Official Statement on Rhythm

Gerald Kelly
medical school. 4. He must practice one year with a licensed physician before he be allowed to take up practice on his own account. 5. If the medical student desired to take up surgery, he must have made special intensive studies in anatomy. 6. This thirteenth century law for the protection of the health of Fredrick's realm is especially interesting because it also regulated the purity of drugs. In that respect it anticipated our own federal pure food and drug law by seven centuries. 7. It also had passages which would not allow a druggist to substitute or to have any financial connection with a physician. Although we do not know definitely just when the medical school was founded at the University of Salerno, we do know that a hospital was established there as early as 828.

We have only to read Garrison's History of Medicine to appreciate this background. I quote from page 131 of the Third Edition: "The growth of the Christian virtue of compassion toward weakness and suffering, and the more elevated and enlarged conception of the position and mission of women that grew out of it, led to new departures in medicine along untried paths, particularly in nursing the sick and in erecting hospitals everywhere for their care. Only idle bigotry could affirm that the Pope and Emperor did not do a great deal for medicine in the advancement of good medical legislation, in the chartering and upbuilding of the medieval universities, in the great hospital movement of the middle ages, and in the encouragement of individual medical talent in many cases."

The same historian had this to say specifically about the relations between churchmen and medical men at Salerno: "... The whole character of the school — that is the medical school at Salerno — was that of an isolated laical institution — a medical city in the midst of purely clerical foundations ... But the city itself was a bishopric — after 974 an archbishopric — where the Benedictines had a cloister and a hospital. The friendliest relations are said to have existed between the clergy and the physicians of Salerno." (Page 137, Third Edition)

So much for this part of the early story. I will follow with a few of the other developments in the midst of these "Dark Ages" which have been of a great deal of interest to me.

William P. Chester, M.D.

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Official Statement on Rhythm

GERALD KELLY, S. J.

IN HIS DISCOURSE to Italian midwives (Oct. 29, 1951) Pope Pius XII spoke at some length on the morality of using rhythm as a means of family limitation. It is my purpose here to outline what he said on this subject, then to compare his remarks with the article, "Morality of Rhythm," which is published in Medico-Moral Problems, II, 26-31.

What the Pope Said

The Pope opened the third part of his discourse by exhorting the midwives to try to inspire married women with an appreciative love of motherhood. Realizing, however, that many women would want to avoid children, the Holy Father pointed out to the midwives their duty to know the teaching of the Church on the moral aspects of family limitation. He recalled the official pronouncements against contraceptive practices and that more far-reaching form of contraception, direct sterilization.

As regards the scientific aspect of rhythm, he said it is expected that midwives should know this and be able to instruct others either verbally or by means of serious professional publications. On the juridical side, he posed a question familiar to canonists: is a marriage valid if the parties contracted it with the intention of limiting intercourse to the sterile periods? And his answer to the question was given with a distinction that is also familiar to canonists. The marriage would be invalid if the parties intended to restrict the right to intercourse to those periods, because this would mean that they were not giving a perpetual right, which is essential to the contract. If, however, they merely intended to restrict their use of the marriage act to the sterile periods, the marriage would be valid; but this intention would be licit only according to the principles governing the use of rhythm.

In a final preliminary statement, the Pope pointed out that there can be no moral problem in the use of marriage during the sterile periods, when the use is not limited to those periods. For intercourse had at these periods is in itself a natural act and nothing is done by the parties themselves to frustrate its natural consequences. The moral problem, therefore, arises only when intercourse is restricted to the sterile periods. This is the problem ordinarily meant when we speak of using rhythm. The Pope then
The very nature of their state, said the Holy Father, imposes on married people who choose to exercise the marital act the duty of making some contribution to the preservation of the race. This duty is not sufficiently fulfilled (i.e., when the marriage act is restricted to the sterile periods) merely by placing the act in a natural manner, with the willingness to accept children if they are conceived. On the other hand, as an affirmative duty (i.e., a duty to do something), it admits of excuse for proportionately serious reasons. The habitual use of rhythm without such reasons is a sin against the duty to contribute to the preservation of the race.

Speaking of the reasons that might justify rhythm, the Holy Father referred to the "so-called indications" of a medical, eugenic, economic, or social nature. Obviously he had in mind the conditions that are sometimes proposed as "indications" for therapeutic abortion, contraception, or sterilization. The Church has consistently asserted that, since these acts are intrinsically immoral, there can never be any "indication" to justify them. But the Pope here suggests that these same reasons might sometimes be sufficiently serious to exempt married people from the duty of having children, and thus afford a justification for the use of rhythm for a long time or even throughout married life.

Such are the general principles concerning the morality of using rhythm. Having stated them, Pius XII then referred to extreme cases in which sound medical reasons absolutely contraindicate pregnancy and the use of rhythm is not feasible. In such cases, he said, the parties are not to be counseled, much less commanded, to run the risk of pregnancy. (In saying this, he hardly intended to say that the married people themselves would never be justified in running such a risk after they had prayerfully considered the matter.) Even in these extreme cases, they are not to be aided in any of the intrinsically evil practices. The only permissible way of avoiding the risk is continuous abstinence from intercourse—a course of action which, though truly heroic, is certainly possible with the grace of God.

The foregoing is a digest of the Pope's statement on rhythm, as contained in the third part of his address to the midwives. About a month later (Nov. 26), in an address to the National Congress of the 'Family Front,' he again pointed to the essential difference between rhythm and contraceptive methods, and added: "One may even hope (but in this matter the Church naturally leaves the judgment to medical science) that science will succeed in providing this licit method with a sufficiently secure basis, and the most recent information seems to confirm such a hope."

As regards the first point, there were many theologians who held that married couples have no positive duty to procreate. This opinion will no doubt become obsolete, because it is not consonant with these words of the Holy Father: "...matrimony obliges to a state of life which, while carrying with it certain rights, also imposes the fulfillment of a positive work connected with that state of life... The matrimonial contract, which confers upon the parties the right to satisfy the inclination of nature, constitutes them in a state of life, the state of matrimony. Now, upon the parties who make use of this right by the specific act of their state, nature and the Creator impose the function of providing for the conservation of the human race. This is the characteristic contribution from which their state of life derives its peculiar value: bonum proleis—the blessing of offspring."

As regards the second point of controversy, the majority of theologians held that the practice of rhythm, without sufficient reason, is not in itself seriously sinful, but it would be seriously sinful only by reason of special circumstances—e.g., injustice, if one party would unjustifiably impose it on the other; and unwarranted danger, if the practice of, or attempt to practice, the rhythm would involve the unjustifiable and serious danger of incontinence, discord, or divorce. A minority opinion held that the use of rhythm, without serious reasons, would in itself be a serious sin if continued over the space of five or six years.

Some proponents of this minority opinion have evidently concluded that Pius XII has "settled" this controversy in their favor. To me, and to several very competent theologians with whom I have discussed this matter, this seems a hasty conclusion. It is true, we believe, that the papal statement calls for some modification in what was formerly the majority opinion. The
Pope definitely said that married people who exercise their marital right have a positive duty to provide for the conservation of the human race. He called this a primary duty, a duty expressing the very meaning of conjugal life, a duty very important to society, a duty that calls for serious reasons to exempt from it. It is hard to reconcile these statements with the opinion that the practice of rhythm can be mortally sinful only by reason of special circumstances of injustice or danger. In this sense, therefore, the majority view needs some modification.

But it is one thing to say that the practice of rhythm, without serious reasons, can be a serious violation of the duty to procreate; and it is quite another thing to say that the gravity of the violation is to be measured in terms of five or six years. The Pope did not assert this time rule; and it is at least debatable whether he even implied it.

One proponent of the time rule claims that it is implied in the following words of the Holy Father: “Therefore, to embrace the married state, continuously to make use of the faculty proper to it and lawful in it alone, and, on the other hand, to withdraw always and deliberately with no serious reason from its primary obligation, would be a sin against the very meaning of conjugal life.” To some theologians (including myself) this passage refers, not to the practice of the rhythm over any given period of time, but rather to the total or almost total shirking of the duty of parenthood: e.g., by completely avoiding a family or by limiting the family to one or two children, when serious reasons do not call for such limitation. We do not propose this interpretation as certain; but we believe it is of at least debatable whether he even implied it.

Conclusion

In conclusion, I should like merely to indicate one topic that will very likely become the object of interesting and profitable discussion, now that the Pope has definitely stated that married people who use their rights have a positive duty to contribute to the preservation of the human race. The question now arises: is this duty in itself a limited one, or is it limited only by the existence of one or more of the serious reasons that justify the practice of rhythm?

An example will clarify the point of discussion. Suppose a married couple, leading a normal married life, could have ten children during the space of their childbearing years. Would such a couple be justified in using rhythm, without any of the justifying reasons mentioned by the Pope, in order to limit their family to four or five children?