

## THE CATHOLIC DOCTRINE ON THE ENDS OF MARRIAGE

ON April 1, 1944, the Congregation of the Holy Office issued a decree of supreme importance because of its bearing on Catholic theological doctrine, both speculative and practical. The decree was concerned with the ends or purposes of marriage, on their interrelation and order; and in the first paragraph it is stated that it was occasioned by some recent writings which assert that the primary end of marriage is not the generation of offspring, or that the secondary ends are not subordinate to the primary end but are independent of it. Consequently, the decree continues, in such writings the primary end of marriage is sometimes said to be the completion and the personal perfection of the two parties through their entire community of life and action, at other times the mutual love and union of the couple, to be fostered and perfected by mutual spiritual and bodily self-giving, or something similar. Furthermore, in the writings of this school the terms *finis*, *primarius*, *secundarius* are understood in a sense which is at variance with the meaning given them in the common usage of theologians.

With a view to settling this question, the members of the Congregation of the Holy Office, assembled in plenary session, on March 29, 1944, discussed this *dubium*: "Can the opinion of certain writers be admitted who either deny that the primary end of marriage is the procreation and rearing of offspring, or teach that the secondary ends are not essentially subordinate to the primary end, but are equally principal and independent?" The answer was in the negative, and on the following day Pope Pius XII approved this decision and commanded that it be made a matter of public law.<sup>1</sup>

The direct and absolute form in which this decision was rendered is worthy of note. Not infrequently the Holy Office, in condemning a doctrine, employs the formula: "Tuto doceri non potest" or an equivalent phrase.<sup>2</sup> A decision expressed in this form is based on

<sup>1</sup> AAS, 36 (1944), 103.

<sup>2</sup> Cf. DB, 1889, 2183-85, 2198.

the state of the question actually prevailing, in view of the arguments that have been presented up to that time; consequently, it does not necessarily exclude the possibility that subsequent findings may reveal new arguments or a new aspect of the problem which will permit the doctrine that is now condemned to be held, at least as probable. But in the present instance the Holy Office did not employ this qualified form of condemnation, but rather couched its rejection of the doctrine under consideration in a manner that admits of no possibility of any future investigations that will alter the present Catholic doctrine on the matter. As far as the Holy Office is concerned, the question is settled definitely and conclusively. The primary end of marriage is the procreation and the rearing of children; no other end is of equal importance with this or of greater importance, nor are the other ends independent of this primary end of the conjugal union.

Of course, the decisions of the Holy Office, even when approved in the ordinary form by the Sovereign Pontiff, are not infallible pronouncements, so that, absolutely speaking, the condemnation with which we are concerned might be proved erroneous at some future date and the doctrine proscribed in this decision might become tenable. However, in view of the weight of tradition that supports the doctrine favored by the Holy Office, the possibility of such an occurrence must be regarded as purely theoretical. And, in any event, the decision now binds *per se* all Catholics to that form of internal and external acceptance that is known as religious assent. To deny it or to cast discredit on it would *per se* constitute a grave sin of disobedience and rashness.<sup>3</sup>

From the very beginning of the human race emphasis has been placed on the procreative purpose of matrimony in the inspired and approved sacred writings. "Increase and multiply" was the nuptial blessing of the Creator to the first husband and wife.<sup>4</sup> Sacred Scripture commends the motive of the youthful Tobias in entering marriage "not for fleshly lust but for the love of posterity."<sup>5</sup> St. Paul

<sup>3</sup> Cf. Van Noort, *Tractatus de fontibus revelationis* (Bussum, Holland, 1920), n. 251 sq.

<sup>4</sup> *Genesis* i. 28.

<sup>5</sup> *Tobias* viii. 9.

recommends that younger widows should marry and bear children and be mistresses of families.<sup>6</sup> Christian tradition consistently defends the primacy of the offspring among the *tria bona matrimonii*, enumerated by St. Augustine: "All these are goods by reason of which marriage is good—the offspring, the faith, the sacrament."<sup>7</sup> The clear expressions used frequently by St. Thomas leave no doubt as to the conviction of the Angelic Doctor that the primary purpose of marriage is the begetting of children, and that to this end the other ends are subordinated. "Under the term *offspring* is included not only the begetting of children but also their rearing" and to this, as to an end, is ordained the whole communication of works which exists between husband and wife, inasfar as they are joined in matrimony, because fathers naturally enrich their children, as is evident (II *Cor.*, xii.); and thus in the offspring, as in the principal end, the other is included as a kind of secondary end."<sup>8</sup> It should be noted that when St. Thomas speaks of another end which is subordinate to the offspring, he is referring to the *consortium vitae communis*, the purpose which makes for the personal perfection and happiness of the married parties.

Among the theologians subsequent to St. Thomas there was some diversity of terminology in the designation of the ends of marriage. For example, St. Alphonsus distinguished intrinsic essential from intrinsic accidental ends of matrimony, proposing the former as two—the mutual giving of the marriage rights and the indissoluble bond. As intrinsic accidental ends he enumerates the generation of offspring and the healing of concupiscence.<sup>9</sup> However, in cases such as this it is evident that the departure from the generally accepted theological teaching is only in the terms, not in the doctrine. It can be asserted without hesitation that the well-nigh unanimous theological doctrine from the early Christian centuries has placed the welfare of the child, the procreation and the rearing of offspring, as the primary purpose of the conjugal state. The

<sup>6</sup> *Timothy* v. 14.

<sup>7</sup> *De bono conjugali*, Cap. 24 (PL 40, 394).

<sup>8</sup> *Suppl.*, q. XLIX, a. 2, ad 1.

<sup>9</sup> *Theologia moralis*, VI, n. 882.

Code of Canon Law makes a definite statement to this effect, and adds that the secondary end is mutual assistance and the remedy of concupiscence.<sup>10</sup> Pope Pius XI, in the Encyclical *Casti connubii*, says that among the blessings of matrimony the child holds first place, and quotes the statement of the Code that the primary end of marriage is the procreation and the rearing of offspring.<sup>11</sup>

In view of the unanimity of Catholic thought extending over a period of many centuries and corroborated by official pronouncements of the Church, one would imagine that all Catholics would be in agreement as to the ends of marriage and their relation to one another. However, about fifteen years ago some Catholic writers inaugurated a radical departure from the traditional teaching. Their purpose was to adapt the Catholic doctrine on the subject of the ends of marriage to modern tendencies, both physiological and psychological. It was an instance of a phenomenon that has occurred periodically in the Church from the very beginning, when a group of scholars, fearful that a trend of thought outside the Church may weaken the Catholic position on a certain point, have made concessions to modern ideas at the expense of long-standing tradition.

The writer whose name was most closely linked to the new view on the ends of marriage was Dr. Herbert Doms. His work first appeared in German under the title *Vom Sinn und Zweck der Ehe*:<sup>12</sup> later it appeared in French, and still later in English, entitled *The Meaning of Marriage*.<sup>13</sup> It is not easy to present the doctrine of Dr. Doms in brief and definite form, particularly because he distinguished between the *meaning* and the *ends* of marriage, and also because, if one bases his judgment on the theory as proposed in the English edition, he will find that the translator has omitted one chapter of the original work.<sup>14</sup> However, it is clear that Dr. Doms has definitely departed from the traditional teaching. Thus, he says: "The constitution of marriage, the union of two

<sup>10</sup> Canon 1013, § 1.

<sup>11</sup> *Five Great Encyclicals* (New York: Paulist Press), pp. 80, 82.

<sup>12</sup> (Breslau, Ostdeutsche Verlag, 1935): cf. *The American Ecclesiastical Review*, Aug., 1935, 196.

<sup>13</sup> (New York: Sheed and Ward, 1939).

<sup>14</sup> *Op. cit.*, p. 81.

persons, does not consist in their subservience to a purpose outside themselves, *for* which they marry. It consists in the constant vital ordination of husband and wife to each other until they become one. If this is so, there can no longer be sufficient reason, from this standpoint, for speaking of procreation as the primary purpose (in the sense in which St. Thomas used the phrase) and for dividing off the other purposes as secondary. . . . Perhaps it would be best if in future we gave up using such terms as 'primary' and 'secondary' in speaking of the purposes of marriage."<sup>15</sup> The same recommendation—that the terms "primary" and "secondary" be eliminated—appears in Leclerq's *Marriage and the Family*,<sup>16</sup> although a few pages previously this author denounces the new view as an approach to free love ethics.<sup>17</sup>

Two circumstances especially helped to strengthen the new view. In the first place, its defenders could undoubtedly point to exaggerated emphasis placed on the procreative purpose of marriage by a considerable number of the older writers, some of whom went so far as to propose the desire of offspring as the only justification for marital intercourse. St. Augustine asserted: "Conjugal union for the sake of generation has no fault; but for the sake of allaying concupiscence—though with one's partner for the preservation of marital fidelity—it has venial fault."<sup>18</sup> St. Thomas does not go quite so far, though his statement would not be accepted without qualification by theologians at the present day: "Only in two ways do married persons have relations without sin—namely, to have offspring and to fulfill the marriage obligation—otherwise, there will always be present sin, at least venial sin."<sup>19</sup> Other theologians taught that it is at least a venial sin for a couple to have intercourse during the time of pregnancy.<sup>20</sup> Now, when the exponents of the

<sup>15</sup> *Op. cit.*, pp. 87, 88.

<sup>16</sup> Leclerq-Hanley, *Marriage and the Family* (New York: Pustet, 1941), p. 16.

<sup>17</sup> *Ibid.*, 13. In a note Leclerq names as defenders of the new theory Doms, Hildebrand, Laros, Rochell and Zimmermann.

<sup>18</sup> *De bono conjugali*, VI (*PL*, 40, 377, 378).

<sup>19</sup> *Suppl.*, q. XLIX, a. 5.

<sup>20</sup> *Summae*, P. III, Tit. 1, Cap. 20, n. 4.

new theory assailed such statements, which were unquestionably exaggerated expositions of the traditional doctrine, they found it easier to cast discredit on the doctrine in its entirety.

Secondly, there was a passage in the Encyclical *Casti connubii* which, at first sight, might seem to support the new theory. The passage reads as follows: "This mutual interior moulding of husband and wife to each other, this assiduous task of perfecting each other, as the Roman Catechism teaches, can be called in a most correct sense the primary cause and reason of matrimony, if however, matrimony be taken, not strictly as an institution for the begetting and rearing of offspring, but in a wider sense, as an intimacy and society and the community of life in its entirety."<sup>21</sup> It is a strange and interesting fact, which I have no intention of investigating or explaining, that in some English translations of the *Casti connubii* this paragraph is entirely omitted.

Now, whatever may have been the mind of the Pope in making this statement, it is surely unreasonable to interpret it as a denial of an explicit assertion appearing in another section of the same Encyclical—namely, that the primary purpose of matrimony is the procreation and the rearing of offspring. The most satisfactory explanation of the passage just quoted seems to be this: The Catechism of the Council of Trent declared that the first reason why men and women unite in marriage is "the very society of the other sex, sought by the instinct of nature, entered into with the hope of mutual aid, so that each, assisted by the help of the other, may the more easily bear the ills of life and support the weakness of old age."<sup>22</sup> It would seem from the context that in designating the society of the other sex and the hope of mutual aid as the first reason for marriage the Catechism has reference to the subjective inclinations of the contracting parties, their *finis operantis*. For in the same passage of the Roman Catechism it is stated concerning the procreative end of matrimony: "This was the sole cause why God established marriage from the beginning." Here there is question of the primary objective purpose of the conjugal state, the *finis operis* of the institu-

<sup>21</sup> AAS, 22 (1930), 548-49.

<sup>22</sup> *Catechism of the Council of Trent* (tr. Donovan), P. II, Cap. 8, q. 13.

tion of marriage as intended by the Creator; and that is what is meant when we speak of the primary end of matrimony without further qualification.

It should be noted, too, that in the Encyclical Pope Pius XI explicitly asserts that in making the statement which we are discussing he is not considering marriage strictly, as an institution for the begetting and rearing of children, but is discussing it under a broader aspect—namely, as a society formed by the union of two persons—and certainly, it is quite evident that the desire of perfecting each other and assisting each other is the impelling motive of those who enter the conjugal state viewed merely from this aspect.

Such was the background for the theory expounded by Dr. Doms and his followers—that the primary purpose of matrimony is the perfecting of the personality of each of the two partners by the reception of the gift of the personality of the other—a gift which is most aptly expressed by sexual relations. “The highest and most important purpose of marriage is undivided community of life for man and woman.”<sup>23</sup> The child is a powerful means by which husband and wife may perfect each other supernaturally,<sup>24</sup> and we can say that the final biological purpose of matrimony is procreation,<sup>25</sup> but there is a meaning immanent not only in the biological act but also in marriage itself—the fulfillment of love in the community of life of two persons who make one person.<sup>26</sup>

It is very evident that the decree of the Holy office was directed against such views as those propounded by Dr. Doms, so that his theory is no longer tenable. At the same time, it would be unjust to deny that certain features of his teaching deserve to be given greater emphasis in our exposition of the Catholic doctrine of matrimony, particularly the spirit of generosity that should be fostered by matrimony, the exalted and unselfish love it should inspire, the spiritual significance of sexual intercourse which renders it something far more sublime than a biological process or a source of

<sup>23</sup> Doms, *op. cit.*, p. 95.

<sup>24</sup> *Ibid.*, p. 87.

<sup>25</sup> *Ibid.*, p. 85.

<sup>26</sup> *Ibid.*, p. 86.

sensual gratification. But we should abstain from certain expressions frequently employed by the exponents of the new theory, such as those which imply that the human individual is in himself incomplete and imperfect, and that this defect is remedied by marriage.<sup>27</sup> Such expressions are not only philosophically inaccurate, inasfar as they imply that the individual human person is *per se* incomplete, but are also to be shunned because they are not easily harmonized with the Catholic doctrine on the preeminence of celibacy.

It should be remembered, too, that the decree of the Holy Office asserted that there is a relation of interdependence among the ends of marriage. Not only are the personal benefits inferior in importance to the social benefits, but they are subordinate to them. The blessings involved in life partnership and in the most intimate relationship possible between two human beings—mutual love and assistance, comfort and strength in the trials of life, the lawful relief of concupiscence—these, according to the plan of the Creator, are all ordained to an end outside of themselves, the welfare of the human race. In other words, the personal benefits of matrimony are intermediate ends—desirable for their own sake, but ultimately desirable as beneficial to society. This points the way to a basic principle which must be taken into account in every scientific discussion of matrimony by Catholics—that marriage is primarily a social institution, established by God for the common good of men whom He has created to His own image and likeness.

Three points of practical import are worthy of our consideration as deductions—it would seem—from the decision of the Holy See with which we are concerned. First, in explaining and demonstrating the Catholic doctrine of the sinfulness of contraception and of divorce, the main argument should be that these abuses hamper or prevent the primary purpose of matrimony. Other arguments can be proposed, but they should not be presented as the basic reasons for the Church's stand that contraception and divorce are opposed to the natural law. Dr. Doms argues that when contraceptive measures are employed or when marriage is regarded by the couple as dissoluble, the mutual self-giving, which he regards as the most im-

<sup>27</sup> *Ibid.*, pp. 32, 36, 44.

portant purpose of matrimony can no longer be complete or unreserved.<sup>28</sup> Such an argument is not to be rejected as inconsequential or illogical; but it should be regarded as an accessory or secondary proof. The basic argument against contraception, from the Catholic standpoint, should be that it tends to frustrate the generation of offspring, which is the first element of the primary purpose of matrimony. And the basic argument against divorce should be that it hampers the proper bringing up of offspring, which is the other element of the primary purpose of matrimony. But, to give full force to this mode of argumentation, we must point out that it is based on what is the normal course of events, or what is *per se*, rather than on what occurs in particular instances, or what is *per accidens*. Dr. Doms does not admit this argument. According to him, the principle upheld by St. Thomas<sup>29</sup> that determinations of law are to be judged according to what commonly happens rather than by what may happen in particular cases is applicable only to positive legislation, not to the natural law. He states: "Natural law takes its obligatory force from the fact that in nature things themselves, because of their known nature and actual results, necessitate or prevent a particular act. If in a certain case one particular result can no longer be attained, surely then the natural law no longer expects us to take it into account."<sup>30</sup> However, this broad statement is surely not to be admitted at least without qualification, as we know from the common theological interpretation of certain natural precepts, such as the prohibition of theft or intemperance. It is a grave sin to steal a large amount from a fellow-man, even if *de facto* he is not seriously incommoded or afflicted; it is a mortal sin to give an excessive amount of intoxicating liquor to an imbecile, even though it cannot be said to deprive him of the use of reason. So too, whatever tends to frustrate the primary purpose of the conjugal state *by its very nature* is justly regarded as evil, even though in the particular instance it does not bring about such a frustration. The basic reason seems to be that the natural law is founded on the very

<sup>28</sup> *Ibid.*, pp. 168, 55.

<sup>29</sup> *Suppl.*, q. 67, a. 1, ad 4.

<sup>30</sup> Doms, *op. cit.*, p. 182.

nature of things, and the purpose of a thing is inherent in its nature. Consequently, the natural law demands that the purpose of a faculty or human institution be not frustrated, even though in a particular instance the effect for which the faculty or institution is intended is not attainable. And so, in our condemnation of contraception and divorce, we should adhere to the traditional argument that such practices are detrimental to the primary purpose of matrimony, the generation and proper rearing of children.

Secondly, in discussing the morality of the so-called "Rhythm" method of birth limitation, we must be careful not to infringe on the Catholic principle of the primary end of marriage. In recent years biological investigations have shown that married couples can usually avoid offspring if they refrain from intercourse a comparatively few days each month.<sup>31</sup> There have been Catholic theologians who have passed a lenient judgment on the use of periodic continence, because they view the problem only from the standpoint of the individual act of coition, and say that it is *per se* licit, on the grounds that a married couple may have relations at any time and abstain at any time. They admit that because of a circumstance, particularly a selfish *finis operantis*, there may be sin in the use of "Rhythm," but ordinarily they regard this as only a venial sin.<sup>32</sup>

Now, we surely cannot say that the theological problem involved in this matter has been definitely settled; and theologians should give consideration to another opinion—an opinion which is more severe, yet which takes as its initial principle the Church's doctrine on the primary purpose of matrimony. According to this view, the morality of periodic continence is to be judged, not from the standpoint of the individual act of intercourse, but rather as a deliberately chosen system of married life adapted to give the personal benefits of marriage while preventing its benefits to society. When we view the matter from this standpoint, we can see the reason why the proponents of this opinion teach that the use of "Rhythm," inasmuch as it is a method of defeating the primary end of marriage while taking advantage of its secondary ends, does not observe the due

<sup>31</sup> Cf. Latz, *The Rhythm* (Chicago: Latz Foundation).

<sup>32</sup> Cf. Aertnys-Damen, *Theologia moralis*, II, n. 897.

subordination of ends, and is therefore *per se* illicit, and if continued over a period of years could become gravely sinful. While proclaiming that "Rhythm" is *per se* illicit, those who defend this stricter view admit that *per accidens* it can become licit, when there are sufficiently grave reasons for its use, such as financial stress or serious danger of health.<sup>83</sup>

The third corollary of the decree of the Holy Office is the dignity and the importance of the conjugal state as the divinely established means toward the propagation and proper training of children for the welfare of society. In extolling the state of virginity, we must be careful not to cast discredit on the state of matrimony, or propose it as something imperfect, something indicative of human weakness. It is true, the Church teaches that the state of virginity and celibacy is superior to the marital state,<sup>84</sup> but it must be remembered that in making this comparison the Church is referring to virginity or celibacy embraced out of a supernatural motive. If we compare the conjugal state with the state of celibacy practiced out of a merely natural and personal motive, such as the desire to avoid the burden of bringing up children, or the assurance of greater freedom to travel, it would seem that the marital state would be the more perfect. It requires a supernatural motive, such as the better opportunity to perform works of Christian charity, and particularly the fostering of a more unselfish and more ardent love for God, to elevate celibacy to a plane superior to the state of marriage. Some of the older theologians were so deeply impressed with the importance and the excellence of the task of preserving and propagating the human race that they held that persons bound by the vow of chastity would have the obligation to marry and to have offspring in the supposition that otherwise the human race would perish.<sup>85</sup> Probably the majority of theologians would reject this opinion nowadays, and would hold that even in the extreme situation it visualizes the supernatural good of consecrated chastity would predominate; but nevertheless, the concept which gave rise to this view, the importance and the sublimity of the conjugal

<sup>83</sup> Cf. Griese, *The Morality of Periodic Continence* (Cath. Univ., 1942).

<sup>84</sup> *DB*, 980.

<sup>85</sup> Cf. Sanchez, *De matrimonio*, L. II, Disp. 3, n. 4.

state as a necessary means of propagating the human race, should be constantly emphasized by Catholic scholars in their discussions of matrimony.

What has been said about the ends of marriage and their interrelation and interdependence applies even to marriage as a natural institution. When marriage is viewed as a sacrament, the dignity it possesses because of its primary purpose is still greater; for then it is the state ordained to collaborate with the Almighty in the creation of immortal souls destined to supernatural grace and glory as members of the Body of Christ. In this age of selfishness, when men and women are forgetting their obligations toward society in the mad rush for pleasures and material luxuries, Catholics—particularly those privileged to propound the sacred doctrines of the Church—must unceasingly emphasize the truth that in God's plan it is the primary duty and honor of those united in Christian marriage to increase the number of human beings that will worship God on earth and rejoice with Him in His eternal kingdom of glory.

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