoints is striking. For me, for example, it's impossible not to see the difference between wanting to have sex at all costs and deciding not to have sex when the order of nature may not match one's family planning. It's impossible not to see the difference between being obsessed with sex and calmly abstaining when it's time to do so. They claim that this issue "has been settled by the practical judgment of the vast majority of" Catholics, which, in addition to being an unfounded apodictic judgment, is equivalent to saying that there is no sin because the righteous man falls seven times a day. They confuse morality with sociology.

To me the matter is simple. There are two meanings that pertain to the objective reality of sexuality, but which do not imply in nature that every sexual act corresponds to a pregnancy. The agent must not try to alter the objective meaning but does not need to aim at pregnancy in every sexual act, precisely because sex's meaning is not only procreative. The truth of the sexual act is that it is beautiful, pleasant, unitive, procreative, and that if one does not try to manipulate its objectivity, one can enjoy it with serenity—in the same way as one can eat ice cream without thinking about the nutritional significance of food. Socrates teaches that morality lies in acting according to the truth, and some of us continue to take this seriously. Again, I can accept different viewpoints and constructive discussion, but not the dogmatism of someone who is unwilling to listen to others.

The most striking aspect of Lawler and Salzman's biased approach is trying to defend the honor of nine bishops on the alleged assumption that they represent the ordinary universal Magisterium, but not the honor of US bishops all together. Indeed, a few years ago the US Conference of Catholic Bishops [condemned Lawler and Salzman's book](#) on sexual morality because it contained "erroneous conclusions on a whole range of issues, including the morality of pre-marital sex, contraception, and artificial insemination," and because "the authors insist that the moral theology of the Catholic tradition dealing with sexual matters is now as a whole obsolete and inadequate and that it must be re-founded

on a different basis."

This is something that the reader should know in advance. I mean, not so much the fact of this condemnation, but the fact that Lawler and Salzman know that HV expresses the traditional teaching of the Church which they intend to criticize and overcome. This is the thing I liked least about their article, the fact that instead of clearly expressing their position they pretended to stand up as defenders of the true teaching of the ordinary and universal Magisterium. We can discuss and argue about anything (with mutual respect and understanding), but always truthfully and without ambiguity.

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[Featured](#): *Couple in Landscape*, by Ludwig Julius Christian Dettmann; painted in 1910.

