

PONTIFICAL ACADEMY FOR LIFE

Vatican finds way to approve contraception and assisted fertilisation

ECCLESIA

05_07_2022



**Luisella
Scrosati**



The Vatican continues to initiate processes in the wake of *Amoris Laetitia*.

The book *Theological Ethics of Life. Scripture, Tradition, Practical Challenges*, just published by the Vatican Publishing House (Libreria Editrice Vaticana), gathers the fruits of a three-

day interdisciplinary Seminar, promoted by the Pontifical Academy for Life; a Seminar that according to its President, Msgr Vincenzo Paglia would be unique (see [here](#)), as it aimed at "opening a dialogue between [...] different opinions, including on controversial topics, offering many points for discussion. So the perspective is that of rendering a service to the Magisterium, opening up a space in which to speak that makes research possible and encourages it. This is how we interpret the role of the Academy". Obviously all in a climate of parrhesia and, according to Paglia, "with a procedure analogous to the *quaestiones disputatae*: to put forward a thesis and open it up to debate. And the debate can lead to glimpses of new paths, in order to advance theological bioethics".

Indeed, theological bioethics is advancing, but it would seem towards a precipice.

In fact, a first indiscretion surfaced on 1 July (see [here](#)), which seems to reveal one of the 'objectives' of the new edition of the medieval *quaestiones disputatae*: to revise the much-hated 'ban' on contraception. Apparently the book, which we will read as soon as it is available, supports the thesis that "in conditions and practical circumstances that would make the choice to generate irresponsible", one could resort "with a wise choice" to contraceptive techniques, "obviously excluding any that are abortogenic".

The news, which has not yet been denied, is in clear opposition to the teaching of *Humanae Vitae*, reported in the Catechism of the Catholic Church (§ 2370), which defines as "intrinsically evil 'any action which, either in anticipation of the conjugal act, or in its fulfilment, or in the development of its natural consequences, proposes, as an aim or as a means, to prevent procreation'". In fact, contraception, in all its forms, objectively contradicts the two intrinsic meanings of the conjugal act, namely openness to life and total donation of self. This "advancement of theological bioethics" aims directly at the relativisation of the negative precepts of the moral law, exactly as *Amoris Laetitia* had already done: the absoluteness of the negative precepts is confined to theory, in order to relativise them - and thus deny them as absolute - in the concrete case.

Decidedly more certain is the presence in the book of another example of "opening up spaces for speech", according to what Fr Jorge José Ferrer, S.J., reported when presenting the publication of the proceedings in the latest issue of [La Civiltà Cattolica](#). There was no doubt that the initiatives born of the Pontifical Academy for Life, after *Amoris Laetitia*, would all be oriented towards emphasising that "general rules set forth a good which can never be disregarded or neglected, but in their formulation they cannot provide absolutely for all particular situations" (AL 304).

However, the author must recognise that the focus on the particular situation

is nothing new for moral reflection; because the person's ethical choice is always about a prudential decision in a concrete case. So what is the difference? Ferrer suggests it to us, pointing out that the present pontificate has contributed to “a decisively renewed configuration of the theological ethics of life, far removed from the rigorism that still fuels some ecclesial discourses and contributes to a caricatured vision of Catholic morality that we frequently find in the media, social networks and popular perception”.

Has the overcoming of the unspecified moral rigorism - a polyvalent and plastic category, into which can be dropped from time to time those definitive positions of the Magisterium that one wants to overthrow - therefore led to the 'revision' of Catholic teaching on contraception mentioned above? Probably. What is certain, however, is the application of this vague criterion with regard to homologous medically assisted procreation (MAP), which in the text clearly refers to artificial insemination, i.e. a technical intervention that disassociates insemination from the conjugal act. If there is superfluous embryo formation, the judgement would be negative; but what about if there is not?

One contributor to the book considers that in this case “generation is not artificially separated from the sexual relationship, because the latter is, in itself, infertile. On the contrary, the technique makes available an intervention that makes it possible to remedy sterility, without supplanting the relationship, but rather making generation possible”, bringing “to completion what the sexual relationship of these spouses cannot achieve. Technique cannot be rejected a priori in medicine: it must be made the subject of discernment, to ascertain whether it fulfils the function of a form of care for the person”. Medical intervention would be considered 'therapeutic' “allowing the conjugal relationship of infertile spouses to reach full realisation as the responsible donor of a new life, opening their love to the generation of a new life”.

According to Ferrer, this text is "in tension with the letter of *Donum Vitae*”, thus rather explicitly indicating that the reversal of the Church's teaching on this aspect would be justified by continuity with the "spirit" of the previous Magisterium. The fact is that the evaluation given by the Instruction was not based on the verification that the technical intervention of assisted procreation was functional to the "care of the person", nor even whether it supplanted a generic relationship between spouses, but rather whether it "effected the dissociation of the gestures intended for human fertilisation from the conjugal act" (*Donum Vitae*, 2. 5).

Ferrer concludes that "without necessarily subscribing to the concrete positions, we consider it legitimate for this innovative interpretation to emerge within

the framework of the *quaestio disputata*", a framework that serves to "open up new horizons, which always remain subject to the final judgement of the pastors, in particular the Magisterium of the Roman Pontiff".

"Widening horizons" is the euphemistic expression to indicate the careful preparation of a real reversal, because the final judgement of the Roman Pontiff's Magisterium has already been repeatedly pronounced. But evidently not all Pontiffs are the same: some publish bulls, others undo them. On the other hand, it is Msgr Paglia himself who explains that the published volume "is an attempt, certainly perfectible, to accept the invitation of *Veritatis gaudium* (par. 3) for a radical paradigm shift in theological reflection".

This is the new mission of the Pontifical Academy for Life and its President: to change the paradigm, opening to what the Church has clearly closed and inflexibly closing on what must instead remain open. A rather original way of understanding the power of the keys.