



CATHOLIC
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Humanae Vitae and Conscience

Script of Professor Janet Smith talk

This evening's talk is on *Humanae Vitae* and Conscience. Years ago, when I first started teaching *Humanae Vitae* in my classes at Notre Dame, I would ask the students, generally sophomores, to put up their hands if they disagreed with the Church's teachings on contraception. Virtually all their hands went up. Then I would ask how many had read *Humanae Vitae*. None of their hands went up. Then I would ask how many had spent three minutes or more thinking about whether or not contraception was moral or immoral. None of their hands went up. So I asked them why they were comfortable disagreeing with the Church about a teaching they had never read about, thought about or prayed about.

After class, the students went off to their next class and informed the professor there that Professor Smith actually agreed with the Church's teachings on contraception. He was astounded. He said, "I can't figure that Professor Smith out! Why would she hold such a position? She is not an Italian celibate priest. She is young and well educated. What's her problem?" The students, sensing an interesting conflict, asked him if he would debate the issue with me. He agreed.

Two weeks later, I opened my remarks at the debate by stating, just as I did now, that few Catholics have read *Humanae Vitae* or thought much about the issue of contraception, but nonetheless feel comfortable disagreeing with the Church. My opponent had the grace to turn bright red and admit that he and his wife, both Catholic, had been using contraceptives for the last fifteen years, and he had not read *Humanae Vitae* until that afternoon. The students were astonished because they think that no professor would ever hold an opinion that was not well researched and thought out. Little do they know professors! They had a big wake up call that afternoon. But very possibly, of course, that professor and his wife had actually been taught by a priest that it was perfectly all right for them to be using contraceptives if their consciences were not bothered.

The Question of Conscience:

In many ways, the question of conscience has dominated the discussions surrounding *Humanae Vitae*. Much more than assessing whether contraception is good or bad, or analyzing how it harms relationships and society, theologians have largely focused on the so-called right to dissent, that is, the right and obligation to follow one's own conscience in opposition to the Church's teaching.

A couple of years ago, in an article entitled "The Stale and Stalled Debate on Contraception," I made the accusation that dissenting theologians do not really engage the issue of the morality of contraception. They no longer examine arguments why the Church considers contraception wrong. They do not examine or they reject the argument that contraception is wrong because it poses so many unnecessary risks to a woman's health, because it is damaging to male-female relationships, and because it damages one's relationship with God. No dissenting theologians have pondered in print the consequences of contraception for society and for marriage. Very few of them give any indications that they know the power of Natural Family Planning to enhance a marriage.

Most of the debate on contraception, in fact, has not been on the issue itself. It has not been on the merits or demerits of contraception; rather, most of the argument has been on the question if and when people have a right to dissent. At one time dissent was concentrated largely on demonstrating that the Church's condemnation of contraception was based on what is called a physicality understanding of the sexual act. I am not going into that argument here though it still seems to be their primary argument. But they also use their own dissent as an argument why the use of contraception is moral. They advance the curious claim that since most theologians dissent from *Humanae Vitae*, therefore contraception must be all right. As though theologians are the ones who decide what is moral or immoral. Then they go on to say that since dissenting theologians think contraception is okay, Catholics, in good conscience, can use contraception.

Now since most Catholics have not thought through the arguments against contraception or have never even heard them, and are basing their rejection of the Church's teachings either on the authority of dissenting theologians (what I call blind disobedience), or on their own vague sense that contraception seems right, the claim that conscience rather than Church authority shall prevail becomes a crucial factor in the debate.

Whose authority?

Sometimes it seems that the debate is really about whether one should follow the authority of the Church or the authority of dissenting theologians. However, their arguments haven't been heard either and are just being accepted on the basis of some sort of authority that they have been granted. Indeed, since 80% of Catholics practice contraception, it seems that Catholics are following their consciences rather than the Magisterium of the Church. As early as 1969, a major theologian named Giles Milhaven made the claim that *Humanae Vitae* was a dead letter. Now that is surprising. How could it be a dead letter in 1969 when it had only been issued in 1968? Milhaven said it was dead because Catholics in good conscience had to decide whether they could obey their own conscience and go against Church teaching. That seems to be the teaching that Catholics are hearing.

In fact, in most text books used in most Catholic high schools for sex education classes, there appears what I call a "**conscience clause.**" It generally follows the presentation of the Church's teachings on contraception. Some textbooks say: "If you, in good conscience, cannot accept these arguments against contraception, you are free to practice contraception." Now, it's fascinating that this conscience clause never appears on the sections on racism or genocide or social justice. They do not say that if your conscience tells you it is morally permissible to be a racist, then you are permitted to be a racist. This clause only appears in the sections on

contraception. That in itself is worth pondering. **If we are supposed to follow our conscience, then we should be able to follow it on all issues, not just on contraception.**

Now the invoking of the conscience clause was made legitimate, in a way, because of statements made at various bishops' conferences when *Humanae Vitae* was issued. When Pope Paul VI asked the episcopacies around the world to issue statements of support for *Humanae Vitae*, most of them did respond with resounding statements of support. Yet, although none really denied out right the Church's teaching, some statements were so qualified they almost amounted to a denial. France, Austria and Canada, among others, issued such qualified statements.

We are going to be considering here the statement of the Canadian bishops. They said:

It is a fact that a certain number of Catholics, although admittedly subject to the teaching of the encyclical, find it either extremely difficult or impossible to make their own all elements of this doctrine. We must appreciate the difficulty experienced by contemporary men in understanding and appropriating some of the points of this encyclical. And we must make every effort to learn from the insight of Christian scientists and of Catholic scientists, and intellectuals who are undoubtedly loyal to the Christian truth, the Church and the authority of the Holy See. Since they are not denying any points of divine and Catholic faith, nor rejecting the teaching authority of the faith, these Catholics should not be considered or consider themselves shut off from the body of the faithful but they should remember that their good faith will be dependent upon a sincere self-examination to determine the true motives and grounds for such suspension of assent and on continued effort to consider and deepen their knowledge of the teaching of the Church.

So this passage is saying that Catholics are free, as long as they take into account the view of Catholic scientists, and if they keep thinking about these things, they are free to do what they think is right. This is because they are not dissenting, according to the document, from any point of divine or Catholic faith.

Now the document goes on to say:

Counselors may meet others who, accepting the teaching of the Holy Father, find that, because of particular circumstances, they are involved in what seems to them a clear conflict of duties, e.g., the reconciling of conjugal love and responsible parenthood with the education of children already born, or with the health of the mother. In accord with the accepted principles of moral theology if these persons have tried sincerely, but without success, to pursue a line of conduct in keeping with the given directives, they may be safely assured that whoever honestly chooses that course which seems right to him does so in good conscience.

This says that if we do what we think is right, we are doing it in good conscience and that's fine. Now this is what I call the conscience clause. It could also be called the conflict of duty clause.

It says that those who think that they have a duty to practice contraception do so because they think that they would be neglecting their other duties and would have a conflict of duty were they to have a baby. Their assessment of their situation conflicts with the duty they have to the Church. Modern moral theologians teach it is morally permissible for such individuals to practice contraception.

Now, I am going to challenge these appeals to the conscience clause and the conflict of duty clause, and I am going to enlist in my challenge the very Canadian bishops who presented the teaching that I just cited. They issued, a few years after that statement, a wonderful statement on conscience, in 1974. It's truly one of the best brief statements one can get on conscience and even serves as a repudiation of their earlier statement. The gist of the document on conscience is that a Catholic conscience properly formed cannot be in conflict with the Church. This is to say that **a properly formed Catholic conscience would accept the Church's teaching on contraception. And Catholics have an obligation to properly form their conscience.**

Now let's step back for a moment and examine this phrase that Catholics must always follow their conscience. The Church has always taught, and teaches now, that we must always follow our conscience. We must always follow our conscience because our conscience is the highest internal guide to what is good and what is bad, what is right and what is wrong.

St. Thomas Aquinas asks the question in his **Summa Theologica**, "Does an erroneous conscience bind?" (An erroneous conscience is a conscience that is wrong.) What he is asking here is if our conscience is wrong, do we have to follow a wrong conscience? Do we have an obligation to follow our consciences, even a wrong conscience? Now he answers the question by saying, "Yes! Even when one's conscience is wrong, one is obliged to follow it."

But wait a minute! Why should I follow a wrong conscience? Well, of course you cannot know that your conscience is wrong; you will be thinking that your conscience is right, even though it's objectively wrong. You can't say, "I have a wrong conscience but I'm going to follow it!" And it is not following one's conscience to say, "I know what is right and what is wrong and I am going to do what's wrong." This is not a legitimate instance of following an erroneous, or wrong, conscience. What Aquinas is saying, of course, is that we are talking about someone who is what we call subjectively innocent. This person mistakenly, or unknowingly, thinks that something is right which is wrong. In this instance, when doing what one's erroneous conscience says to do, one is doing what one thinks is right.

In fact, it is likely that many Catholics are subjectively innocent with respect to the issue of contraception. They are doing something wrong but their conscience tells them that contraception is a moral act. Often in their Marriage Preparation classes they have been taught that contraception is moral. And some have even been taught by their priest in the confessional that contraception is morally permissible, especially if their consciences are not troubled. Now, I always have a problem with this because I think that if you are confessing the use of contraception that means that your conscience is troubled. So why would a priest say, "Well, now, if your conscience isn't troubled, it's okay for you to practice contraception"? I'll let them work that out in the confessional.

What is conscience?

The point here is that most people don't really know what conscience is, right? Many people think that conscience is the same thing as their opinion: "My opinion is that contraception is okay. The Church's opinion is that contraception is wrong. So it's just my opinion versus the Church's opinion, and I am supposed to follow my conscience, therefore I can practice contraception." This is not good reasoning. This

is a false understanding of both what the conscience is and what the Church teaches. So let's try to get straight what conscience is.

I am going to be reading a passage from the document of Vatican II entitled *Gaudium et Spes* usually translated as *The Role of the Church in the Modern World*. This is a long passage, and an important one, so I will try to read it slowly.

Deep within his conscience, man discovers a law which he has not laid upon himself, but which he must obey. Its voice, ever calling him to love and to do what is good and avoid evil, tells him inwardly at the right moment: do this, shun that. For man has in his heart a law inscribed by God. His dignity lies in observing this law and by it he will be judged. The conscience is man's most secret core and his sanctuary. There he is alone with God, whose voice echoes in his depths. By conscience, in a wonderful way, that law is made known which is fulfilled in the love of God and of one's neighbor. Through loyalty to conscience, Christians are joined to other men in the search for truth and the right solution to so many moral problems which arise both in the lives of individuals and from social relationships. Hence the more a correct conscience prevails, the more do persons and groups turn aside from blind choice and strive to be guided by objective standards of moral conduct. Yet it often happens that conscience goes astray through ignorance which it is unable to avoid and therefore does not lose its dignity. This cannot be said of the man who takes little trouble to find out what is true or good, or when conscience by degrees is almost blinded by the habit of committing sin.

Now, this long and extremely good passage from *Gaudium et Spes* Section 16, deserves a great deal of analysis. But before we undertake that analysis, let us consider, again, how some people think and speak of the conscience.

Some people say, for instance, "My conscience doesn't bother me! Yes, I took some things from work but that doesn't bother me. After all, my boss doesn't pay me enough!" This does not mean the person has a clear conscience. People often think that if they don't feel guilty, well too guilty, about something, they have acted in good conscience. The fact is that the person took something from work, and often, people through their actions don't ever consult their consciences. In fact a lot of people don't regularly consult their consciences; they just do what they do. They do something out of habit or they do something because it's convenient or it will help them achieve their goal. It's not that they sit down-- yes, they sit down-- but they don't pause and ponder, "Is what I am doing right or wrong? Is it good or evil? Is it in accord with God's will or is it just what I want to do?"

So, **to consult one's conscience** doesn't mean to ask, "What do **I** think is right or wrong? What do **I** want to do? Will **I** feel guilty about this or not?"

Rather the questions one has to ask are these:

- Is what I am about to do right or wrong?
- Is it morally justifiable?
- Is it in accord with God's will?

The important question is what God thinks about this action, not what I think about it! Many think that just because they don't have an overwhelming feeling of guilt about what they are *about to do*, or just did, then the act must be in accord with their conscience. But again, they may never have consulted their conscience.

Now, the passage cited earlier from *Gaudium et Spes* says that we all have an internal voice that we should be consulting. It says each person is alone with God "whose voice echoes in his depths." This eternal voice is the voice of God speaking. It's kind of amazing, first, to think that there is a voice of God within us that we need to learn to listen to. This voice lays down within one a law that says what is good and what is bad. Now, some people might ask, if we got that voice inside of us why do so many of us do wrong things? If we have this sanctuary, this inner core, where we can speak to God, why do we do these wrong things?

Inner Sanctuary

Well, very few of us really access that inner sanctuary. Very few of us know how to get there. It takes some quiet, it takes some solitude, it takes some prayer, it takes some reflection. We also have to keep in mind that we have a lot of other voices resounding in this secret core, and it's not always easy to hear God's voice in that din. There are lots of voices in it. There are our passions, our hungers, our appetites. "Do this." "You want this." Sometimes our culture is pushing us to do something. "You know, the peer group does it." My mother's voice is very loud, "Don't do that. Don't do that!"

Sometimes there are our habits. We just do things because our habits are telling us to do things. Probably few of us really ever pause and sit down and try to distinguish God's voice in that cacophony of voices that we find inside of us. Consulting the conscience, then, does not just mean consulting one's feelings or opinions, or what one feels good about or what one feels bad about. Again the primary questions have to be, **"What does God want me to do? What is God's will in this situation?"**

Our conscience is our access to God. It is where He speaks to us. We need to be listening to the voice inside of us that is God's voice.

Now, the passage from *Gaudium et Spes* mentions several things that can obscure the voice of God in the conscience. **One is ignorance.** We are obliged to acquire all the relevant facts in order to make a good judgment. If we do not present this interior voice with the full and proper facts it cannot speak truthfully to us. If we have access to the facts but don't bother to get them, then we are responsible for the bad judgments that we make. Willful ignorance or ignorance due to negligence is no excuse. For instance, if a doctor doesn't read his patient's chart, and that chart notes that the patient is allergic to penicillin, but the doctor goes ahead and prescribes penicillin because he didn't read the chart and doesn't know the patient is allergic, this patient might have great suffering and might even die! The doctor then is guilty of wrongdoing, for he had an obligation to get all the relevant information before he prescribed the medicine. He can't say, "I didn't know." What do you mean you didn't know? It was on the chart! So, one has a responsibility for knowing the facts.

But what if one can't get those facts right? What if it's not the sort of information you have access to or even that you could know right? You would be subjectively innocent of wrongdoing.

I think for instance of those very young girls who get abortions. Many of them are subjectively innocent. Their mothers or their teachers may be pushing them to get an abortion. They may go talk to a guidance counselor or a priest even, who says that in narrow situations an abortion would be morally permissible. Well, a young girl is supposed to obey her parents, and she is supposed to obey her guidance counselor or/and her priest. She may be trying to consult her conscience, and she says, "What would God want me to do?" But again, what she hears is the voice of her teacher or of her priest, and she says "That's what they want me to do. I don't know. But I should obey my parents."

Now this girl doesn't have all the facts. She doesn't have the facts of a prenatal life. She doesn't have the facts about the sacredness of life. Her mother hasn't told her, her teachers don't tell her, counselors don't tell her. In her case, an abortion may be an act of humble obedience.

This is what we mean by subjective innocence. Subjectively, interiorly, she is innocent. She didn't know what she was really doing. Now, what she's done is still objectively and intrinsically evil. But she is subjectively not culpable, and she can't really be held accountable for her act.

On the other hand, consider a young woman who has access to full information about abortion but doesn't want it. She may go to a pregnancy help center simply for the free pregnancy test and when there, someone offers to show her slides about prenatal development. She could then refuse to look at any of the material concerning the development of an unborn child. Some women have been known to say, "I am determined to get an abortion and I don't want to be talked out of it. I don't want to see those slides." They know that with that information they couldn't go ahead and have the abortion. Now, such a woman is deliberately putting aside information that she ought to have in order to make a good decision. She would be culpably ignorant for what she did. She was ignorant, but she should have known better, much like the doctor who prescribed penicillin.

The passage from *Gaudium et Spes* also speaks about the person who takes little trouble to find out what is true or good, because (and I quote), "His conscience is by degrees almost blinded through **the habit of committing sin.**" Now habit can falsify the deliberation of an individual. It would, for instance, be a very rare conscience that wouldn't know that adultery is wrong. But if one has been a habitual adulterer, he or she is unlikely to hear the voice of God about adultery. Adulteries have obscured that voice and adulterers have put it out of their mind, probably through a process of rationalization. They try to convince themselves that what they are doing is not really adultery, that there is no point in being faithful to their spouse, that they are not really married anymore. Adulterous individuals might be saying something like, "I feel good about having sex with my mistress. It seems right to me. I really love her and I don't love my spouse. My mistress is very responsive to me but my wife isn't. I don't think I am really married anymore." This habit of sin can obscure or cripple the individual's ability to consult his conscience. Again, consulting one's conscience is not simply a matter of asking, "Do I feel guilty or not when I do this? Have I decided what seems to me to be right or wrong?"

We must be certain that it is the voice of God that we are listening to when we consult our conscience. We must make certain that we've gotten the full information about whatever it is we are proposing to do, so that we can make a true and honest evaluation and God can speak with us. God can speak with us about the situation we are in and not about another situation.

But for a Catholic, the simple consulting of the conscience is **not enough** to ensure a good judgment. As I have said, the conscience is our highest interior guide. But it's not our only guide. As a matter of fact it is not our highest guide. We have other guides to morality besides our conscience. **The conscience, of course, is not infallible.** It can make mistakes, as we have noted, when influenced by such things as ignorance or bad habits. Some of us even know that we don't know all that we should in order to make some good decisions. Catholics have the great gift of the Church that helps us make certain that our conscience is on the right road.

If our conscience tells us it's OK to cheat our employees or if our conscience should tell us that adultery is OK, a Catholic should know better, no matter what the conscience says, and reason, "Wow! Wait a second! I don't feel too guilty about this but I belong to a Church that teaches that this is wrong!" A Catholic should reason, "My Church says these things are wrong, and my Church has even a more direct contact with the Holy Spirit and God and a greater guarantee than I've got. And so if my conscience tells me something is right that the Church has told me is wrong, I feel extremely uncomfortable about that. Isn't it likely that I am not reasoning correctly, or that I am being misled by some bad passion, or habit, or by my culture?"

So I ask, if it's the Holy Spirit that guides the Church-- and this is what we have to keep in mind, that the Holy Spirit guides the Church-- then why should we trust what seems to be the voice of our conscience over the Church? Is God telling us one thing and the Church another? Is He whispering in our ear that contraception is OK but He has forgotten to tell the Holy Father and the Church? Why should we think that what seems to be our conscience is right over the Church which has a greater guarantee of divine guidance than we as individuals have?

John Henry Newman has some famous remarks about conscience and its relation to Church teachings. Newman describes the conscience in this way. He says, "Conscience is not long-sighted selfishness, nor a desire to be consistent with oneself but it is a messenger from Him who, both in nature and in grace, speaks to us behind a veil and teaches and rules us by His representatives." The conscience is a messenger from Christ who teaches us by His representatives. Rather than being free from Church and people guidance, Newman tells us that the conscience greatly needs such guidance. He observes:

The sense of right and wrong, which is the first element in religion, is so delicate, so fitful, so easily puzzled, obscured, perverted, so subtle in its argumentative methods, so impressible by education, so biased by pride and passion, so unsteady in its course, that in the struggle for its existence amid the various exercises and triumphs of the human intellect, this sense is at once the highest of all teachers, yet the least luminous. And the Church, the Pope, the hierarchy are, in the divine purpose, the supplier of an urgent demand."

Now, that's a complicated passage and it is really gorgeous. He is saying that the sense of right or wrong we have is so easily confused. Even though it's one of the highest parts of our being, we still need the Church, the Pope and the hierarchy to help us out, to make certain that we are paying attention to that high sense of right and wrong that's within us. He is saying the same thing that *Gaudium et Spes* has said. We are easily confused by our passions, by bad arguments, by ignorance that we have a need for guidance by the Church. And God was wonderfully good to have given us such guidance.

Now, sadly and surprisingly, sometimes Newman is invoked in support of the position that conscience trumps the Church's teachings. "I've got a conflict. My conscience tells me this, Church tells me that. I'll go with my conscience." His famous toast in a letter to the Duke of Norfolk was, "I shall drink to the Pope if you please. Still to conscience first and to the Pope afterwards." So he said, I am going to drink a toast to the conscience first and to the Pope afterwards.

Now, this toast has been taken out of context and it may seem to suggest that Newman is an advocate of the liberty of conscience over Church teaching. But placed in context, actually nothing could be further from the truth. For in this passage Newman is speaking not of a Pope who is teaching the faithful Church doctrine, but he is talking about a Pope who is telling the faithful what to do in concrete, particular situations. This is an area in which the Pope does not, in fact, enjoy infallibility or even any authority.

There is a famous novel by Evelyn Waugh entitled Brideshead Revisited. It's a very, very excellent Catholic novel. There is a character in that novel named Rex. Rex is converting to Catholicism. And he is doing so only so that he can have a big Catholic wedding. He loves the pomp and circumstance of Catholicism. He wants a lot of cardinals and bishops at his wedding. He is marrying a very rich Catholic woman, part of a very wealthy, influential Catholic family. He wants to become a Catholic so that the can have this great, big church wedding.

Now the priest who is giving him instructions seriously doubts, and rightly doubts, Rex's sincerity in becoming a Catholic. So he tries to test the depths of his understanding of Catholicism. He asks Rex a question in respect to the teaching that the Pope is infallible. He says, "Rex, if the Pope said it was going to rain one day, and it did not rain that day, what then would come to the teaching on infallibility?" Rex responded, thought for a moment, and then he said, "Well, we would have to assume that it was spiritually raining but that we were too corrupt to see it." You see, Rex thought the Pope had to be right about everything!

But what Rex does not understand is that papal infallibility does not extend to predicting the future or even whether saying that this particular action is right or wrong. He can only teach infallibly about matters of faith and morals, and then only in a general sense. Thus, when Newman says that he will drink to the conscience first and to the Pope second he is talking about such concrete, particular situations. Indeed, he gives us examples of what he is talking about. He says, "You know, if the Pope should tell us we have to be teetotalers in the afternoon or that we have to win lotteries in order to support the missions." We don't have to do those. Those are just instructions to us. Those are the Pope's opinions. But in matters of faith and morals, that's the subject upon which the Popes are infallible.

Now the U.S. bishops wrote a statement that followed *Humanae Vitae*, and in there they cite a famous statement of John Henry Newman in regards to what a Catholic should do when he or she disagrees with the teaching or mandate of the Church. This follows the passage I was just talking about. It says:

4. But, of course, I have to say again, lest I should be misunderstood, that when I speak of Conscience, I mean conscience truly so called. When it has the right of opposing the supreme, though not infallible Authority of the Pope, it must be something more than that miserable counterfeit which, as I have said above, now

goes by the name. If in a particular case it is to be taken as a sacred and sovereign monitor, its dictate, in order to prevail against the voice of the Pope, must follow upon {258} serious thought, prayer, and all available means of arriving at a right judgment on the matter in question. And further, obedience to the Pope is what is called "in possession;" that is, the onus probandi(burden of proof) of establishing a case against him lies, as in all cases of exception, on the side of conscience. Unless a man is able to say to himself, as in the Presence of God, that he must not, and dare not, act upon the Papal injunction, he is bound to obey it, and would commit a great sin in disobeying it. Prima facie it is his bounden duty, even from a sentiment of loyalty, to believe the Pope right and to act accordingly. J. H. Newman, Letter to the Duke of Norfolk, section 5.

Now, what Newman is saying here is that if we think the Pope is telling us something wrong, and he is talking about drinking tea in the afternoon instead of a little bit of wine, and winning lotteries for the missions, if the Pope is saying, "What I want you to do is drink tea in the afternoon and I want you to run lotteries for the missions," and you say, "I don't think those are good ideas;" he says, even then, you should think about it, pray about it, get all available means of arriving at a right judgment and you should assume that the Pope is probably right and you are wrong. But if after that, you can say, "As God is my witness, I think lotteries are a bad idea and I am not going to do it," then you have an obligation to follow your conscience. You notice here he is not talking about a Church teaching on a fundamental, moral matter such as contraception. In that instance, the Catholic is bound to follow the Church.

In their statement on conscience in 1974, the Canadian bishops, too, cite Newman, and clearly teach that Catholics should follow what their Church teaches. In their statement of 1974 on the conscience, they say:

A believer has the absolute obligation of conforming his conduct first and foremost to what the Church teaches. Because first and foremost for the believer is the fact that Christ through His Spirit is ever present in His Church and all the Church to be sure, but particularly with those who exercise services within the Church and for the Church. The first of which services is the Apostles.

It says that Christ teaches through His Church, is present in all His Church, but particularly in those who have the office of teaching, and who are the Apostles and the successors of the Apostles, who are the Popes. So the conflict that some people talk about between the Church and the conscience should never really exist. An apparent conflict should be easy to resolve. If the Church says one thing and what seems to be my conscience says another, it's the Church that has a right to form my conscience more than anything else.

More than my opinion, more than what other people are telling me, more than what the media tells me, it's the Church I should yield to. Again, if a Catholic sits down and says, "**Now, what does God think about contraception?**" where do we start? I don't know what God thinks. How am I supposed to know what God thinks about contraception? Well we can certainly look at the natural law, but sometimes we can be confused. So then I say, "Well, you know I do belong to a Church that is an interpreter, a reliable interpreter, of the natural law. Maybe I should go to my Church. Oh my goodness, my Church does have a teaching on contraception! It says it's wrong."

Now, why would I think, again, that the Church would be wrong about contraception,

and I would be right? I am trying to figure out what God says. Why would God whisper to me that it's OK and forget to tell the Holy Father? The dissenting Catholic seems to be in a position of tremendous tension with his or her Church. For instance, isn't it very awkward to belong to a Church that one believes to be teaching false things about morality? Why would one have a devotion to a Church if one thinks it is so wrong on something that in our society is so clearly important? It seems to me that a situation of dissent creates an intolerable tension for the devout Catholic.

Now a lot of people don't even know that there is that tension, that if they disagree with the Church that's a problem. They think it's OK. The Church has one opinion, I have another. But it's sad that few Catholics realize that the Church is guided by the Holy Spirit. Thus they don't realize that to follow what seems to be their conscience against the Church puts them in, again, an extreme state of tension with God. That how gravely uninformed we are about what our Church is. Most Catholics don't realize what kind of tension dissent puts them in. They are quite comfortable going to Church and saying, "I'm a good Catholic. I give to the Church every Sunday. I send my kids to the Church's school. I serve on the Church counsel. I bake cookies for the bazaar. I am a good Catholic. My conscience doesn't bother me. What's the problem?"

They have no idea that, practically speaking, there is an enormous tension between what they are doing in their lives and their beliefs as Catholics. They don't sense that tension because they don't know enough about either contraception, their conscience, or about the Church. They are working in a huge vacuum and they feel perfectly comfortable.

The encyclical "Veritatis Splendor," or "Splendor of the Truth," makes it clear that it is not the part of the conscience to decide what is right and what is wrong in principle, in regards to norms, and in regard to laws. The conscience cannot decide that adultery is wrong. It can only discover what is right or what is wrong. It is not the job of conscience to make the laws, but to discover them. Where we have freedom of conscience is in applying the norms that we have discovered. For instance, as we just noted, the conscience can't really decide that adultery is moral. That's a truth that lies outside the province of conscience. Every true conscience would recognize that adultery is immoral. The job of the conscience is to determine one's own behavior. Again, sometimes it may be difficult to determine whether the deception one is practicing is a moral deception, for instance, when one might want to deceive Nazis about the whereabouts of some Jews, or if one is engaging in an immoral deception. For example, one might deceive one's boss about one's responsibility for a mishap on the job.

Obviously the Church can't make these decisions for us. The Church cannot pronounce on every little detail of our lives. We have to make our own practical judgments. Again, every conscientious individual knows that adultery is wrong, but not everyone may be able to discern what an occasion of sin is. Take a married man, away from home for a few weeks of business training. He walks by the hotel's bar, where he sees an attractive woman sitting. She is a good business acquaintance. It would be good to network a bit more with her. But he has to ask himself, "Will having a drink with her be a companionable act? Would it just be a nice way to do some of this networking? To get to know her better so I can work better with her? Or am I putting myself into an occasion of sin?" Now, the good person would consult his conscience. Having a drink, in fact, might be perfectly all right. He might conclude, "Well I do, I have control and I don't really think there is any danger here. And I'd

like to have a drink and this person, this lovely woman is friendly and we might be able to work together better in the future." Now, someone else might say, "Forget it! I have been away for two weeks and I'm kind of desperate and I really can't trust myself. I have some appetites which are out of control, and I don't know whether I can handle this situation or not."

The Church can't tell us, again, what to do in each and every situation. It can't make a rule saying, "Don't have drinks with attractive women at bars." That is where the conscience does its job. The conscience decides, at this instance, whether one ought to do this or whether one ought to do that.

In those who are diligent, the conscience is at work all the time. It is constantly evaluating the morality of the actions one is thinking about performing, or which one has performed. So although the conscience is on its own in respect to concrete, particular situations, it simply is not free to make decisions about whether adultery is right or wrong, stealing is right or wrong, abortion is right or wrong, or contraception is right or wrong. These are universal norms and those of us who are Catholics are blessed enough to belong to a Church that can teach us about them should we become confused.

Again, if one has any confusion about what are the moral norms, one should look to the Church. Since the Church teaches that contraception is intrinsically wrong, Catholics should accept it as intrinsically wrong because the Church has the ability to make these judgments. A Catholic has an obligation to form his or her conscience in accord with the Church's teachings. I don't think a Catholic can practice contraception in good conscience, I don't think that's possible. Even though I think most of those who practice contraception are subjectively innocent, I also don't think they have consulted their conscience in a Catholic way.

They retain their subjective innocence none the less, because they have never been instructed on how to consult their conscience in a Catholic way. As noted earlier, they don't really know what Catholicism is. They haven't been taught it. But on the other hand, a good Catholic, one who really knows what the Church is, one who knows what the Church teaches, could not be innocent in practicing contraception.

Now, some people think that if their conscience is ignorant or subjectively innocent, no harm can come to them. They may even wish they were ignorant about the morality of some actions. They could think they could get sterilized, for instance. And if they were subjectively innocent, if they were ignorant they would have the best of all worlds. They would have all the benefits that come with sterilization without the moral culpability. But subjective innocence does not save one from suffering the objective consequences of one's acts. One may think that sterilization will buy happiness, but if it's truly against human nature and human dignity, it will not. In fact, sterilization provides a good example of this principle. Many who deal with married couples in pastoral situations are finding out how damaging sterilization is to marriages. Couples think they are going to buy sexual happiness through sterilization. From now on they will be free from worry about pregnancy and they can have sex whenever they want to.

Now, often they find out, as a matter of fact, that there is a certain flatness to their sexual lives that they didn't have before. In fact, there probably were some problems in the relationship. There are problems in every relationship. And they thought sterilization would help those problems, maybe even get rid of those problems. Sex,

better sex, more sex, sex more often would help us deal with those problems. But it doesn't. So, the marriage seems worse than it did before because they thought they had the solution and now that solution didn't solve the problem. It seems like a worse problem than they thought it was. The couple becomes troubled by guilt. There is something wrong. There is something not there that should be there. So, even if they didn't mean to do anything damaging, they will suffer the damage that follows upon sterilization.

So, doing wrong innocently is much like innocently drinking poison in one's morning orange juice. Even though one might not know it's there, it will still harm them.

Moral innocence does not save one from bad consequences. The fourteen year old girl who gets an abortion in good conscience is going to suffer because of that abortion. She is not going to walk away scar free. Even though subjectively she is not culpable, she is going to have nightmares possibly, or different psychological problems, or difficulty relating with men, or difficulty with her self-esteem. She is probably not going to walk away scar free.

It's the same with contraception. Although many practice contraception innocently, they still suffer the bad consequences. Let me illustrate this point with an anecdote.

I have a friend who belongs to a family of eight, all raised Catholic, all grown now, all married. They are all over twenty-five. Though raised Catholic, as I said, but they don't have much sense of what Catholicism is all about. Most of them don't even go to mass regularly anymore. Only one of the women in the family and her husband practice Natural Family Planning. They have four children. Among the rest there is only one child. Now, all the other couples use contraception. They are all very attractive two incomes couples. One night they were sitting around talking. The couples practicing contraception were all complaining. They were complaining about the quality of their sex lives, in a very candid conversation. All the women were saying that they felt used, as sexual objects that sex was just one more imposition, one more thing that they had to do at the end of a busy day. And the men were all complaining. They felt that they had been degraded and demeaned, that they had been reduced to begging for sex that they were engaging in sex with a woman who would rather be watching TV. The couple using Natural Family Planning, on the other hand, was looking inquisitively at the couples using contraception. And they were saying to themselves, "What's the problem? We are doing just fine. Our sex life is going just fine. What's the problem with these other couples, my brothers and sisters? Why are they complaining about a lack of excitement and passion in their relationships?"

If anybody looked at these couples, those who were practicing contraception would all appear very attractive. They had very good incomes, could go to movies, they enjoyed candle light romantic diners... They have all the time in the world to enjoy each other, or so it seems. But there is something flat about their sexual lives. The couple with four children on the other hand, they are getting a little pudgy, a little grey, they are a little stressed out because of finances, and they don't have a lot of time. The house is a little tacky with cheap plastic toys everywhere. They are not going out to movies and romantic diners. And one might ask, "Why is this the couple that's having a fine romantic time of sexual intercourse?"

Now the Church would say that it is because their sexual life expresses the fullness and meaning inherent in the act. And the sexual acts of the contracepting couples do not. Now, those couples, I think, are subjectively innocent. But they are still

suffering the harm of their contraception.

Some people think they don't have to follow *Humanae Vitae* because they claim that its teaching is not infallible. They say that it is not an infallible teaching, therefore it's a non infallible teaching. And then I think they say, "Well, since it's non infallible, it must be fallible. As a matter of fact, it must be wrong." Now the possibility, of course, is that just because something is not infallible, it still is true, it still is right, it just hasn't been decided, hasn't been proclaimed to be infallibly true. There are lots of debates about this in the Church, but there certainly are those who say there are good reasons to think that in fact it is an infallible teaching. We must keep in mind that there is more than one way for the Church to teach infallibly.

The Church does not teach infallibly only through documents that have the official mark of infallibility. Something is given the official, or explicit, mark of infallibility when the Pope speaks what is called *ex cathedra*, from the Holy Chair. Popes have done so twice only in the history of the Church: once in proclaiming Mary's bodily assumption and once proclaiming that Mary was immaculately conceived. Two Marian doctrines are the only two doctrines that have been pronounced dogmas, pronounced *ex cathedra*. But the Church teaches infallibly also through what is called the ordinary Magisterium.

In the document of Vatican II entitled *Lumen Gentium*, or simply *On the Church*, section 25 is very important. It says:

Bishops, teaching in communion with the Roman Pontiff, are to be respected by all as witnesses to divine and Catholic truth. In matters of faith and morals, the bishops speak in the name of Christ and the faithful are to accept their teaching and adhere to it with a religious assent. This religious submission of mind and will must be shown in a special way to the authentic magisterium of the Roman Pontiff, even when he is not speaking ex cathedra; that is, it must be shown in such a way that his supreme magisterium is acknowledged with reverence, the judgments made by him are sincerely adhered to, according to his manifest mind and will. His mind and will in the matter may be known either from the character of the documents, from his frequent repetition of the same doctrine, or from his manner of speaking.

It's a pretty lengthy and complex passage. But according to this passage, there are three ways we could know a teaching is infallible that has not been proclaimed *ex cathedra*.

It depends on:

- 1- the character of the document
- 2- on the frequency of the teaching being articulated, and
- 3- on the manner by which the doctrine is formulated.

So what is the status of the Church's teaching on contraception, in respect to these criteria?

Does it meet the test of infallibility sketched in the above passage?

In a book entitled Contraception written in 1964, just a little bit before *Humanae*

Vitae that came out in '68, John Noonan reviews the Church's teachings on contraception. In the introduction, he says very clearly that the Church has been constant in its condemnation of contraception. The Church from its earliest days has been against contraception. Noonan himself judges that the teaching has all the marks of infallibility, and this in spite of the fact that he openly admitted that he wrote his book with hopes the Church would change its teaching. So, he wanted the Church to change its teaching. He was trying to get it to change its teaching, but he still thought it had the marks of infallibility.

The dissenters rarely acknowledge that the Church teaches with no less authority on contraception than it does on any other moral issues such as abortion. Until very recently there were no encyclicals on abortion. But we know abortion is wrong and we know that the Church can't be wrong about that. Yet, we had many encyclicals and papal documents on contraception.

There is *Casti Connubii*, by Pius XI, a number of speeches by Pius XII, *Humanae Vitae*, *Familiaris Consortio*, *Gaudium et Spes*, *Veritatis Splendor* and *Evangelium Vitae*.

The Church's condemnation of contraception occurs more frequently than ever before. Pope John Paul II does not miss an opportunity to reiterate and explain the Church's teachings. So, if anybody can read the signs of the times, the weather vane is not indicating that there is any loosening up on contraception. Rather, we become more confident, we become clear, we have a deeper understanding why contraception is wrong. Thus, the Church's teachings on contraception seem to fit the criteria of something taught infallibly by virtue of the ordinary Magisterium because it is being taught so frequently and forcibly.

Now, does the teaching fit the criteria of the manner in which the document is formulated?

In *Humanae Vitae*, section 18, we read:

It is possible to predict that perhaps not everyone will be able to accept a teaching of this sort easily. After all, there are so many critical voices — broadcast widely by modern means of communication — that are contrary to the teaching of the Church. Therefore, it is not surprising that the Church finds herself a sign of contradiction — just as was Christ, her Founder. But this is no reason for the Church to abandon her duty entrusted to her in preaching the whole moral law firmly, and humbly, both the natural law and the law of the Gospel.

Since the Church did not make either of these laws, she cannot change them. She can only be their guardian and interpreter; thus it would never be right for her to declare as morally permissible that which is truly not so. For what is immoral is by its very nature always opposed to the true good of Man.

Now here it is clear that *Humanae Vitae* thinks that **its teaching is not of man, but of God**, that it is interpreting the natural law and the law of the Gospel and that these are God's way of speaking to us. This means that the Church can't overturn its teachings on contraception anymore than it can overturn its teaching on adultery. It's not a decision that Church has made, it's a discovery that the Church has made through the vehicles given to us, through natural laws and through Scriptures. So I

think it's quite clear that the Church's teaching on contraception likely fits the guidelines for what is an infallible teaching. We do have to remember that those who think that it's not infallible are fallible and they are very possibly wrong.

If the condemnation of contraception is an infallible teaching, how could our consciences be right to say that contraception is right? That's much, again, like our consciences telling us that abortion is right or that adultery is right. If it does tell us these things like the fourteen year old's conscience could tell her that abortion is right, it's because of ignorance, it's because of negligence or bad habits, but it's not truly the voice of God speaking. It's some other voice that we are confusing with our conscience that is telling us that abortion is moral. It's likely some other voice than the voice of God that is telling couples that it is moral to practice contraception.

The highly energetic, well mobilized effort of the Philippine Church against population control problems is a relatively recent phenomenon and one that is admittedly playing catch-up. For years population control programs have flourished in the Philippines with little opposition from the Church. But in 1990, the bishops of the Philippines issued a pastoral letter condemning population control programs. A remarkable section of the pastoral letter includes an abject apology of the churchmen to their flock for their failure to promote the Church's teaching on contraception and to promote methods of Natural Family Planning. This section states:

It is said that when seeking ways of regulating births, only 5% of you consult God.¹² In the face of this unfortunate fact, we your pastors have been remiss: how few are there among you whom we have reached. There have been some couples eager to share their expertise and values on birth regulation with others. They did not receive adequate support from their priests. We did not give them due attention, believing then this ministry consisted merely of imparting a technique best left to married couples.

Only recently have we discovered how deep your yearning is for God to be present in your married lives. But we did not know then how to help you discover God's presence and activity in your mission of Christian parenting. Afflicted with doubts about alternatives to contraceptive technology, we abandoned you to your confused and lonely consciences with a lame excuse: follow what your conscience tells you." How little we realized that it was our consciences that needed to be formed first. A greater concern would have led us to discover that religious hunger in you. LOVE IS LIFE by the Catholic Bishops' Conference of the Philippines, October 7, 1990.

Now, this is a remarkable statement. The bishops are saying to the faithful that "we abandoned you to your confused and lonely consciences with a lame excuse." The lame excuse that the bishops said they were using is, "Follow what your conscience tells you." And then they go on to admit, "How little did we realize that it was our consciences that needed to be formed first."

Now, has such an admission of wrongdoing and such contrition ever before been expressed so candidly and humbly by a bishops' conference?

We know that the Pope has presently been making all sorts of apologies for the Church. And I think that this one in 1990 was an amazing precursor. In his letter preparing for the millennium, Pope John Paul II noted the need for the Church to

review its own behavior and to seek forgiveness for its sins and its failures. The statement I just read is, I think, a model of well expressed contrition.

The bishops in the Philippines have learned that when Catholic laity are presented with the facts regarding contraception and are taught methods of Natural Family Planning they grasped the wisdom of the Church's teachings and they experience the great benefits to their marriages and families that are boasted about by users of Natural Family Planning.

In the United States, for the past several years, more and more bishops have been issuing statements that exhort the faithful to live by the Church's teaching on contraception. In 1998 Archbishop Charles Chaput from Denver put out a particularly forceful piece. He spoke a great deal about the damage that contraception has done to our society and to human relationships. He put out a plea to the couples of the diocese. He said:

*I ask married couples of the Archdiocese to read, discuss and pray over **Humanae Vitae, Familiaris Consortio**, and other documents of the Church which outline the Church's teaching on marriage and sexuality. Many married couples, unaware of the invaluable wisdom found in those materials, have deprived themselves of a beautiful source of support for their mutual love. I especially encourage couples to examine their own consciences regarding contraception and I ask them to remember that conscience is much more than a matter of personal preference. It requires us to search out and understand the Church's teaching and to honestly strive to conform our hearts to it. I urge them to seek sacramental reconciliation for the times they may have fallen into contraception. Disordered sexuality is the dominant addiction of American society in these closing years of the century. It directly or indirectly impacts us all. As a result, for many, this teaching might be a hard message to accept but do not lose heart. Each of us is a sinner, each of us is loved by God. No matter how often we fail, God will deliver us if we repent and ask the grace to do His will.*

Archbishop Chaput also spoke to the priests of his diocese. He says:

I ask my brother priests to examine their own pastoral practices to ensure that they faithfully and persuasively present the Church's teaching on these issues in all their parish work. Our people deserve the truth about human sexuality and the dignity of marriage. I urge them to appoint parish coordinators to facilitate the presentation of Catholic teachings on married love and family planning, especially Natural Family Planning. Contraception is a grave matter. Married couples need the good counsel of the Church to make right decisions. Most married Catholics welcome the guidance of their priest, and priests should never feel intimidated by their personal commitment to celibacy, or embarrassed by the teachings of the Church. To be embarrassed by the Church's teachings is to be embarrassed by Christ's teachings.

Note that Archbishop Chaput seems convinced that Catholic couples seek to learn about the Church's teachings on contraception. If they are taught the Church's teachings on contraception, even though they may find it difficult, they will find it to be acceptable, and even wise. Indeed, he said the purpose of his pastoral letter was simple. He said:

*I believe the message of **Humanae Vitae** is not a burden but a joy. I believe this Encyclical offers a key to deeper, richer marriages. And so, what I seek from the family of our local church is not just a respectful nod towards a document which critics have dismissed as irrelevant, but an active and sustained effort to study **Humanae Vitae**, to teach it faithfully in our parishes, and to encourage our married couples to live it.*

Now in this talk I have not tried to defend or give reasons for the Church's teachings on contraception. I believe, with Archbishop Chaput, that as Catholics will attempt to learn the Church's teachings they will find it persuasive, or at least challenging. I hope that their love of the Church will lead even those who find it difficult to accept it, to allow their consciences to be formed by the Church and live their lives accordingly.

Again, with Archbishop Chaput, I believe that those who do so will have deeper, richer marriages and will find themselves drawn closer to Christ. Thank you.