THE QUESTION OF INFERTILITY

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I

1. At first glance it would appear that, in all that has to do with generation, nature is but cause of fertility. Yet this is totally untrue, as common experience bears witness. At times nature seeks fertility, at other times infertility, always with the good of the offspring in view. The thing is clear in the case of certain animals, in the equidae family, for example, where the sterility of the mule, which is incapable of generating a perfect offspring, forms a celebrated case. In such instances, to deny that the absence of fertility is a good sought by nature, would be equivalent to a denial that nature seeks any good. Sometimes, to be sure, a mule will engender another living creature, but experience shows that this is never other than a freak. Now, "freaks are the mistakes of finality (Aristotle, Physics, II, 8, 199 b 4)." The truth is that they bear witness to some goal or other being pursued by nature, for why else would we call them freaks? And the witness they bear is powerful, because "it is things which are mutually opposed which best reveal each other," — opposita autem maxime se ad invicem manifestant (IIa IIae, q.145, a.4, c.). Commenting on the passage from the Physics cited above, Saint Thomas observes: hoc ipsum quod in naturalibus contingit esse peccatum, est signum quod natura propter aliquid agat: "The very fact that things can go wrong in natural processes is a sign that nature acts with a view to something (In II Phys., lect. xiv)."

In such cases there is no need to point out that fertility is a curse, and the lack of it a blessing. Now the same holds for the infertility of woman, for example during pregnancy. Inability to conceive at such a time is assuredly no accident. What would be a mischance is that woman be capable of conceiving even while pregnant — just as it would be unfortunate if she were able to bear children at any age. To understand why nature renders her infertile at such periods is easy enough: again, it is a case of fertility being disastrous in the circumstances because it would in effect be destructive of the very offspring. So the fact is plain. Nature sometimes tries to achieve fertility, sometimes infertility, and both as good things.

Let it be repeated, common experience — the reader may multiply examples for himself — makes it clear that nature seeks a certain measure of infertility in woman, as well as a certain measure of fertility, and thus provides for the good of the offspring (bonum prolis). A mother, as such, exists for the good of her child: as a consequence she should experience some periods of infertility. Now we know quite well that nature actually brings about such a condition in her, although often with more or less irregularity. Nor must we fail to notice that nature acts as principal cause in such cases, just as it is as principal cause that nature functions in the matter of health, whether it be a question of maintaining health or of recovering it.

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Let us explain further that when we consider the child, or offspring, in its proper principles, by offspring is meant the intention of nature in its regard and not an actual thing generated; it is in that sense that the child is "what is most essential" (essentialissimum) in marriage. (See in IV Sent., d. 31, q.1, a.3, sol. and ad 1; Suppl., q.49, a.3, c. and ad 1; cf. ibid., a. 2, ad 1.)

In the case of man, the "good of the offspring" (bonum prolis) comprises three things: a) the mere existence of the

child; b) the feeding and clothing of the child and satisfaction of its other bodily needs; c) finally, the upbringing and education of the child. Of all these, it is plainly the last which is primary in importance, albeit the first remains the most basic and necessary, as being supposed by the others. For it need scarcely be pointed out that no creature is good by virtue of mere existence. Such existence, termed by Saint Thomas "substantial and absolute", confers, as he says, only relative goodness (cf. Q.D. De Veritate, q.21, a.5), a "goodness" compatible with supreme and even eternal misery (cf. In IV Sent., d.50, q.2, a.1, sol.3). Hence, existence, along with food, clothing, shelter, are measures towards the chief good of the child; they stand as things which, in the order of execution, precede that which comes last, in this case training and instruction. And it is to this upbringing, to the education of their children "as to a goal, that is directed the entire common effort of man and wife in the measure that they are bound in marriage (Suppl., q.49, a.2, ad 1)." Nor need it be added that, in this, the married pair are responding to the deepest inclination of nature itself. A little later, again in the Supplementum of the Summa (the passages of which are copied from the commentary on the Sentences), Saint Thomas makes this clear, as regards the child: it is his good which is the chief and principal goal of marriage; however, "this is not to be taken as the mere procreation of the child, because this can be realised quite outside of marriage, but again of his rearing to the full measure of its completion; for every cause tends to carry through until its effect is full and finished (q.59, a.2, c.)." It is thus not surprising to learn that the reason why fornication is a grave sin lies in its being hostile to the good of the child: "Unde, cum fornicatio sit concubitus vagus, utpote praeter matrimonium existens, est contra bonum prolis educandae. Et ideo est peccatum mortale (IIa IIae, q. 154, a. 2, c.)." The same reason obtains, and even more strongly, in the case of adultery. (See, ibid., a.8, c.; also the three objections and replies.) This primacy of education and instruction easily goes unrecognised.

So it is vital that these three benefits, existence, nourishment and education, should constitute, as has been made clear, the good of the child: in short, the three taken together are what the well-being of the child demands, and the phrase "good to the child" must stand for all three and not for one at the expense of another. (In support of this stand, reference may be made to Summa Contra Gentiles, III, c.122-123, and c.126; IIa IIae, q.154, a.2 and a.8, both in toto). This is the principal value of the remark made by Saint Thomas that "if generation followed upon the emission of sperm, where a suitable upbringing was impossible, this would be similarly opposed to the good of man" (Contra Gentiles, III, c.122). When one is divorced from the other, the good of the offspring must vanish. Saint Thomas had just observed: "It would be vain to beget a man if there were no assurance that he could be fed; for the offspring in this case could not survive. Hence the emission of sperm must be so controlled that there will follow both the production of a new life and the upbringing of him who is born (ibid.)"

Now, whatever may be thought of the other elements in this discussion, this at least is clear, and a matter of common experience, namely, that infertility and fertility both are goals of nature, as common experience reveals. If we ask why, the answer is that in each case the good of the child is served (as it would not be served by the contrary condition) and admirably served. It is for the greater good of the child that nature sometimes procures a condition of infertility.

2. What remains to be examined here are the different types of infertility obtained by nature. (These are quite determinate; so much must be obvious at the outset.) Of course the task of supplying such information is the responsibility of the natural sciences — of biochemistry, for example, of physiology, but also of experimental psychology.

II

1. We have seen that nature is always principal cause in the domain of health, whether it be question of maintaining it, or of recovering it. However, it is equally plain that nature cannot always manage by herself in such cases but needs some extrinsic means, like a medicine. It must be noted from the beginning that in all this the medical man is no more than the servant of nature, or in short that he is only the instrumental, and never the principal, cause of the effect which is health restored. Let us hear what Saint Thomas has to tell us on this point, where he explains the role of the teacher by using the medical man as an analogy:

> "It must be noted however that in natural beings a thing can pre-exist in a power in two ways. It can pre-exist in a power active and complete; and this is verified where the intrinsic principle is fully equal to the task of producing the effect, as is evident in a case of healing; because it is by virtue of the power found by nature in the sick man that the latter recovers health. Or it can pre-exist in a passive power, where the intrinsic principle does not suffice for the realising of the act (...) and this is the case of an [actuality] which cannot bring itself to being by a power inherent in [the passive power]. Now, when a thing pre-exists in a power active and complete, the extrinsic agent contributes only by assisting the intrinsic agent, furnishing this passive power with whatever it needs in order to get into action. This is the fashion in which the medical man, when healing a patient, works as the <u>minister naturae</u> ["servant", "collaborator", "assistant"] while it is nature who holds the principal function. What he does is to back up nature, supplying her with medicines which she employs as tools in order to obtain healing. Where, on the contrary, a thing pre-exists in a merely passive power, it is the extrinsic agent which brings about the change from potency into act as principal agent (...). Science pre-exists in the disciple as in a power which is thus not purely passive but rather

active in itself. Indeed, if this were not so, no man could ever learn anything unaided.

Hence, just as a man can be cured in either of two ways, namely, by the working of nature alone, or by the working of nature assisted by medicine, so there are two ways of acquiring a science: for natural reason can by itself attain a grasp of things unknown — this mode is termed invention — or another person, who thus stands apart from natural reason, can come to her aid, and this method is called teaching (disciplina). However, wherever art and nature share in bringing about some condition of things, art proceeds in the same fashion as nature, and by use of the same means. Where nature heals by supplying warmth to the man whose ailment is cold [or too low a temperature], the medical man does the same. It is in this sense that we remark that art imitates nature. (Q.D. De Veritate, q. 11, a. 1)."

So there is no question but that the doctor, acting as such, functions as nothing other than the instrumental cause of health. We say of health, because in other respects he manifestly acts as principal cause, as for example where he performs some deliberate act like an amputation or incision, or makes up some prescription. For health can be the work of nature only, even when she cannot achieve it without the aid of art. Here once more, common experience, though medical experience especially, supports our case.

The reason why the intervention of the doctor can be absolutely necessary is that nature, with no means but her own, is often unequal to the task of fully attaining her own goal. To aim at a thing is not to carry it out, and in actually getting to the goal, nature often has need of help or of correction. Man, for the reason that, unlike the brute, he must live by both art and reason, has need of imitating nature wherever nature alone is incapable of achieving her ends.

Thus it is because nature often is unable to preserve or restore health that she has need of medicaments. Now it is not any medicine whatever which will be effective in working with

nature to cure this or that illness, for the very reason that the means which nature employs, or would employ if she could, are not any means whatever.

Above, we have noted that nature at times aims at infertility for the good of the offspring, just as sometimes, for the same reason, she procures the condition of fertility. Now, if this is the case with nature, it must be also the case with the doctor who, in so behaving, will be seeking what nature seeks. In other words, the doctor must also try to procure infertility, and must do this in view of the good of the child.

2. But even more than this is implied. In order to ensure this infertility, the doctor must search for the precise means which may be employed to achieve the types of infertility that faithful research should bring to light. (See above, I, 2.) The means responsible for this or that precise form of infertility will be suggested to him by the natural sciences, when these are fortunate enough to discover them. Now, if we suppose that such methods of control do fall under his judgment and that, with the right end in view, he does identify them and put them to work, he will thereby be acting as the instrumental cause only of infertility — in the capacity of a minister naturae. Should a medical man, on the contrary, decide to behave as the principal cause of infertility, refusing to be guided by nature, it is plain that he would no longer be pursuing a natural goal and, to this extent, would be working against nature.

III

1. Can it be permissible, by direct action, to render woman infertile? Here we have a question, not only delicate in itself, but manifestly highly susceptible to confusion, since the problem of infertility is the concern, not only of the sciences of nature (see above, I), but also of medicine (see above, II), and of morality. In actual fact the discussion of it usually proceeds on these three planes, one quite distinct

from the other, when it does not involve all three at once without the persons carrying on the discussion being sufficiently aware of that primary source of confusion.

Now, "in matters concerning nature, morality, and art, demonstrations are drawn principally from the aim or end" (Saint Thomas, In V Meta., lect.1, n.762). The question which we have described as quite delicate is raised by the moralist, and it is a moral judgment which we must now pronounce. However, it is still by reasoning from the purpose or end that we must attempt the solution.

In our day there are certain writers, dealing with matters frankly moral, who seem to think themselves obliged, like the most primitive Greek philosophers, to explain things solely by the causes which are first in existence — and in the order of execution — like agent and matter, as Saint Thomas sets forth at length in his Q.D., De Veritate, q.5, a.2. Even in the field of moral theology authors can be found who argue in this matter as if the end — that is, "that for the sake of which" (id cujus gratia, or to heneka tou, in Greek), which stands first in intention, like the house to be built, but last in execution, like the house completed — was not truly the cause of all the other causes. For example, it is pointed out by some, in connection with the very question here being treated, that infants who die, so long as they are baptised, win the glory of heaven. Yet, even though this wonderful destiny, by the providence of God, follows with a certainty supported by faith, in no sense does it entail that parents, by conferring upon such a child the mere benefit of existence, have thereby conferred upon it the greatest good. There is no disputing, as we have already explained, that the good of mere existence is fundamental, as are indeed the foundations of a house — but one cannot take up residence in the house's foundations! It is the child's whole good, embracing that of upbringing, the principal work of parents, which must never be relegated to a secondary rank but on the contrary pursued with conscientious zeal. Perhaps it will be proper to remind ourselves here that it is precisely by training and education of

their children, rather than by the simple conferring of physical existence, that a parent most fully shares in the fatherhood of that "Father from whom all fatherhood in heaven and earth takes its title (Ephes. iii, 14)". If anything else were the truth, father and mother would meet the requirements of the good of their child simply by bringing him into the world and might then quite permissibly leave him to chance. But this would be plainly contrary to the good of the child and, accordingly, contrary to nature.

In addition no more wretched fashion of conceiving the function of a creature in the task of divine government could be imagined. In contrast, Saint Thomas, where he treats of the manner in which man takes his share in this supreme direction of things, asks himself in the first article of the first question on this subject (Ia Pars, q.117, a.1), if one man is able to teach another[1].

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Theoretical order, in itself, must be the basis of practical order. Now the end with which we are concerned, namely, the good of the child, (demanding infertility as well as fertility), in theoretical reasoning functions as principle, which here is the same as saying as cause. But thereupon it becomes the principle of practical reasoning — that which is first in intention. However, in the actual process of carrying out a practical measure, the means (whether they be determinate, as in art, or indeterminate, as with prudence) become essential to the achievement of the end. In fact, it is this order of procedure which is characteristic of practical reason. Practical reason, here, then will actually consist in the discovery of a

1. The reason is that, in sacred doctrine, it is those things which are most perfect in themselves which must be discussed first, as Saint Thomas makes clear in the very first question of the Summa, and as is plain from the order of the entire Summa. As for the part played by man in the work of divine government through generation, it is taken up at the very end of the Prima Pars.

means (for example, research with the aim of finding a remedy for some disease) and it is this means which then becomes the cause of action, without which there would be no practical goal at all. For in such cases reason proceeds by relating end to means, and then relating means to action, in a fashion which can fairly be termed compositive. And it is this combination, or composite which has the nature of a practical principle.

Our question concerning infertility can yield an example of the practical mode of procedure. Since infertility in some sense is needed for the good of the child, by intention of nature, and since nature cannot produce such infertility to the necessary degree, it is man who is called upon, deliberately to produce the required infertility. Now it is the relating of means with action, and goal to be achieved — the goal being first in intention but last in execution — which makes the whole procedure practical; and it is the goal, precisely in the respect here envisaged, which becomes the essential principle of the practical order. In the case which concerns us, if that which is most essential in the goal of marriage — the child as fed and reared — be not kept in view, the whole order of ends and means will collapse: "cum finis sit unde ratio sumitur, oportet finem praeeminere his quae sunt ad finem (Q.D., De Potentia, q.5, a.5, c.)."

(For example, if in our consideration of the end of marriage, the love of the married pair were taken as most essential, with no relation to the good of the child, the practical reasoning which would ensue would be illusory because unsupported by any proper principle; and by virtue of this very fact the love of the married pair, as conjugal, as that of a married pair would be ruled out; and yet it is this peculiar sort of love which should be eminently great and 'liberal', — maxima et liberalis[2] — a thing which cannot help but favour the good of the child, to whom the love of his parents for each other is profoundly necessary. Now a truly conjugal love can only arise

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2. See, in Summa Contra Gentiles, III, chapters 122-26; and IV, chapter 78.

between persons of different sex, so that they may be two in one flesh, a thing, which, of itself, is established by nature for the good of the child. And if sterility should make impossible the birth of children, conjugal love can still arise in its true form by reason of that fidelity between the married pair which, absolutely speaking, is intended for the welfare of the child. And here we have the reason why the mutual love of the spouses, indispensable though it be, cannot of itself be first principle and final cause of man and woman as joined in marriage — so long, once again, as the final cause be taken in its principles and not solely in those things which in the order of execution may or may not take place. In short, the love between the united pair, though infertile from the outset, or become so, indeed remains amicitia honesta, even in its physical expression. Let us be careful, in this connection, to warn ourselves that nothing could be more base, nothing so deserving of our indignation, than the suggestion that offspring are imposed by nature as a kind of burden or penalty for the pleasure experienced in the conjugal act. Married love must be acknowledged as truly 'liberal', not as a servile relationship in which another person functions as a mere tool for propagation, whose compliance is assured by the force of lust. How could we ever pretend that the union of marriage was a sacrament, image of the most sacred of all unions, if it were nothing better than this?)

Mere consideration of the end is never sufficient to establish the proper principle in any practical procedure, because the end, all by itself, is never better than a common principle, by which is meant, a principle presupposed in all the reasoning concerned [3]. A proper principle, on the other hand, is one which bears precisely on the subject concerning which discourse arises. It thus becomes plain that the proper subject of moral science

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3. Common principles never function as premises in any process of reasoning, although always supposed. Thus, the principle of contradiction is never found as a major or minor premise; and the same holds for "one must do good and avoid evil", the first and commonest of the precepts of natural law.

is human acts, whereas the cause of the operation or action is nothing other than the means. In a word, without knowledge of the means, so far as any practical end is concerned, no proper principle exists at all. Because, as we have seen, in the domain of action, a proper principle only arises by relation of end and means, or, as Saint Thomas puts it, by the applying of a form to a shifting matter (materia difformis). Here is an example of common principle and of proper principle:

1- It is forbidden to steal: this is nothing other than the very definition of justice, and the proposition does no more than enunciate what is formally just. Here, then, we have a precept always and everywhere true, because all it means is that we may never unjustly take possession of the property of another. But the proposition does not tell us what to do here and now. If we are to know how to behave in a particular case, we must fall back on a principle truly proper and more detailed.

2- One must pay one's debts: in this sort of proposition the form has been applied to a shifting matter: what is just materially is not just always and everywhere (cases can arise where to pay what one owes would be an injustice), whereas the common principle holds always and everywhere.

Let it be repeated, so long as the means remains hidden from us, there can never be question of a proper principle of conduct. If one has no knowledge of the steps to be taken, one can never achieve a definition which might serve as a proper principle of practical thinking. To reach a definition of a house that shall be a practical one, it can never be sufficient merely to explain its end, which is to give shelter; what must be understood as well are the materials out of which it may be constructed, and also the design or plans, and even further, the methods by which the builder realises this design in the required materials. Our knowledge of an omelet is not practical knowledge of an omelet except to the degree in which we grasp, not only what it is, but what it is made of, and how it is made.

Now, let us return to the good of the child and ask ourselves what would be a practical definition of that good? Such

a definition will entail a knowledge of the means of achieving the good of the child. What is, or are, the means? It cannot lie in fertility alone, but must comprehend something else, namely, infertility, because the good of the child, which takes in its upbringing, cannot always be ensured by fertility. (In fact, mere fertility may do great harm). And nature herself makes it plain that, not only fertility, but also infertility, acts as a means to procure the good of the offspring. So the condition of infertility thus takes on the character of a means, and should form part of the practical definition of the good of the child.

Now, as regards the legitimacy of this or that means of securing infertility, it will be the business of the moralist to make a judgment in the light of what was set down above, in parts I and II.

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Pius XII has pronounced that the infertility brought about by man's intervention is forbidden. However, we must not fail to notice that he was distinguishing that infertility which is produced directly from that which man causes indirectly or as one member of a double effect. It is the first which is forbidden, whereas the second can be allowed, and can even be recommended.

A closer look at this teaching makes it plain that Pius XII was thinking of man as intervening in the capacity of direct and principal cause of a state of infertility, chosen by himself as a goal which he would be pursuing without regard for the purpose of nature which ought to be his guide. (See above, II, 2.) Moreover, it is plain enough that Pius XII recognised nature herself as direct and principal cause of certain periods of infertility: one need only recall the historical context of his last pronouncement and it will be clear that he was replying to the question whether it is licit for man, on his part, to be the agent of a direct sterilisation. Now, in this connection,

it is of the first importance to bear in mind that by 'cause', wherever it is question of agent or efficient cause, the primary and absolute meaning is that of principal agent. Since the pronouncement of the Holy Father was obviously meant to be absolute, we are bound to interpret it as referring to man functioning as principal cause.

It was noted above that infertility can be directly procured in two ways: by a principle acting as principal cause, or as instrumental cause. It is infertility procured by man acting as principal cause which is forbidden. But infertility directly procured by a deliberate agent, intervening, however, only as instrumental cause, remains quite in conformity with right reason. There is no denying this without also denying that nature is our guide and a measure in the field of practical thinking. So soon as the purposes of nature, and her means of achieving these, are understood, (a matter which, to all practical purposes, is the business of experience and of natural science), the conscious agent may cooperate with nature, acting only as the minister naturae. It is nature in such a case that is recognised to be the principal agent. Of course if the human agent's own intention is to be morally justifiable, he must be well aware of what he is doing.

In a word, the infertility which is intended by nature for the good of the child, cannot be brought about effectively enough without the help of art. Moral rightness, however, demands that such intervention by art be guided, not only by the purposes of nature, but also by her own choice of means. This is why so much depends on a sufficient knowledge of these natural means, the business of natural and medical science, establishing that they are harmless both as to physical and psychic effects.

The teaching of Pius XII (like that of Pius XI) remains entirely solid, with reference to the question then being treated. But this doctrine was grasped by us, perhaps, in a somewhat confused and imperfect way, something which happens often enough in the human sciences, and even in the study of

Sacred Scripture. There is an immense difference between the march of the mind from confused knowledge to distinct knowledge, and the march of the mind from error to truth.

Pius XII made reply to a question dealing with sterilisation direct or indirect. Now what is meant by man as cause of direct infertility? The Holy Father of course rightly took this to mean firstly man as principal cause, acting for self-chosen ends. Regarding man as instrumental cause, man intervening in order to assist nature in attaining nature's ends, the question was not raised.

But the researches of the natural sciences are bringing us new knowledge. The duty of putting this knowledge to work differs in no way from the age-old admonition to cooperate with nature: to do what nature would do, were she capable of it — a principle upon which rests the whole practice of medicine and surgery, not to speak of the moral judgments to be passed on these.

Since the purpose of nature is the good of the child, it is the duty of parents to put to work all means which are in conformity with nature and right reason so as to ensure this end, for otherwise they will be setting themselves against nature. And since nature and her aims are the expression of the divine Will, the refusal to use such means would be against the very Will of God.

2. Let it be noted, in conclusion, that the above considerations are all of a general and common sort. For this reason they may be taken as quite certain, speaking philosophically. But the moral application of the means referred to above, will always depend on circumstances, persons, and all the rest. The licitness of means, taken in general, in absolutely no sense at all ensures that their employment must invariably be an act of virtue. But of course this is an entirely different question.