



## The Moral Evaluation of the Contraception Debate

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**Abstract:** This paper analyzed the moral status of contraception in the contralife thesis that artificial contraception is 'contralife' and that natural family planning is not 'contralife'. Strictly speaking the contralife theorists have a point. However, they are wrong in making assumption that artificial contraception is morally wrong while natural family planning is morally acceptable. If natural family planning is acceptable, artificial contraception should also be acceptable since both by definition involve a deliberate intention to make procreative potential impossible. The study found that natural family planning and artificial contraception are both active choices of preventing conception. The intention behind the use of artificial contraception and that of natural family planning is to prevent conception from taking place, therefore if artificial contraception is contralife, natural family planning must also be contralife.

**Keywords:** contralife, intent, contraception

### 1. INTRODUCTION

Medical technologies and science has led to the usage of new ways of preventing conception such as use of hormones and chemical methods, surgical methods and intrauterine devices, which can make one not to conceive with the aim of suspending the coming into being of a new human being. Autonomy of an individual (Kant, 1998) in deciding if one is to have children, how many and when has been an alternative to abstinence and natural family planning (NFP) or the rhythm method of fertile and infertile days. Due to this, the debate on the ethics of contraception is opened in a way that some participants (the contralife theorists) strongly argue that artificial contraception is morally unacceptable and the use of NFP is morally acceptable always and everywhere. This paper examines the basis of contraceptive arguments from the traditional and bioethical positions on contraception. The study will do the moral evaluation of these arguments to verify whether those positions are philosophically or ethically viable.

### 2. THE BACKGROUND OF CONTRACEPTION DEBATE

The ethical state of contraceptives and methods of birth control was primarily obtained from the wider procreative theory of human sexuality. Precisely, the moral hindrance of contraception was associated with the stand of the Christian Churches more particularly the Catholic Church which supports a more restrictive view of sexual ethics and especially reproductive freedom. However, the views on contraceptives that were set out in the *Humanae Vitae* Encyclical Letter of Pope Paul VI (1968) and defended by sages of the Catholic philosophers for example Joseph Boyle, Germain Grisez, William May, John Finnis, Anscombe and Smith are the main target of our questioning (Grisez et al. 1988, May (1989), Smith 2000, and 2010, Pope Paul VI 1968, Finnis 1970, Anscombe 1975, 1981).

Even though the general view on procreative freedom was specified in the words that each and every single married couple must be open towards creating life (Smith, 2010), natural methods of birth control (NFP) or the rhythm methods of fertile and infertile days were allowed. At the same time, any unnatural methods of preventing conception were thought as morally wrong (or contralife) always and everywhere. Every act whose intention is to prevent the coming of a new life is forbidden, this included both barrier and chemical methods of preventing conception because they all directly contradict the moral and natural order which according to them was established by God (Grisez et al. 1988, Pope Paul VI 1968, Smith 2000 and Anscombe 1981).

It has to be noticed that the moral status of preventing conception is connected with the issues that appear in bioethics argument on the moral status of abortion, surrogate motherhood, in vitro fertilization, and topics similar that (Masek, 2008). The moral status of preventing conception received deserved attention in the eighties and the seventies of the 20<sup>th</sup> century in the debates about human sexuality. We will investigate the moral status of contraception, the philosophy of sexuality in the framework of which the contralife theorists offer their proposals.

### 3. CONTRACEPTION IN THE BIOETHICS DEBATES

Abortion as well as Contraception or in vitro fertilization poses the dilemmas relating to the intrinsic value of life or the value of humanity as an inviolable end (Masek, 2008). It is our belief that a premature death in itself is bad, even when it is good for any particular person. Most people believe this about euthanasia and suicide that a bad thing has happened when a person takes his/her own life or when their doctor kills them at their own confession or request even when dying may be in that person's own good interests. It is the same believe on abortion: that it is sometimes wrong not simply because it violates the right of unborn or harms its interests, but in spite of the unborn having no rights or interests to violate. The life of a human organism has important value in any form it may take (Dworkin 2001 p158). Preventing conception truly prevents the creation of life or reduces the number of persons that would exist if contraceptives was not used. There are several debates that appeal less or more directly to the potentiality of life: it is wrong to hinder the life of any potential person who would naturally become a conscious and rational person who would be able to feel pain and think or it is a serious error to interrupt a process that has some degree of potentiality in terms of the creation of a new person (Smith, 2000).

It seems, however, that the most of the participants in the discussion about potentiality do not accept the possibility of using this argument to the case of preventing conception. According to Laura Purdy the non-identity problem claiming that there seems to be no reason to believe that potential individuals are either hindered or killed if they do not exist. If one is not created, he/she would not be in existence and there is nobody to be deprived of live (Purdy 1996). Deprivation argument by Don Marquis cannot be applied in this case because the mistake of preventing conception cannot be deduced from the argument of hindering the future person assumed to be like us, just because there is no subject that we can non-arbitrarily identify as suffering any harm. He argues that there is nothing at all that is denied a future by contraceptives (Marquis 1989 p201). John Noonan, further noted that the possibility that the egg and sperm will, after sexual intercourse, develop into new person may not be sufficiently high to speak about a potential life and her potential rights. Prevention of conception by any means needs to be allowed due to the small likelihood that spermatozoa will grow into feeling and thinking moral person (Noonan 1970). A certain slippery slope to this potentiality argument objection can be set out. If not being brought into existence is an injury and we are committed to a principle of reducing harm, this would mean that the absurd conclusion that not reproducing at the maximum rate is morally unacceptable (Card 2007).

It seems that there is no good reason to prohibit contraception from the bioethical perspective. This is because it does not prohibit the intrinsic value of life, nor the humanity as an inviolable end. It is essential to note that the bioethicist in the arguments do not see any morally relevant difference between natural and artificial methods of preventing conception. If sexual relations are practiced only during the days when it is not possible to conceive for the sake of birth control, the creation of a new life is hindered in the similar way as in the case of using artificial contraception during the fertile days. The stances presented in the *Humanae Vitae* Encyclical Letter therefore, according to which the rhythm method is admissible while artificial contraception cannot be supported with the bioethical debates.

### 4. TRADITIONAL ARGUMENTS ON CONTRACEPTION

Aquinas believed that the intrinsic end of all sexual activity is creation of a new life. If that aim is altered by use contraceptives replacing pleasure for procreation, then sexuality opposes God's of nature and is therefore sinful(Voss, 2012).Sexual act has two-fold natural purpose that must be respected according to Aquinas; the reason of bringing into being new lives and that of uniting women and men together. Those who participate in sexual activity must do so in a way so as to protect these natural goods of sexual intercourse without which it is violates the right reason (Smith 2000, 2010).

The position of Catholic Church on contraceptives is built on the natural law theory of Aquinas and Aristotle, which states that sexual act has as its end purpose, procreation. To interfere with this end would be a violation of the natural law theory, and thus, a sin. The Church, does not condemn the use of contraceptives because it is an act that has no good consequences. Rather, it teaches that since prevention of conception is an intrinsically evil action, it is predictable that it will have wrong consequences. The Church teaches that contraception is morally wrong since it violates the very purpose and nature of human sexuality, and this further undermines the dignity of the human person. The Church's condemnation of artificial contraceptives has been unchallenged for centuries. In attempting to explain its condemnation, the Church has deepened its understanding of marriage and the meaning of the sexual act (Smith 2000).

According to *casti connubii* (the document of the Catholic Church) by Pope Pius XII (1930) artificial contraceptives is not a natural act, an act that hinders the natural functions of sexual act. The consequences of artificial method of contraception are not good. The *Humanae Vitae* (Pope Paul VI, 1968) taught that it is necessary that every conjugal act must remain ordained to the procreating of human life. He further noted that there is an unbreakable connection between the procreative meaning and the unitive meaning of the conjugal act, and both are inherent in the conjugal act. This connection was established by God and cannot be broken by man through his own volition (Pope Paul VI 1968). He defines it in terms of intention that any action which either before, at present, or after sexual intercourse, is particularly intended to hinder procreation both as an end or as a means (Pope Paul VI 1968, 16). He could not have accurately described artificial method of preventing conception in any other way, for it is an intent only that can render the various human actions contraceptive.

One intends to do something that will help one achieve one's end (in this case to limit one's family size). The something that one intends to do is to contracept which is either in accord with nature or not. If one intends to do something that violates nature (artificial contraception and NFP is), one acquires an evil will. Thus contraception whether artificial contraception and NFP is according to this paper is unnatural act that one can either choose to do. If one knowingly chooses to do something bad, one sins, but one can do out of ignorance.

The morally crucial aspect of people is their ability to make rational choices. Kant calls this their autonomy. Ethics for Kant is designed to protect and foster this ability. A choice is rational if it is voluntary (not coerced or restrained) and knowledgeable; if the person making the choice must know all the relevant facts necessary rational; clear-headed, sane, not overcome by emotion and not drugged and so on (Kant 1996, 1997). NFP and Artificial contraception are adopted out of inclination that a prospective life not begin and this therefore is anti-rational and contralife. Therefore, according to Kant both natural and artificial methods of birth control are chosen with intent that a possible life to be conceived is prevented.

From this passage, is it right that the intention or the motive of the agent that determines the morality of an action her criteria to only be drawn "from the nature of human person and human action?" The Catholic Church teaches that some actions are intrinsically evil a part from the will of the agent, are intrinsically against the nature of the person and human action. The church recognizes that an individual may choose to do an action out of ignorance, and if they are not responsible of being ignorant they would not be guilt of a bad will; they would not be guilt of sin, but they would be the agents of an evil act. They would be doing something wrong, something that ought never to be done (Smith 1991, 184). Here the church do not seem to be clear; if the motivation is to render procreative act infertile there may be no ignorance between choosing to use artificial contraception or natural contraception. Therefore, the autonomy of the will of a rational agent is enough to determine the morality of an action and it must not only be drawn from the nature of human person and human action but out of free will with the right intention (Kant 1996).

John Paul II (1981) had provided an argument that might be stated in the following version:

- It is wrong to destroy the power of human sexual intercourse to represent objectively the mutual, total self-giving of spouses.
- Artificial contraception destroys the power of human sexual intercourse to represent objectively the mutual, total self-giving of spouses.
- Therefore, artificial contraception choice is a wrong act.

John Paul II does not think that the sexual act can represent the mutual, total self-giving of spouses if the acts are deliberately rendered infertile. What is most important to note here is that, again, contraception is defined as an act evaluated as evil apart from what the spouses will when they participate in this act. Though he prefers NFP to artificial contraception, it is very clear from the argument above that both NFP and artificial contraceptive are willed by the agent and are positive acts that render procreative potential infertile.

To use the phrase of Pope John Pau II, that the couple using NFP is not telling a lie with their bodies; they are still allowing sex its full, natural meaning. In short, the naturalness of NFP is obvious. It recognizes fertility as a good and does nothing to deny this good; it operates fully in accord with the laws of nature, which are the laws of God (John Paul II, 1981). Is it true that NFP recognize fertility as good when it renders it infertile during fertility days? Is this being open to procreation as the natural law demands? If it operates fully in accord with the laws of nature when her intention is similar to those of artificial contraception, why is it that only artificial contraception is thought to be having a contra life will? The answer to all this questions can be drawn not only from the definition of contraception but also from the nature of the act itself, NFP as well as artificial contraception do not recognize fertility nor are they open to procreation.

### 5. THE MORAL EVALUATION

Artificial contraception condemned firmly and squarely based on the nature of the marital act, as our authors (Aquinas 1975, Augustine 1966, Pope Pius XII 1930, John Paul II 1981 and Pope Paul VI, 1968) have argued. Unfortunately, an arguments that is against artificial contraception which I believe are valid as far as they go are equally effective against NFP. If the initial approval of the use of the infertile periods as a form of NFP by Pius XII (1930) in his address to the midwives was not grounded on such an analysis of the marital act, and it is a document that would repay the kind of careful attention that Janet Smith has given to *Humanae Vitae*. Pope Pius XII (1930) asserts the legitimacy of NFP for a variety of different concrete reasons like health and economics, but despite the common picture, he did not directly relate the morality of NFP with the morality of artificial contraception. What he related contraception to, is the case of a couple who use the sexual act also in the days of natural sterility "ancheneigiorni disterilitá naturale", and therefore do not hinder or prejudice in any way the consummation of the natural act and its further natural consequences (Pius XII, 1930).

If a solution can be found to this debate on contraception, we have to let both natural and artificial methods of contraception finally have their say. That is when we can escape from the impossible task of trying to explain how we are really open to procreation when we do not wish it and carefully plan to avoid it. Some uncompleted work of John Rock hints, as well, at male pheromones attracting women at the time of ovulation (McLaughlin 1998, p. 52). So it is possible that the use of the conjugal act could follow NFP patterns of attraction to sex at fertile times.

The encyclical defense cannot ignore the fact it is based on the natural law arguments and consider the validity of these arguments irrelevant. Is this argument from consequences itself valid? It would only be valid if there were a necessary causal connection between premarital sex and, for example, contraception. And this connection would have to be based on the severing of the unitive aspect of the conjugal act from any relationship to procreation. But as we have seen, the unitive dimension is itself procreative. In the case of sex before marriage, is it valid to say that preventing conception is a direct cause of it? If we examine the nature of the conjugal act we can see why sex before marriage is wrong. If the couple has a child, they are not in a position to adequately care for the child. Don't they do a disservice to the child and to themselves, for they may be forced to take on responsibilities they didn't intent for, thus running the risk of disorienting their lives. If they do not have a child, is it valid to argue that they have harmed no one? No. (McLaughlin 1998, p53-60).

According to the encyclical then, there are times which are intrinsically sterile, but every conjugal act must be intrinsically open to transmitting life (Noonan, 2005). Is an intrinsically sterile sexual act open to procreation? Indeed Not. Are the sexual acts of spouses whose sterility has been established, or the conjugal acts of a pregnant spouse, intrinsically open to the transmission of life? Literally, no. Concretely, it is clear then that, not every act need to be open to the transmission of life; and to preserve the sterility of times which are intrinsically sterile is inferably unobjectionable. To secure such sterility is not to act against the divine design but to cooperate with it (Noonan 2005).



The use of most artificial method of preventing conception can lead to self-indulgence and a deadening of spiritual values, but the case is similar to NFP holds out the same possibilities. We are left with our slow pilgrimage in this fallen-redeemed world during which we try to love our spouse and children as best we can. Therefore the intent of using both measures of preventing conception is what counts and not the measure (Kant, 1997)

### 6. CONCLUSION

Unfortunately, the arguments against artificial contraception which I believe are valid are equally effective against NFP. A defense based on natural law arguments are irrelevant since it focuses on consequences brought about by the use of contraception. Argument based on consequences would only be valid if there are a necessary causal connection between preventing conception and, for example premarital sex. Any conjugal act at a time which is intrinsically sterile may not be intrinsically open. Conjugal acts of spouses whose sterility has been established, or the conjugal acts of a pregnant spouse are also not intrinsically open to the transmission of a new life since transmission of life is closed by physical causes yet entirely lawful. It is then clear that, not every act should be open to the transmission of a new life. Abstinence may appear as a rather not a good solution, and that every choice of a way of avoiding conception has its drawbacks.

According to Kant (1996), artificial contraception and NFP have an intention of preventing life. If the intention of contraception is to prevent conception and if preventing conception is not morally wrong then the act of artificial contraception is not morally wrong if NFP is morally acceptable. Humans are autonomous agents and have a free will to choose actions which are in conformity with the right reason. Kant believes that humans are guided by a will/an intention/a motive to act (contracept whether by use of natural or artificial methods). Thus, according to Kantian theory, if the intended goal to contraception is to prevent conception, then NFP as well as artificial contraception have a contralife will. Actions that prevents conception therefore have a 'contralife will' following the ethics of Kant (Kant, 1996).

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