

Hereditary diseases and contraception

12 September 1958

Address of His Holiness Pius XII to the VII congress of the International Society of Hematology

[1: AAS 50 (1958) 732-740.]

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The VII International Congress of Hematology, which brings together more than a thousand specialists from different countries in Rome, has suggested to you, Gentlemen, the thought of paying us a visit. We are very grateful for that and we welcome you warmly. Your assembly was preceded by the International Congress for the Transfusion of Blood, which we also had the pleasure of addressing.

A simple look at the topics listed in your program is enough to show the variety and abundance of the problems that arise today in hematology. We find in it, among the topics discussed in the plenary sessions, issues concerning immunohematology, hemorrhagic disorders, leukemia, spleen and the reticuloendothelial system, anemia, the use of radioactive isotopes in hematology. To these matters are added the lectures and discussions that are the subject of the colloquiums. Thus you have the possibility to enrich your scientific knowledge and to apply it better to daily life, to individuals and families, to whom these progresses are finally destined. It can be said that the problems of blood, inherited from previous generations.

The work already cited in Our previous Address in relation to genetic consultation (Sheldon C. Reed, Counseling in Medical Genetics) exposes the different ways in which the solution of the problem of defective inheritance is currently presented.

According to this work, since the technique of artificial fertilization has been discovered, semiadoption has been used to a great extent to have children, when the husband is sterile or when the couple has discovered that they were carriers of a serious recessive gene. If the adoptive father has doubts about the legality of the child that his wife has fathered by this method, it can be remedied simply by adoption. A scientific report published in 1954 indicates that couples, who suspect each other of their sterility, tend to want to determine which of them is the cause of it, resorting to voluntary adultery. To prevent tragic experiences of this kind, a fertility clinic can be very useful.

Another very typical case is that of the woman who goes to the genetic consultation, because she knows that she has a hereditary disease; and, not being able to accept the contraceptive means, she intends to undergo sterilization.

The first case mentioned as a solution to the problem of husband sterility artificial insemination, which is obviously a "donor" stranger to the couple. We already had occasion to take a position against this practice in the address addressed to the IV International Congress of Catholic Doctors on September 29, 1949 . We absolutely fail the insemination between unmarried people and even between spouses. We returned to this question in Our Address to the World Fertility Congress on May 19, 1956, to reprove again all species of artificial insemination, since this practice is not included among the rights of the spouses and is contrary to the natural law and Catholic morality. As for the artificial insemination between celibates, as early as 1949 we declared that it violates the principle of natural right, that all new life can not be procreated except in a valid marriage.

The solution for voluntary adultery condemns itself, whatever the biological, eugenic and juridical reasons for which it is tried to justify. No husband can make his conjugal rights available to a third person, and any attempt to renounce them is without effect; nor to rely on the legal axiom: " volenti non fit iniuria " .

It is also considered as a solution the sterilization, either of the person, or of the act itself. Due to biological and eugenic reasons, these two methods are currently receiving a growing favor and are progressively disseminated under the protection of new drugs that are increasingly effective and more comfortable to use. The reaction of certain groups of theologians to this state of affairs is symptomatic and very alarming. It reveals a deviation from moral judgment, which goes hand in hand with an exaggerated readiness to review, in favor of new techniques, commonly received positions. This attitude comes from a praiseworthy intention that, to help those in difficulty, refuses to exclude new possibilities of solution too soon. But this adaptation effort is applied here in an unfortunate way, since some principles are misunderstood or given a meaning or transcendence that they can not have. The Holy See is then in a situation similar to that of Blessed Innocent XI, who was more than once forced to condemn moral theses proposed by theologians animated by an indiscreet zeal and a little clairvoyant daring [2: Cf. Denzinger , n. 1151-1261, 1221-1288.].

Many times we have already dealt with sterilization. In substance, we have stated that direct sterilization was

not authorized by the right of man to dispose of his own body, and can not, therefore, be considered as a valid solution to prevent the transmission of a sick inheritance. "Direct sterilization, we said on October 29, 1951, that is, the one that attempts, as a means or as an end, to make procreation impossible, is a serious violation of the moral law and, consequently, is unlawful. Neither the same public authority has the right, under the pretext of any indication, to allow, much less to prescribe it or to have it executed against innocents. This principle is already enunciated in the encyclical *Casti connubii*, of Pío XI, on the marriage. Also, when, a dozen years ago, sterilization began to be increasingly applied, the Holy See felt the need to expressly and publicly declare that the direct, perpetual or temporary sterilization of both men and women, it is unlawful by virtue of the natural law, in which neither the Church itself, as you know, can dispense ». [3: Address to the Italian Catholic Union of Obstetricians and to the National Federation of Catholic Midwives' Colleges, October 29, 1951, AAS 43 (1951) 835 ff.]

By direct sterilization we wanted to designate the action of the one who proposes as an end or as a means, to make procreation impossible; but we do not apply this term to any action that makes procreation in fact impossible. Man, in fact, does not always intend to do what results from his actions, although he has foreseen it. Thus, for example, the removal of diseased ovaries will have the necessary consequence of making procreation impossible; but this impossibility may not have been wanted, neither as an end nor as a means. We repeat in detail the same explanations in Our address of October 8, 1953 to the Congress of Urologists [4: Cf. AAS 45 (1953) 673 ss.; *Discorsi e Radiomessaggi*, vol. XV, p. 373-379.] The same principles apply to the present case and prohibit considering the removal of sexual glands and organs as lawful, in order to prevent the transmission of defective hereditary characters.

These same principles also allow us to resolve a question that is much discussed today between doctors and moralists. Is it permissible to prevent ovulation by means of pills used as remedies in the exaggerated reactions of the uterus and the organism, although these drugs, by preventing ovulation, also make fertilization impossible? Is it permissible to use a married woman who, despite this temporary sterility, wishes to have sex with her husband? The answer depends on the intention of the person. If the woman takes this medication, not with the intention of preventing conception, but only by medical indication, as a necessary remedy because of a disease of the uterus or organism, it causes indirect sterilization, which is allowed according to the general principle of the double-effect actions. But direct sterilization is provoked and, therefore, illicit, when ovulation is prevented in order to preserve the uterus and the organism from the consequences of a pregnancy that it is not capable of supporting. Certain moralists claim that it is permissible to take medication for this purpose, but it is a wrong opinion. It is also necessary to reject the opinion of many doctors and moralists who allow its use, when a medical indication makes a very similar conception undesirable, or in other similar cases, which can not be mentioned here. In these cases, the use of medications is intended to prevent conception, preventing ovulation; then it's about direct sterilization. When ovulation is prevented in order to preserve the uterus and the organism from the consequences of a pregnancy it is not able to withstand.

To justify it, a principle of moral right in itself is often cited, but misinterpreted: "*licet corrigere defectus naturae*," it is said, and since in practice it is sufficient to use this principle to have a reasonable probability, it is intended that this is a matter of correcting a natural defect. If this principle had an absolute value, eugenics could without hesitation use the method of drugs to prevent the transmission of a defective inheritance. But it is still necessary to see how the natural defect is corrected and to take good care not to violate other principles of morality in any way.

It is also proposed, as a means capable of preventing the transmission of a defective inheritance, the use of condoms and the Ogino-Knaus method. -The eugenics specialists, who absolutely condemn its use when it is simply a question of giving impulse to passion, approve these two systems when there are serious hygienic indications; they consider them a lesser evil than the procreation of moronic children. Although some approve of this position, Christianity has always followed and continues to follow a different tradition. Our predecessor, Pius XI, put it in a solemn way in his encyclical *Casti connubii*, of December 31, 1930. He qualifies the use of condoms as a violation of natural law; an act, to which nature has given the power to arouse a new life, is deprived of it by the human will: "*quemlibet matrimonii usum*," he wrote, "*in quo exercendo, actus of industry hominum, naturali sua vitae procreandae vi destituitur, Dei et naturae legem infringere, et eos qui tale quid commiserint gravis noxae labe commaculari* ».

On the contrary, the use of natural temporal sterility, according to the doctor Ogino-Knaus, does not violate the natural order, as the practice described above, since conjugal relations respond to the will of the Creator. When this method is used for serious reasons (and the indications of eugenic type can have a serious character), it is morally justified. We already spoke in Our address of October 29, 1951, not to expose the biological or medical

point of view, but to put an end to the conscience concerns of many Christians who used it in their conjugal life. On the other hand, in his Encyclical of December 31, 1930, Pius XI had already formulated the position of principle: "Neque c ontra naturae ordinem agere ii dicendi sunt coniuges, qui iure suo recte et naturali ratione utuntur, etsi ob naturalis sive temporis sive quorundam defectuum causas nova inde vita oriri non possit ».

We need in our 1951 address that husbands, who make use of their matrimonial rights, have a positive obligation, by virtue of the natural law of their state, not to exclude procreation. The Creator, in fact, wanted the human race to spread precisely through the natural exercise of the sexual function. But to this positive law we applied the principle that applies to all other laws: they do not bind to the extent that their fulfillment brings with it notable drawbacks, which are not inseparable from the law itself, nor inherent to its fulfillment, but come from another part, and that the legislator has not had the intention to impose on men when it has promulgated the law.

The last means mentioned above, and on which we want to express our opinion, was that of adoption. When it is necessary to discourage natural procreation, because of the danger of a tared inheritance, spouses who would like to at least have a child, are suggested the system of adoption. And it also states that this advice is, in general, followed by happy results, and gives parents happiness, peace, serenity. From the religious and moral point of view, the adoption does not raise any objection; it is an institution recognized in almost all civilized states. If certain laws contain unacceptable moral provisions, this does not happen with the institution of adoption, as such. From the religious point of view, it is necessary to ask that the children of Catholics be taken, in adoption, by adoptive Catholic parents.

Answers to the questions raised

After having discussed the solutions usually proposed to the problem of defective inheritance, we still have to answer some questions that you have proposed to us. All are inspired by the desire to specify the moral obligation derived from results of eugenics, which can be considered as acquired.

It is, in the different cases presented, the general obligation to avoid any damage or danger more or less serious, both for the person concerned and their spouse and descendants. This obligation is proportional to the severity of the possible damage, to its more or less great probability, to the intensity and proximity of the pernicious influence exercised, to the gravity of the reasons that force harmful acts to be carried out and to allow the harmful consequences. However, these questions are, for the most part, matters of fact, to which only the interested party, the doctor and the specialists consulted can give an answer. From the moral point of view, it can be said, in general, that there is no right to disregard the real risks that are known.

According to this basic principle, you can answer affirmatively to the first question that you propose: Is it necessary to advise, in general, the prenuptial visit, and, in particular, the examination of the blood, in Italy and in the Mediterranean basin? This visit should be advised, and even more, if the danger is truly serious, it could be imposed in certain provinces or localities. In Italy, in all the Mediterranean coast and in the countries that host groups emigrated from these countries, it is necessary to take into account especially the Mediterranean hematological disorder. The moralist will avoid pronouncing, in particular cases, by means of a yes or a non-apodictic: only the observation of all factual data allows one to determine if one is facing a serious obligation.

You ask next: Is it permissible to discourage marriage to a boyfriend in whom the examination of the blood has revealed the presence of the Mediterranean disease? When a subject is a carrier of the Mediterranean hematological malignancy, the marriage can be discouraged, but not prohibited. Marriage is one of the fundamental rights of the human person against which it can not be attempted. If it is sometimes difficult to understand the generous point of view of the Church, it is because the principle expressed by Pius XI in the encyclical *Casti connubii* is easily forgotten. about marriage: men are begotten not precisely and above all for this earth and for temporal life, but for heaven and eternity. This essential principle seems strange to the concerns of eugenics. And, nevertheless, it is fair; moreover, it is the only fully valid principle. Pius XI also affirmed in the same Encyclical that one does not have the right to prevent anyone from marrying or from using a marriage legitimately contracted, even when, despite all efforts, the couple is incapable of having healthy children. In fact, it will often be difficult to match the two points of view: that of eugenics and that of morality. But to guarantee the objectivity of the necessary discussion, it is that each of these sciences knows the point of view of the other and is familiar with its reasons.

We will be inspired by the same ideas to answer the third question: If, after marriage, the presence of

Mediterranean haematological disease in both spouses is proven, it is permissible to discourage them from having children? They may be discouraged from having children, but they can not be forbidden. On the other hand, you need to see the method that the counselor (be it a doctor, hematologist or moralist) will suggest to you for this purpose. The specialized works avoid the answer here and leave the spouses concerned all their responsibility. But the Church must not be content with this negative attitude; must take position. As we have explained, nothing opposes perfect continence, the Ogino-Knaus method, nor the adoption of a child.

The following question concerns the validity of the marriage contracted by spouses bearing the Mediterranean hematological evil: If the spouses ignore their status at the time of marriage, can this fact be a reason for nullity? Apart from the case in which the absence of any tared inheritance, nor the simple ignorance, nor the fraudulent dissimulation of such an inheritance, nor even the positive error that would have prevented the marriage if it had been uncovered, are sufficient to question its validity. The object of the marriage contract is too simple and too clear for its ignorance to be alleged. The bond contracted with a particular person must be considered as beloved, because of the sanctity of marriage, the dignity of the spouses and the security of the children conceived, and the contrary must be clearly and surely proven. The serious error, when it is the cause of the contract (Can. 1084)], can not be denied; but it does not prove the absence of the real will to marry a certain person.

In the seventh question you ask if you can consider the “Rh situation” as a reason for nullity of marriage, when it leads to the death of children from the first pregnancy . You suppose that the spouses did not want to commit themselves to having children, that they would be victims of an early death because of a hereditary tare. But the simple fact that hereditary defects determine the death of children does not prove the lack of will to conclude the marriage. This situation is obviously tragic, but the reasoning is based on a consideration that is not valid. The object of the marriage contract is not the child, but the fulfillment of the natural marital act or, more precisely, the right to fulfill this act; this right always remains independent of the hereditary heritage of the begotten son, and even of his own ability to live.

In the case of a couple in “Rh situation” , you also ask if it is permissible to always discourage procreation or it is necessary to wait for the first incident.

The specialists in genetics and eugenics are more competent than us in this matter. It is, in fact, a matter of fact, which depends on numerous factors in which you are the competent judges. From the moral point of view, it is sufficient to apply the principles that We already discussed above, with the necessary distinctions.

You ask, finally, if it is allowed to carry out a propaganda on the technical level to indicate the inherent dangers of marriage between consanguines . Without a doubt, it is useful to inform the public of the serious risks involved in such marriages. The severity of the damage will also be taken into account here to judge the moral obligation.

With sagacity and perseverance you try to explore all the possible solutions to so many difficult situations, using you tirelessly to prevent and cure an infinity of human suffering and misery. Although in some points certain precisions or modifications are desired, this does not damage the undeniable merit of your works. We encourage you to do so willingly. We highly appreciate the active and serious collaboration that allows you to express yourself freely to the diverse opinions, but that is never satisfied with the negative reviews. It is the only way open for real progress, both for the acquisition of new theoretical knowledge and for its clinical application.

May you continue your work with enthusiasm and with the constant care to safeguard the highest spiritual values, unique that can crown your efforts with dignity. As a pledge of Our benevolence and of divine favors, we grant ourselves and all those who are dear to you, Our Apostolic Blessing.