

## Abortion and Contraception: Fruit of the Same Tree John M. HAAS

### Rome, Congrès Humanae Vitae- 20 mai 2023

A book published in 2022 by a Vatican editorial house, *Etica Theologica della Vita*, has gained notoriety with some critics claiming it departs from sound Catholic teaching. In fact, one newspaper maintained the publication had called into question more than 50 years of Catholic teaching following the issuing of Paul VI's encyclical *Humanae Vitae*.<sup>1</sup> Of course, it is not a question of the teaching of *Humanae Vitae* being called into question, if the claim is accurate, but of the entire moral tradition of the Catholic Church. A Catholic legal scholar, Judge John T. Noonan<sup>2</sup>, had written a book on how the Church's teaching on usury had changed over the centuries. He was convinced that he could show with meticulous historical research that the Church's teaching on contraception was also open to revision. However, when he did the research, he found that the Church's teaching on contraception had remained constant over the centuries and in vastly different cultures. As Noonan wrote in his book *Contraception*: "In the world of the late Empire known to St. Jerome and St. Augustine, in the Ostrogothic Arles of Bishop Caesarius and the Suevian Braga of Bishop Martin, in the Paris of St. Albert and St. Thomas, in the Renaissance Rome of Sixtus V and the Renaissance Milan of St. Charles Borromeo, in the Naples of St. Alphonsus Liguori and the Liege of Charles Billuart, in the Philadelphia of Bishop Kenrick, and in the Bombay of Cardinal Gracias, the teachers of the Church have taught without hesitation or variation that certain acts preventing procreation are gravely sinful. No Catholic has ever taught, 'Contraception is a good act.'"<sup>3</sup>

The use of contraception by married couples has always been considered morally illicit by the Church. Indeed, it can quite convincingly be argued that it has been infallibly taught by the Church.<sup>4</sup> However, the immorality of contraception has also been the conviction of others who were not Catholic. When I was growing up in the state of Pennsylvania in the United States in the 1960's, the sale and distribution of contraceptives was against the law. Thirty of the 48 states in America had laws against advertising contraceptives. These laws were not passed by legislatures filled by Catholics. Quite the contrary; virtually were Protestant. In 1930, the Anglican Communion, at a world gathering of its bishops known as the Lambeth Conference, issued a report of their deliberations which included resolutions on marriage.

One resolution stated: ". . . seeing that the primary purpose for which marriage exists is the procreation of children, [the Conference] believes that this purpose as well as the paramount importance in married life of deliberate and thoughtful self-control should be the governing considerations in [marital] intercourse.<sup>5</sup> But the Conference went on in another resolution ever so cautiously to propose that contraception might sometimes be considered a moral option for a married couple. It was somewhat reticent in its proposal, since contraception was strongly condemned at the Lambeth Conference of 1920, just 10 years earlier. Almost half the bishops voted against or abstained from the vote on this controversial resolution, but it still carried. Lambeth 1930 declared:

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<sup>1</sup> <https://www.ncregister.com/news/analysis-pontifical-academy-for-life-pushes-to-change-churchs-opposition-to-contraception>. "Back to the Sixties?" *National Catholic Register*, July 13, 2022.

<sup>2</sup> John T. Noonan, *Contraception: A History of Its Treatment by Catholic Theologians and Canonists*. Originally published in 1965. This was republished in 1986 by Belnap Press.

<sup>3</sup> Noonan, p. xix.

<sup>4</sup> Ford, Grisez. *Finis*.

<sup>5</sup> Resolution 13.

Where there is clearly felt moral obligation to limit or avoid parenthood, the method must be decided on Christian principles. The primary and obvious method is complete abstinence from intercourse (as far as may be necessary) in a life of discipline and self-control lived in the power of the Holy Spirit. Nevertheless, in those cases where there is such a clearly felt moral obligation to limit or avoid parenthood, and where there is a morally sound reason for avoiding complete abstinence, the Conference agrees that other methods may be used, provided that this is done in the light of the same Christian principles.<sup>6</sup>

It may come as no surprise that there would be a negative reaction to this statement from the Pope. Pius XI: "Since, therefore, openly departing from the uninterrupted Christian tradition some recently have judged it possible solemnly to declare another doctrine regarding this question, the Catholic Church, to whom God has entrusted the defense of the integrity and purity of morals, standing erect in the midst of the moral ruin which surrounds her, in order that she may preserve the chastity of the marital union from being defiled by this foul stain, raises her voice in token of her divine ambassadorship."

However, what might be surprising was the general societal repudiation of even such a cautious position taken by the Anglican bishops. *The Washington Post*, today considered one of the most liberal newspapers in the United States, said in an editorial. "The committee's report if carried into effect would sound the death-knell of marriage as a holy institution, by establishing degrading practices which would encourage indiscriminate immorality. The suggestion that the use of legalized contraceptives would be 'careful and restrained' is preposterous." (Mar 22, 1931)

All of us, however, know of the radical shift that has regrettably occurred in cultural attitudes about contraception since then. The Catholic Church is now virtually the only cultural institution that remains true to the received moral tradition of the West and the East concerning marriage.

There have been a number of theological voices claiming that there has been a "paradigm shift" in Catholic moral theology today, from abstract moral norms to an accounting of the circumstantial, historical, and personal nature of moral decision-making. One of the contributors to *Etjca Teleogica*, Sigrid Müller, wrote: "But if [the communication between God and human beings] is biographically located, then moral insight is always also historically, culturally and socially embedded and subject to development throughout one's life, just as the society in which a person grows up is characterized by historical changes. . . . Over the years such processes can lead to substantial changes of the interpretation of basic moral rules . . . ."<sup>7</sup>

Of course, the act which is in the background of this argument for substantial changes in the interpretation of basic moral rules is contraception. Professor Mueller writes: "Taking a person seriously, therefore, means, to perceive him or her as a person who has a personal life history, who lives his or her life in a particular time and culture and in particular circumstances and who discerns according to the perspective of meaning in his or her moral conscience."<sup>8</sup> What it says is generally true and the Church has always had a very robust teaching on the significance of the circumstances in making moral judgments about individual acts which would account for the historical and personal without denying the demands placed on human action by moral absolutes.<sup>9</sup>

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<sup>6</sup> <https://www.anglicancommunion.org/resources/document-library/lambeth-conference/1930/lambeth-conference-archives-1930-index?year=1930>. Resolution 20

<sup>7</sup> Sigrid Müller, "Moral Responsibility as an Answer to God's Call: Personalist Anthropology and the Hermeneutic Circle of Norm and Values, Discernment and Conscience," *Etica Theologica*, 202.

<sup>8</sup> *Ibid.*, 213.

<sup>9</sup> *Die Lehre von den Umständen der Menschlichen Handlung im Mittelalter*, Münster: Aschendorff, 1963.

In speaking of contraception as a possible morally licit choice, the editor of the volume writes : “The wise choice [with regard to contraception] will be realized by appropriately evaluating all possible techniques with reference to their specific situation and obviously excluding abortifacient ones.” This assertion needs to be challenged, however. If there are no longer intrinsically evil acts, and contraception has always so understood by the Church, then abortion itself need not be excluded as a legitimate moral choice depending on the circumstances and the personal history of the moral agent.

Although abortion is far more grave than abortion, both manifest an anti-life mentality and both posit concrete acts which are directed against life. As St. John Paul II pointed out in his encyclical *Evangelium vitae*: “despite their differences of nature and moral gravity, contraception [and abortion] are closely connected, as fruits of the same tree.”<sup>10</sup> We can, in my opinion, understand why they are linked as fruits of the same tree with a simple understanding of human nature and of the nature of human acts.

We know that individuals act for ends which they see as good. In fact, we understand a human being to be acting reasonably when he or she acts for an end perceived as good. As St. Thomas Aquinas teaches us: “The end is the principle in human operations. . . Therefore, it belongs to the human person to do everything for an end.”<sup>11</sup> And also, “Every agent acts for an end.”<sup>12</sup> Indeed, the end of an act is what defines what the act is. Beyond that, the end is also what makes any act even possible since one only acts for an end.

There was admittedly a period when moral theology was dominated by a legalistic approach which did appear to pit abstract norms against individual conscience. However, the more sound approach to moral theology is one that places the emphasis not on laws and norms but rather on the reasonableness of human behavior in pursuit of happiness. As Augustine said: “Everyone wants to be happy. There is no one who will not agree with me on this almost before the words are out of my mouth.”<sup>13</sup> And happiness is realized in human flourishing as the moral agent acts in accord with the inherent ends of human nature.

In fact, one can see in *The Catholic Catechism* that moral theology is primarily concerned with reasonable behavior that conforms to human nature. The Catechism states: “Sin is an offense against reason, truth and right conscience; it is failure in genuine love for God and neighbor caused by a perverse attachment to certain goods.”<sup>14</sup> The Church considers sin to be constituted by unreasonable behavior which seeks goods in a way that does not conform to our human nature.

Reasonable human behavior is constituted by the moral agent acting on behalf of ends perceived as goods, and ends, as St. Thomas points out, constitute the principle of human action. Ends define and make possible human acts. Again, St. Thomas: “Although the end be the last in the order of execution, yet it is first in the order of the agent’s intention.”<sup>15</sup>

The 1917 Code of Canon Law defined marriage in terms of ends. “The primary end of marriage is the procreation and education of children; the secondary end is mutual support and a remedy for concupiscence.” Marriage is defined in terms of its own inherent ends toward which it is naturally ordered and which, thereby, tell us what it is.

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<sup>10</sup> John Paul II, *Evangelium vitae*, 25 March 1995, 13.

<sup>11</sup> St. Thomas Aquinas, *Summa Theologica* (ST), 1a2ae, Article 1, contra.

<sup>12</sup> St. Thomas Aquinas, ST, 1a2ae, Article 2, contra.

<sup>13</sup> Augustine of Hippo, *De moribus ecclesiae catholicae*, 3.4

<sup>14</sup> *Catechism of the Catholic Church*, 1849.

<sup>15</sup> ST 1a2ae, Art 2.

As Bernard Lonergan has said: Marriage “is more an incorporation of the finality [or end] of sex than of sex itself . . . For what is first (i.e., primary) in the ontological constitution of a thing is not the experiential datum but, on the contrary, what is known in the last and most general act of understanding with regard to it.”

St. Thomas and Bernard Lonergan are not the only ones with this insight. In his *Introductory Lectures on Psycho-analysis*, Sigmund Freud wrote: “It is a characteristic common to all the (sexual) perversions that in them reproduction as an aim (end) is put aside. This is actually the criterion by which we judge whether a sexual activity is perverse – if it departs from reproduction in its aims and pursues the attainment of gratification independently.”

Human beings are naturally drawn toward ends which they see and perceive as good. Indeed, love can be defined as the spontaneous movement of the will toward that which is good. As St. Thomas says, “Love regards good in general. . .”<sup>16</sup> Men and women are drawn to marriage out of love for the goods which it incorporates, first, the good of children, since that, in the final analysis, explains marriage and the marital act. But men and women are also, in a more immediate sense, drawn to the good of mutual support or friendship which the couple finds in marriage. So, it is the ends of marriage which explain what that institution is and indeed make it possible.

This truth was taught by St. Paul VI in *Humanae Vitae*. The Holy Father admittedly moved away from the use of philosophical terminology in discussing marriage but retained the *meaning* found in the language of “ends”. He speaks of “the inseparable union, established by God, which man on his own initiative may not break, between the unitive significance and the procreative significance which are both inherent in the marriage act.”<sup>17</sup> The human person cannot break the bond between the unitive and procreative ends of marriage since they constitute the very definition of what marriage is. And man and woman are naturally drawn to those ends precisely because they are good.

God has endowed every human being with a faculty St. Thomas called synderesis, i.e., the inborn knowledge of the primary principles of moral action. The most concise articulation of the first principle of moral action is “Do good and avoid evil”. Because human behavior is seen to be reasonable when one acts on behalf of ends seen and understood as goods, it is likewise *unreasonable* to act against a good as though it were an evil. This would, indeed, violate the first principle of the practical reason, it would violate the first principle of morality.

Now, human beings are not obliged to realize all the goods of which they are capable; it would be impossible. However, they do have an obligation never to act against a good as though it were an evil because that would be unreasonable; it would violate their very nature. To act against a good as though it were an evil would violate synderesis, the first principle of human action, “Do good; avoid evil”. It is here, I believe, that one encounters the immorality, the unreasonableness, the disorder of contraception.

Contraception always involves an act *other than* the marital act, and that other act is directed specifically against one of the goods (or ends) which actually make sense of the marital act, i.e., the procreative good, the child. The name of the act itself describes its malice; it is *contra*, against, the procreative good. Contraception is a chosen and willed act against a good inherent in the marital act in which a couple has chosen to engage. Every act of contraception is an act *OTHER* than the marital act: taking a pill or putting on a condom or inserting a diaphragm or surgically cutting the fallopian tubes. Are all these the kinds of techniques which ought to be weighed, as one of the authors in *Etica Teleogica* said, in order to lead us to make a “wise” choice about contraception? But each of these actions is

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<sup>16</sup> ST 2a2ae, Q 25, Art. 6,

<sup>17</sup> Paul VI, *Humanae vitae*, July 25, 1968, 12.

different from, other than, the marital act, and each has no other purpose than to be directed against the realization of one of the ends or goods that make sense of, indeed make possible, the marital act. To engage in an act of contraception is to act in violation of our reasonable nature which is to act on behalf of ends perceived of as goods. St. Paul VI anticipated that the reasonableness of the teaching of *Humanae Vitae* would be readily understood and accepted. He wrote: "if each of these essential qualities, the unitive and the procreative, is preserved, the use of marriage fully retains its sense of true mutual love and its ordination to the supreme responsibility of parenthood to which man is called. We believe that our contemporaries are particularly capable of seeing that this teaching is in harmony with human reason."

Unfortunately, the effects of literally untold sums of government and foundation money and the relentless actions of national governments and international organizations such as the United Nations and the propaganda of our so-called elite educational institutions have had the effect of clouding reason and distorting the application of synderesis, so that evil is now seen as good and good is seen as evil.

St. Paul VI acknowledged that not every chosen marital act would or should result in the engendering of new life. Marital intercourse during the infertile period in the wife's cycle is an obvious example. And he taught that a couple could quite legitimately choose to engage in the marital act during those periods if there was a moral obligation to avoid a child at a given moment in their lives since abstaining did not involve an act directed against the procreative good inherent in the marital act. Nonetheless, he wrote: "The Church, teaches that each and every marital act must of necessity retain its intrinsic relationship to the procreation of human life." The significance of these words is clear. When a married couple engages in marital relations during the infertile period, even knowing conception most likely will not occur, they acknowledge that their act nonetheless retains its intrinsic relationship to the procreation of human life. Indeed, that is why they are limiting the marital act to the period of infertility in the wife's cycle. However, they do NOT act against the procreative good. They simply realize other goods of marriage without acting against any good.

An act of contraception is an act, apart from the marital act, deliberately chosen to be against the procreative good. This is what St. Paul VI meant when he wrote that the married couple "must also recognize that an act . . . which impairs the capacity to transmit life which God the Creator, through specific laws, has built into it, frustrates His design which constitutes the norm of marriage, and contradicts the will of the Author of life."<sup>18</sup>

We also see this judgment in the 1930 encyclical *Casti Connubii* of Pius XI when he condemned the statement of the Anglican bishops and decried the rise of both contraception and abortion.. "Any use whatsoever of matrimony exercised in such a way that the act is *deliberately frustrated* in its natural power to generate life is an offense against the law of God and of nature, and those who indulge in such are branded with the guilt of a grave sin." In other words, the sin lies in engaging the will to act against the procreative good inherent in the act in which the married couple has freely chosen to engage.

When I was a young man in Pennsylvania one could buy condoms even though the sale and distribution of contraception was illegal. But the packaging stated: "Condoms. Prophylactics. Sold for the prevention of disease only." The reason condoms could be sold for the prevention of disease was because it was against the law for them to be sold for the prevention of babies. Prophylactics are, of course, devices or medications that work against the spread of disease or infection. What has happened most regrettably over the last several decades is that fertility and the child have themselves come to be seen as diseases which one should act against. Today one can actually read in medical journals of "pregnancy prophylaxis".

Since synderesis naturally leads us to avoid evil, when an evil does appear we instinctively act against it to eliminate it. Here we see the inextricable link between contraception and abortion. If we

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<sup>18</sup> HV, 13.

consistently act against the procreative good inherent in the marital act as though it were an evil, when it does appear, despite our best efforts, we take action to eliminate it. That action, of course, has come to be abortion. It is a natural sequel to induced sterility if the sterility fails and the evil of fertility manifests itself.

In the Fifth Century St. Augustine saw this and wrote of it: “(The licentious cruelty of the marital couple) or their cruel licentiousness sometimes goes to such lengths as to procure sterilizing poisons, and if these are unavailing, in some way to stifle within the womb and eject the fetus that has been conceived. They want their offspring to die before it comes to life, or, if it is already living in the womb, to perish before it is born.”<sup>19</sup> The early Church could see and understand the link that exists between contraception and abortion, so it should not surprise us when we see it in our own day.

In a sense, it was “natural” for Planned Parenthood to go from being an advocate of contraception to being the largest provider of abortion in the world. The child and fertility had come to be seen as evils, as diseases, to be avoided or eliminated.

Indeed, there has never been a society which embraced the general practice of contraception that did not go on to embrace and advocate for abortion. There was a pamphlet issued by Planned Parenthood in 1968 entitled “Plan Your Children for Health and Happiness”. The pamphlet at one place posed the question, “Is birth control abortion?” The answer given by the Planned Parenthood was: “Definitely not. An abortion kills the life of a child after it has begun. It is dangerous to your life and health. It may make you sterile so that when you want a child you cannot have it. Birth control merely postpones the beginning of life.” Today Planned Parenthood is the largest provider of abortions in the world, in the United States alone performing almost 400,000<sup>20</sup> of the more than 880,000 abortions a year that take place there.

There is a veritable material link, as well as philosophical, one, between contraception and abortion. There is the fact that many of the methods of birth regulation which various official governmental agencies have labeled as contraceptives are, in fact, also abortifacients. As a couple tries to assess techniques that might make for a “wise decision” to contracept, they may well be unaware of the medical effects of what they are choosing.

To return to the Anglican Communion to see the progression from embracing contraception to accepting abortion. In 1920 the Anglican bishops at Lambeth condemned contraception in the strongest terms. “We utter an emphatic warning against the use of unnatural means for the avoidance of conception, together with the grave dangers – physical, moral, and religious – thereby incurred.”<sup>21</sup> In 1930 the bishops of the Anglican Communion then, as noted, gave a very cautious proposal that married couples might, if abstinence proved impossible, make use of contraception. And at the same time the bishops condemned abortion, stating that the Lambeth Conference “further records its abhorrence of the sinful practice of abortion.”<sup>22</sup> But by 1967 the Episcopal Church in the United States, a member of the Anglican Communion, supported legal abortion – before it was even legalized in 1973. And just last summer in 2022 the General Convention of the Episcopal Church passed a resolution which stated: “Addressing the erosion of reproductive rights all Episcopalians should be able to access abortion services and birth control with no restriction on movement, autonomy, type or timing.” It went on: “Resolved, that the 80<sup>th</sup> General Convention understands that the protection of religious liberty extends

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<sup>19</sup> St. Augustine, “Of Marriage and Concupiscence”.

<sup>20</sup> [Planned Parenthood Performed 354,871 Abortions in Fiscal 2020 | CNSNews](#)

<sup>21</sup> Resolution 68.

<sup>22</sup> <https://www.anglicancommunion.org/media/127734/1930.pdf> Resolution 16.

to all Episcopalians who may need or desire to access, to utilize, to aid others in the procurement of, or to offer abortion services.”<sup>23</sup>

Within 100 years what had been condemned as a “sinful practice” by the Anglican Church is now being demanded by it as a human right with no restrictions. In less than 100 years Anglicans went from a reticent approval of contraception to a full-throated demand for universal access to abortion! Both of these practices are fruits of the same tree as St. John Paul II so clearly saw. And now the Catholic Church is virtually the sole cultural institution holding firm on moral convictions that literally spanned millennia. The Hippocratic Oath was developed 500 years before the birth of Christ, and since that time pagan physicians and countless Christians physicians took an oath: “I will give no woman a pessary to cause an abortion.” But today even the moral wisdom of the pagans has been repudiated.

I am not suggesting that there is a slippery slope from contraception to abortion. I am maintaining that when one can morally justify the commission of an intrinsically evil act, we are already at the bottom of the slope and virtually any act can be justified.

To accept the morality of contraception is virtually to accept a false understanding of the human person which leads to the support of other aberrant behaviors which undermine human flourishing. St. John Paul II was emphatic on this when he taught in *Familiaris Consortio* that there is a profound difference in the understanding of the nature of the human person between those who support contraception and those who accept Catholic teaching. The pope wrote: “It is a difference which is much wider and deeper than is usually thought, one which involves in the final analysis two irreconcilable concepts of the human person and human sexuality.”

St. Paul VI and his encyclical courageously stood athwart recent human history to argue forcefully for our very humanity and to call for an acknowledgment of the great good of human life which partially defines what marriage itself is. *Humanae vitae* defends the beauty and dignity of human life, as indicated by the very name of the encyclical. It warns against violating in anticipation the good of human life inherent in the marital act and the actual destruction of the good of human life in abortion. The encyclical defends our humanity as reasonable moral agents which we manifest by never acting against a good as though it were an evil. The encyclical defends our humanity as reasonable moral agents by speaking to our ability to exercise self-control for the sake of human goods. The Pope wrote: “Self-discipline of this kind is a shining witness to the chastity of husband and wife and, far from being a hindrance to their love of one another, transforms it by giving it a more truly human character.”<sup>24</sup>

One challenge to *Humanae vitae* now and in the future is certainly the trivialization of the immorality of contraception, as though it could be a “wise decision”, whereas it is the very gateway to an anti-life mentality and the horrors of abortion.

*Humanae vitae* was a courageous encyclical issued in defense of the ineffable beauty and dignity of human life, in defense of the beauty and dignity of marriage and, frankly, in defense of our own humanity.

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<sup>23</sup> July 8 – 11, 2022, in Baltimore Maryland at Resolution D083 at the 80<sup>th</sup> General Convention of the Episcopal Church.

<sup>24</sup> HV, 21