

## MORALITY OF THE RHYTHM PRACTICE

### I. PRELIMINARY OBSERVATIONS

A. The discovery of the "rhythm" in the recurrent periods of biological sterility and fertility in women, furnishes an effective means not only of preventing the conception of offspring, but of promoting conception of offspring. Although these pages represent an inquiry into the morality of the rhythm practice as a means of avoiding the conception of offspring, a fair view of the problem requires an honest answer to the question: "What is the real value of this discovery?"

It would seem that the discovery of rhythm is much more of a boon to mankind as a means of promoting conception of offspring, than as a means of avoiding conception. Apparently that is the view of the pioneer in medical research and experiment in the matter, Dr. Ogino of Japan.<sup>1</sup> With all due appreciation of the hardships of a material nature involved for many couples in having another child, the blessing of fertility is more important as a means of bringing peace and happiness to married couples, than the accommodation of sterility. The use of "rhythm" as a means of promot-

<sup>1</sup>Dr. Ogino describes the "significance of prediction of the conception period in practical life, from the doctors' standpoint, as follows: (1) For the woman who desires to have a child. (2) Periodic liberation from a life of absolute abstinence, i.e., for women suffering from certain diseases whose lives would be jeopardized by pregnancy. (3) Periodic contraception, i.e., "people who have carried on these unnatural contraceptive methods are liberated from their restriction, returning to their own natural married life. (4) Idealization of married life. Here Dr. Ogino, presumably a pagan, gives expression to his inspiring concept of marriage: "A woman has a sterility and a fertility phase alternating periodically. The latter period is a holy time, at which the life of new sons and daughters will be created. Thus will the married life be idealized and sanctified." *Conception Period of Women* (Harrisburg, Pa.: Medical Arts Publishing Co., 1934), p. 78 f. A similar appraisal of the value of the rhythm discovery is presented by Dr. Victor Cox Pedersen in his book *Nature's Way of Birth Control* (London: Williams and Norgate, Ltd., 1934), p. 2 f.

ing the conception of offspring gives beauty and deep meaning to marital life, whereas recourse to the practice as a means of avoiding conception introduces an unnatural element of tension which in many cases results in serious temptations to infidelity, contraception, or even solitary sins against nature.

B. The discussion of whether the use of the rhythm as a means of avoiding conception, objectively considered, is lawful or unlawful, does not work hardship on couples who come to pastors of souls for advice and guidance. All theologians admit that the practice can be lawful in actual cases, if there is a sufficient reason for concentrating on the secondary aims of marriage, to the exclusion of the primary end. Those who maintain that the practice objectively considered is unlawful, certainly are not more severe in determining the "sufficient reasons" than those who hold that the practice is objectively lawful; and all theologians demand a sufficient reason before the practice can be considered lawful in actual cases.

C. The opinion that the use of the rhythm practice is objectively unlawful is senseless unless it is understood as referring to the practice of the rhythm as a *deliberate system or way of life in marriage*. No theologian will deny that the use of the marriage right is just as lawful on sterile days or during sterile periods, individually considered, as on fertile days or during fertile periods. The rhythm practice does not present a moral problem unless it is viewed as a deliberate system in married life, whereby the marriage right is used exclusively on sterile days, and avoided studiously and deliberately on days which are considered to be fertile for the woman. The important element, therefore, is not the act of indulgence or omission as such, but the "finis operis" which necessarily accompanies each act of indulgence or omission as a part of the rhythm system or way of life, i.e., the positive exclusion of the primary end of marriage.

## II. PROPOSITION

The practice of rhythm in marital life, whereby the use of the marriage right is reserved exclusively to days which are considered to be sterile for the woman, considered as a system in marital life, is objectively unlawful; but lawful in individual cases if there is a just cause.

The term "objectively unlawful" is considered as equivalent to "per se illicitum," i.e., the specific or primary morality of the practice as considered apart from circumstances.

*A. Negative Approach*

The opinion expressed above *does not* involve propositions such as the following:

(1) That the practice of the rhythm is intrinsically evil. If this were meant, the use of the rhythm as a means of avoiding the conception of offspring never could be justified. It is not, therefore, contrary to the primary principles of the natural law, but it is contrary to the secondary principles of the natural law. The practice becomes lawful in given cases because certain special circumstances excuse married couples from the observance of the secondary law in such cases.<sup>2</sup>

(2) That married couples must explicitly intend to realize the primary purpose of marriage in their marital life. It suffices that their marital life is implicitly ordained to the realization of the primary end of marriage insofar as they do not intend in a positive manner to exclude the primary purpose of marriage.

(3) That married couples must have as many children as possible, regardless of financial difficulties, serious physical dangers for the woman, etc. It is readily admitted that real financial difficulties, ill-health of the mother, and other seriously unfavorable circumstances in life would justify the married couple in using the rhythm practice for the duration of such difficulties. In such cases, the married couples concerned would be justified in giving full attention to the secondary ends of marriage, to the exclusion of the primary end.

(4) That if the use of the rhythm as a means of preventing conception is objectively unlawful, the same judgment would apply likewise to other situations such as the use of the marriage right after the woman has reached her menopause, or perpetual abstinence in marital life, or marriage to a woman who is known to be sterile.

<sup>2</sup> Cf. St. Thomas, *Summa Theologica*, I-II, q. 94, a. 5, corp.

In all of these cases, there is no objective indication that the situation necessarily involves a positive intention to exclude the primary end of marriage: in the case of a man who married a woman whom he knows to be sterile, or in the use of the marriage right after the woman has reached her menopause, the objective indication is that children are not conceived due to circumstances which are beyond the control of the parties concerned. In the case of perpetual abstinence in marital life, the situation, objectively considered, does not necessarily point to an intention to exclude the primary end of marriage. It may be that the parties concerned are motivated by a desire to practice virtue.

#### *B. Positive Approach*

(1) *Argument from Holy Scripture.* In the light of a serious consideration of the following texts of the Old and New Testament, it would be difficult to insist that the systematic use of the rhythm in marital life is objectively lawful: Genesis, XX, 18; Leviticus, ch. XV; I Kings, I, 6; Osee, IX, 14; Tobias, VI, 16-22, and VIII, 9; I Corinthians, VII, 5; I Timothy, V, 14.

(2) *Argument from the Writings of the Fathers.* From the writings of several of the Fathers, such as St. Justin, St. Basil, St. John Chrysostom, St. Cyril of Alexandria and others, there is every indication that they would have been severe in deciding the question of the objective morality of the use of the rhythm practice as a systematic means of preventing conception. The same indication is most apparent in the writings of St. Augustine.

(3) *Argument from Ecclesiastical Documents.* Neither the decree of the Sacred Penitentiary to the Bishop of Amiens, France, on March 2, 1853, nor the decree of the Sacred Penitentiary of June 16, 1880, can be considered as a pronouncement as to the objective morality of the rhythm practice. The encyclical *Casti Connubii* of Pope Pius XI does refer to "those . . . who in the married state use their right in the proper manner, although on account of natural reasons either of time or of certain defects, new life cannot be brought forth." To interpret the reference to "natural reasons . . . of time" as a reference to the rhythm practice is to do violence to both the text and the context of this great encyclical.

(4) *Argument from Reason.* Except for a justifying reason, it is morally wrong for married couples to positively exclude the primary purpose of marriage in their marital life.

But, the systematic use of the rhythm practice in marital life as a means of preventing conception, objectively considered, necessarily involves the positive exclusion of the primary purpose of marriage.

Therefore, except for a justifying reason, the systematic use of the rhythm practice in marital life as a means of preventing conception, objectively considered, is morally wrong.

*Ad maiorem:* In all human acts, man must be motivated by a good or reasonable end.<sup>3</sup> It is not in accord with right reason for married couples to positively exclude the primary end of marriage as established by the Author of Nature, unless the circumstances in a given case justify such a reversal of the hierarchy of the ends in marriage.

*Ad minorem:* Those who maintain that the use of the rhythm, objectively considered, is lawful or indifferent from a moral point of view, insist that this practice involves at most a negative exclusion of the primary end of marriage. "Salva reverentia," it would seem that these theologians are centering their attention almost exclusively on the material aspects of the rhythm practice (acts of indulgence and abstinence, all lawful in themselves) without giving due attention to the formal element—the deliberate choice of the will, whereby certain days are chosen consistently for sexual abstinence precisely because they are fertile days, and precisely because they are sterile days, certain other days are chosen for the use of the marriage right, and that as a definite studied system in marital life. The practice of the rhythm as a means of preventing conception does not present a moral problem, objectively considered, unless both the material acts of omission and indulgence and the disposition of the will which knits them into a systematic pattern in marital life, are given due attention and consideration.

The argument from reason advanced above is substantially the

<sup>3</sup> "Peccatum in humanis actibus est quod est contra ordinem rationis," St. Thomas, *Summa Theologica*, II-II, q. 153, a. 2, corp. Cf. also I-II, q. 94, a. 2, corp.

same as that advanced by outstanding theologians such as Father Salsmans, S.J.,<sup>4</sup> and Father Benedict Lavaud, O.P.<sup>5</sup>

### III. PRACTICAL CONSIDERATIONS

The conditions which must be fulfilled before the rhythm practice can be advised or approved in actual cases have been given due attention in recent years by theologians and pastors of souls. There are several considerations of a more general nature, however, which often are minimized or forgotten entirely, whereas they should guide every pastor of souls in determining cases which warrant the use of the rhythm practice.

A. Doctors and other experts have observed that the woman feels a great desire for marital union precisely during the fertile period. Some say that the woman experiences the greatest desire for marital union during that period,<sup>6</sup> and others state that the fertile period is one of the periods of greatest desire. Dr. Robert L. Dickinson says, for example:

The time of greatest desire in a considerable portion of women falls into two seasons, just before menstruation, and soon after. The first group appears to contain the larger number. The first season comes at a relatively infertile time, and the second at about the time of greatest likelihood of conception.<sup>7</sup>

Even if the fertile period does not represent the period of greatest desire in a given case, many women would have reasons for feeling that marital relations during the sterile periods, and exclusively during such periods, have little to do with conjugal love but are intended largely if not exclusively for the satisfaction of the husband.<sup>8</sup> These

<sup>4</sup> "Sterilitas Facultativa Licita?", *Ephemerides Theologiae Lovanienses*, XI (1934), 562-564.

<sup>5</sup> *Le Monde Moderne et le Mariage* (Paris, Desclee de Brouwer, 1935), 417-419. Cf. also the article by an anonymous author in *L'Ami du Clerge*, November 8, 1934, 744-746.

<sup>6</sup> Cf. Moore, Edward Roberts, *The Case Against Birth Control* (New York, Century Co., 1931, p. 43).

<sup>7</sup> *Control of Conception* (2nd Ed., Baltimore, Williams and Wilkins, 1939), p. 55.

<sup>8</sup> Cf. Vermeersch, S.J., *Periodica . . .*, XXIII (1934), 247\*.

factors must, in many cases, make adherence to the rhythm practice a serious threat to domestic peace. It is unwise, therefore, to present the rhythm practice as "easy," or as "perfectly natural."

B. It takes a real spirit of sacrifice for married couples to have recourse to the rhythm practice as a means of preventing conception, without allowing the practice to present serious temptations to sin. Even medical authorities warn that the self-control required cannot be expected of those couples who are of the less responsible type.<sup>9</sup> To the theologian, this means that those who are weak in their faith cannot be advised to adopt the rhythm practice, for they will be discouraged by the poor results due to their lack of self-control in following the rhythm practice, and will be tempted seriously to adopt contraceptives or onanistic practices in addition to the rhythm practice or in place of it.

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### *Digest of Discussion*

Father Gerald Kelley, S.J., opened the discussion by proposing three questions that have to be answered when considering any individual case of the use of rhythm: Are the parties willing? Are the parties able? Is there sufficient reason?

But as the present discussion was on the speculative rather than on the practical plane, the problem is better stated as follows: "Is it a sin to practice rhythm without a reason?" All seem to agree that some reason is needed. But why is it needed? The answer provided by Father Griese was that the primary purpose of the reproductive function is never to be positively excluded.

With regard to interpretation of the passage from *Casti Conubii* Father Kelley pointed out that Fathers Vermeersch and Huerth, who had some part in the composition of the encyclical, were able to

<sup>9</sup> Cf. Stein, Irving, M.D., and Cohen, Melvin, M.D., "An Evaluation of the Safe Period," *The Journal of the American Medical Association*, Vol. 110 (1938), p. 261; Turene, "Por Que fracasa el metodo anti-concepcional de Ogino-Knaus?", *Archivos Uruguayos de Medicina Cirugia Y Especialidades*, Vol. 13 (1938), 665 f.

interpret the mind of the encyclical; they interpret the encyclical as referring to the use of the rhythm.

It was pointed out that "positive exclusion" usually refers to placing the act while simultaneously doing something to frustrate the production of the act's effect. But what does the phrase mean as used by Father Griese?

Finally, Father Kelley asked: "Is selfishness a sin?" Many authors place the evil of rhythm in selfishness. But selfishness may be a motive that will lead to sin; the gravity of the sin will depend on other factors.

Father Connell, C.S.S.R., defending Father Griese's position, argued that one must take as one whole, both the fact of abstinence at certain times and the acts of copulation that take place during the sterile periods. The use of this system gives the benefits of marriage without its burdens. The system is *per se* illicit.

Monsignor O'Brien of Cincinnati pointed out that morality is usually predicated of acts and not of systems.

Father Francis Reh remarked that the use of rhythm may be out of line with God's plan for marriage, but the question is: Is it out of line for this particular marriage? Secondly, the acts of copulation in themselves and the whole series of acts are not sinful; how then can the system be sinful? Finally, there may be sin committed, but this is not because rhythm in itself is sinful, but rather because it is practiced with sin.

Father Ford, S.J., pointed out that the argument against rhythm from the Fathers can be pushed too far; it proves too much. He stated that to hold that it is *per se* illicit not to have children indicated that, there exists some obligation *sub peccato* to have children.

Father Sheridan, S.J., said that St. Thomas seems to demand an intention to have children so that the act or marriage may be licit. He pointed out that the controversy over the exclusion of children in the intention of the married partners arose only after Sanchez. He asked, "What kind of sin is the use of rhythm?" Against what virtue is it?