

FAMILY PLANNING AND PUBLIC POLICY

The controversy which the statement of the Roman Catholic bishops has aroused touches areas that are central to American life and policy. Various aspects of this controversy are here discussed by six Americans, each of whom writes from his particular religious or political point of view. **The Right Reverend Stephen F. Bayne, Jr.** is bishop of the Episcopal diocese of Olympia, Washington; **Mr. James O'Gara** is managing editor of *The Commonweal*, the weekly journal of opinion edited by Roman Catholic laymen; **Dr. John C. Bennett** is dean of the faculty at Union Theological Seminary in New York City and the author of *Christians and the State*; **Mr. William Esty** is former research director for the Planned Parenthood Association of America; **Mr. Robert Lekachman** is assistant professor of economics in Barnard College and a consultant to The Fund for the Republic's study "Religion in a Free Society;" **Mr. Will Herberg**, who lectures at Drew University, is the author of *Judaism and Modern Man* and *Protestant, Catholic, Jew*.

THE NEED FOR DISCUSSION

Stephen F. Bayne, Jr.

I write from within a company of Christian people who have expressed, in various ways, a coherent attitude, undergirded by a coherent moral theology, on the whole general question of family planning. The Lambeth Conference of 1958, by unanimous Resolution, declared that "We believe that the responsibility for deciding upon the number and frequency of children has been laid by God upon the consciences of parents everywhere; that this planning, in such ways as are mutually acceptable to husband and wife in Christian conscience, is a right and important factor in Christian family life and should be the result of positive choice before God. Such responsible parenthood built on obedience to all the duties of marriage, requires a wise stewardship of the resources and abilities of the family as well as a thoughtful consideration of the varying population needs and problems of society and the claims of future generations."

Further, the National Council of the Episcopal Church recently reaffirmed this Resolution, and declared that it, "recognizing the Church's responsibility for the physical, social and mental as well as the spiritual well-being of individuals and families, urges members of the Church as citizens to press through their governments and through social, educational, and international agencies, all measures

aimed at relieving problems of population growth, particularly in areas of acute over-population."

Thus what I write is written against a fairly clear, if broad, general sense and agreement wholeheartedly shared by the great majority of Anglican Christians. Obviously, we do not pretend to speak for more than ourselves—a fraction of the Christian world. Yet we speak as responsible Christian people, and not merely as "liberal" or whatever individuals.

It seems to me there are four major factors which must be taken into view in any discussion of family planning and public policy. The first is that there are not many families under the sun, and not any societies, within which some degree of family planning is not practiced. The particular practice may be, from the Christian point of view, barbarous or immoral; more than that, there will be clear differences among Christians themselves on methods. Nonetheless, the fact remains—that family planning, whether by infanticide or abortion, or by puritanical austerity at the other extreme, is as universal a fact as there is in the world.

The second factor is that the problems of family planning are inseparable from all the other problems which the world faces. It would be absurd to say, in America, that we are willing to give help to underdeveloped areas of the world, to assist and prepare them to meet their problems, in every area except one. In many parts of the world, the "population explosion" is a grinding and frightening fact. It is not a "terror technique phrase" as it has sometimes irresponsibly been called; it is a fact, to be measured in the chronic undernourishment of the majority of

the world's population, in the lack of housing and of employment opportunity for a majority of the youth of the world, in the misery of innumerable families—families created by God for something better than misery. To say that this nation will help other countries with every problem except how to attack the vexing problem of the failure of material and social resources to meet the needs of the torrent of over-population, is sheer irresponsibility.

The third factor, growing out of the inter-relatedness of all social problems, is illustrated by the fact that "over-population" is created by precisely the same humane use of scientific knowledge which is at stake in all the discussion of family planning. People live longer than they used to; babies don't die conveniently; the problems of disease and nutrition are being successfully attacked by the responsible use of scientific knowledge; all this creates this "population explosion." To say that mankind can pick and choose the areas of scientific exploration is unrealistic to a degree. "By 'family planning' is meant an extension of the responsible use of science into the realms of procreation, within the permissible range of Christian ethics, in the immediate interest of the family, and the more remote but no less real interests of society at large." That phrase from the Lambeth Report of 1958 reflects precisely the basic Christian understanding of the place the use of scientific research has in meeting human problems.

Those who are fearful of "family planning" or who equate it only with morally impermissible methods of "birth control" need to understand that what is at issue is not a kind of neo-Malthusianism. "Family planning" is a very much deeper and wider concept than merely conception limitation. Just as we have used scientific knowledge responsibly in extending life, so it is inescapable—and many of us would say just and right—to use the same knowledge in the wiser spacing of children and in the building of a family, having in view the needs of the children and of the society into which they are born; and using all knowledge rightfully and within the permissible range of Christian ethics.

The fourth factor is the practical one—the question of the right of any governmental or public agency to spread or endorse methods of family planning which are morally abhorrent to sections of the population. This is a practical decision, from which there is no escape at any time, in any field. No action of government ever receives the full approval of all the citizens. The consciences of significant groups of citizens are always violated by any major decision. The question is inescapable.

Nevertheless we have learned a good deal about

such democratic decisions. We have learned that often, under the pressure of public and heated debate, wiser decisions are reached than those first propounded. And such debate has its place not only because it helps in the formulation of wiser corporate choices, but also because it illuminates and educates all who take part in it. What is undesirable in a democracy is a decision based on the mere pressure of this or that special group or interest. Governmental policy should not be determined simply on the basis of yielding to the views of enthusiasts for planned parenthood on the one hand, or of Roman Catholic clergymen on the other. This kind of political blackmail, whether of the right or the left, is indefensible.

What is needed is far more knowledge of what various groups stand for, and far more knowledge of the issue itself; and there is often no other way to gain this except by public debate. Those who are not willing to limit themselves simply to those methods of family planning which are officially approved by the Roman Catholic Church, for example, need to know more than they often do about the long, puritan tradition within that Church, and the reasons for it.

Similarly, the Roman Catholics need to know that other responsible, Christian people have theologies of family planning different from, but as responsible as, those of the Roman Church; and that it is not merely licentiousness to urge that every method of family planning be explored thoughtfully and objectively. "Family planning" does not, by any means, mean the official espousal of any of the methods of conception control now practiced. For one, I should be as unwilling to say that the use of mechanical contraceptives is any more a final truth than the "rhythm" method, or the unilateral denial of one partner in marriage by the other. What is needed here is dialogue and debate, not character assassination.

In the end, the responsible national agencies have got to make their decisions on the basis of what is not only wise but morally acceptable to a sufficient majority of the citizens. We need not fear heat in controversy as long as there is genuine exchange and illumination in it. What is to be feared is prejudice—which is conviction turned sour through fear—and political blackmail. If we can avoid these dangers, then good must come, in our united national life, from the deliberate confrontation of the undoubted truth of the fact that the world's population has outrun its resources, and that we need to apply the knowledge which God gives us, as responsible and Christian people should.

BIRTH CONTROL AND FOREIGN AID

James O'Gara

The birth control issue is one of the most divisive in American life, rubbing feelings raw and constantly exacerbating Protestant-Catholic relations. By its very nature, of course, this is a question on which it is easy to wound and difficult to heal. But even granting this fact, the controversy over birth control has always been more bitter than it needed to be, and neither Protestants nor Catholics can evade blame on this score.

The plain fact is that over the years bad arguments have been made on each side and charges hurled that would have been better left unsaid. Some day, I hope, we will begin speaking *to* rather than *at* each other on this and even more important questions—both those on which we disagree and those on which we stand together. But that day, obviously, has not yet dawned.

Leaving aside the unnecessary bitterness that has marred the discussion, however, the difference between Protestants and Catholics on the birth control issue is real. In this circumstance, although we all have a right to expect that exchanges on the matter remain within decent limits, controversy is inevitable. But to me it seems most unfortunate that this explosive subject has been injected into the debate over foreign aid.

By now almost everyone is familiar with the general outlines of the problem. The underdeveloped countries are experiencing sharp increases in population, not because of any marked increase in the birth rate but because of a phenomenal decline in the death rate. This decrease is directly attributable to the importation from the West of some of the blessings of modern medicine and sanitation, in the shape of such techniques as mass inoculations, D.D.T. spraying, and the like.

The underdeveloped countries are thus going through a process associated with the rise of science and modern medicine which the West has already experienced, but there are significant differences. The decline of the death rate in the nations of Western Europe was a gradual thing, and it was followed, not too slowly, by a comparable decline in the birth rate. Before this rough balance was achieved, the population doubled and then more than doubled again.

In the case of the underdeveloped nations, the death rate is falling abruptly rather than in easy stages, and the gap between births and deaths is

very large. Thus while the world's population as a whole is growing at the rate of 1.7 per cent annually, the growth rate in many underdeveloped countries is from 3 to 3.5 per cent annually. If present rates of growth continue, the population of the world in the next forty years will roughly double once again.

In view of all this, it is clear that we must concern ourselves with the pressure of population growth upon available resources. But it is equally clear that proposals for dealing with the problem must be morally acceptable. Just as all religious men insist that there are limits beyond which we cannot go in a war even when national survival is at stake, so too proposals made in connection with the population problem must be carefully evaluated by the religious conscience.

On this question a Catholic can only say flatly that he differs with most of his neighbors. If I may cite an extreme case, I think all Americans would on moral grounds reject the idea of genocide as the solution to the population problem. I suspect, too, that most Americans would not favor sterilization on a mass scale and would refuse to endorse any program of planned abortions such as that which costs a million lives in Japan every year. It seems clear, though, that very many, perhaps most, Americans who are not Catholics favor birth control by mechanical or chemical means. On this the Catholic must dissent, for the Catholic conscience not only genocide, sterilization and abortion but artificial methods of contraception are morally repugnant.

Given this fact, and in the face of proposals that such programs be made part of American aid overseas, what choice did the Catholic bishops of the United States have except to repeat once more the traditional Catholic position in the matter? And what course can Catholic citizens follow in good conscience except to oppose as public policy a program rejected as immoral by the Catholic conscience?

This is the nub of the matter. But it is not to say that Catholics think mankind is doomed only to the classic Malthusian population checks of pestilence and plague, famine and war. Catholic social scientists point out that even the present population of the United States would have seemed incredible thirty years ago, and they are convinced that the world can support far more people than it now has or is likely to have.

Opposing artificial contraception on moral grounds, Catholic thinkers stress positive economic, social and political measures: the necessity of social justice

on the international level, the development of natural resources, the creation of a true community of nations, the spread of education, the introduction of modern industrial methods, and the like. The difficulties here are great, of course, but the possibilities are tremendous; in some cases even such a simple matter as the substitution of a metal for a wooden plow can increase crop yield twenty or thirty per cent.

No doubt Catholic writers have sometimes oversimplified the possibilities in this direction, exaggerating the chances of quick advances and making light of the real difficulties. But this shoe does not only pinch the Catholic foot, for many of the most ardent advocates of birth control clinics overseas have not faced up to the difficulties in their proposals either.

The people in the underdeveloped regions resist innovations of all sorts, and it can be expected that intrusion into traditional familial patterns will always be resisted far more strongly than changes in agricultural and industrial methods. The truth is that there is no easy solution to the problem of the underdeveloped countries, and in this situation it is my opinion that the United States should devote itself to the expansion of their productive capacity rather than to birth control. On this point I take it that I am in agreement with Paul Hoffman, head of the U.N. special fund for aid to underdeveloped nations, for he recently warned against imagining that birth control is "an answer to the problem of the development of less developed countries."

It is the present *rate* of population growth in the underdeveloped countries rather than sheer numbers which is the problem. In industrialized countries like the U.S., the normal annual expansion in productive capacity takes care of the usual population increase. In many of the nonindustrialized, underdeveloped countries, however, the aid from the West which has succeeded in sharply reducing the death rate has provided just enough expansion in productive capacity to keep them abreast of the consequent rise in population.

There is nothing inevitable about this state of affairs. A recent State Department report said: "It can be theoretically demonstrated that given sufficient development and utilization of the world's resources, the earth can adequately support a much larger population than any that can be expected by the year 2000." Catholic scholars are convinced that the evidence clearly supports this conclusion. The problem, then, in the language of the State Department, is how the underdeveloped countries are "to make the jump to the state of adequacy from the

present situation in which most of their people are living at bare subsistence levels."

We must, I think, honestly face the fact that the have-not nations in once-colonial regions have a far greater claim on the countries of the West than we have yet been willing to admit. North America, for example, has less than ten per cent of the world's population, yet this ten per cent receives forty per cent of the world's income. Every day millions of families in other countries receive less food than that discarded from American tables, and millions go hungry to their beds at night.

In the face of this need, President Eisenhower is scheduled to request slightly over two billion dollars for economic assistance overseas next year, and the chances are that even this sum will be cut by Congress. Yet this amount is about one-seventh of what we Americans spend on tobacco and liquor in one year, less than one-third of what we spend on radios, TV sets and recreation supplies, and less than one-twentieth of what we spend on arms. Can we, then, reasonably claim to be doing all that should be done to help the underdeveloped nations expand their productive capacities, which in turn would enable them to cope with the growing population? I think not.

From a long-range view, experience indicates that the birth rate in the underdeveloped countries will not stay at its present level indefinitely. But the next four or five decades are crucial. Expansion of productive capacity in the underdeveloped nations on the scale that is essential will take billions of dollars annually over a long period, and there is no chance at all that these countries can finance a project of this size without our aid. To my mind the conclusion from these facts is inescapable.

Since the birth control issue is one of the most divisive in American life, on which a reasonable consensus is impossible, simple political prudence suggests that this matter be left to the nations concerned and to the conscientious convictions of their own people. To insist that birth control be made a part of our foreign aid program can only divide the country needlessly, imperil the program itself and ultimately hurt rather than help the underdeveloped countries.

In the present controversy over birth control and foreign aid, religious-minded men have allowed themselves to be side-tracked into a bitter and essentially pointless dispute that could have disastrous effects. This strikes me as an act of political folly which only obscures the central fact on which we could all agree: the urgent necessity of an expanded, long-term effort by all the nations of the West to

enlarge productive capacity in the underdeveloped nations. Unless this is done, on a scale far beyond anything we have yet attempted, peace in our time is impossible, birth control or no.

THE MORAL QUESTION

John C. Bennett

The problem of birth control should be approached first, not from the point of view of population, but from the point of view of what is good for marriage and the family. I think that there is general agreement on both sides of the current debate that parents should not have the maximum number of children, that there should be some planned limitation of families for the sake of all the persons concerned. There is no optimum number of children that anyone is recommending for all families. Much depends upon the health of the mother, upon the capacity of both parents to provide for the children and to give love and attention to each one.

If there is agreement in principle of the need for family limitation, the debate must be about the means. Protestants agree with Roman Catholics that abortion as a means of birth control (quite apart from therapeutic abortion) is a morally undesirable means. I doubt if on sterilization there is as much of a common mind among Protestants. I should accept its desirability in individual cases but I think that sterilization as a method of birth control to be used on a large scale is open to serious objection. The discussion is chiefly about the adequacy of "periodic continence", or the rhythm method, and about the moral permissibility of contraceptives.

I welcome the emphasis by Roman Catholics upon "periodic continence" because this does help to relieve the situation, and I agree with them that even this method should normally not be used by married couples to avoid all the responsibilities of parenthood. The question is whether this method is reliable enough to be used for years at a time to secure the needed limitation of the family. Does not this method produce great anxiety, especially for the wife, because of the degree of uncertainty attached to it? Is not such anxiety too great a burden for families? If the method were made more dependable, I still wonder if it does not interfere too much with the desirable spontaneities of conjugal love.

These questions which remain in regard to the rhythm method mean that for many married couples the method of birth control must be contraception. I think that the opponents of contraception give too little attention to the emotional difficulty for years at a time when persons are living together as husband and wife. Is there here not a remnant of the idea that goes back to the Patristic period in the Catholic tradition that continued continence within marriage may be a virtue? This whole tendency of thought needs to be rejected. What may be a joyful asceticism in the person who chooses the ascetic role would be a joyless "Puritanism" in the everyday life of the married state. To ask married people to struggle with this problem for long periods of their lives together is to add strains to marriage. There are enough problems without having this one. It also deprives marriage of one of its goods. It sacrifices the concrete welfare of people to an abstract moral law, but unlike sound moral laws this does not itself lead to any good that is identifiable in human experience; it is regarded as an absolute in itself.

Stress on this absolute law against contraception causes great evil in concrete human experience. It is a sin against children to bring them into a situation where they are not wanted and where there is inadequate provision for their material, emotional and spiritual needs. I do not say that conception should always depend upon the conscious desire for a child because fortunately children do bring their welcome with them in most cases, so far as the family itself is concerned. But it is quite different when there are factors which cause their existence to be resented or which cause them to be neglected. Even if one were to give some weight to this particular law, why should stress upon it not be weighed in the moral scales against these immoral consequences?

Much has been written lately about the growing Protestant consensus on this issue. I shall quote only one Protestant thinker, the one who is perhaps most admired in this period, Dietrich Bonhoeffer. He says of the limitation of the number of children by "total abstention" that "it undermines the physical basis of marriage and threatens marriage itself with nullification and destruction by robbing it of its fundamental right. It certainly eliminates the unnatural act of preventing conception, but this is replaced by the unnatural state of a marriage without bodily union." (*Ethics*, Macmillan, 1955, p. 133.)

I have not stressed the importance of limiting the population under present world conditions, but this merely adds to the imperative to find or to permit a method of birth control which is reliable

and which can be used on a large scale. I recognize that, with a strong minority opposing the only reliable methods of birth control, it is difficult for a government to provide them, though in view of the threat of the growth of population to justice and peace why could this not be regarded even by the minority as the lesser evil?

Most Protestants regard it as their moral responsibility to do what they can to provide effective means of birth control to any country that desires them. This is morally offensive to Roman Catholics. Perhaps there is room for experiment along the following lines. If a nation such as India chooses to adopt a program of birth control (Prime Minister Nehru is decisive on the point), the United States might cooperate with an inclusive program of economic development and social improvement which includes making the means of birth control available to the people. The scientific cost of the birth control program might be carried by the nation concerned in combination with governments other than the government of the United States and with private agencies. I raise the question as to whether or not this would be an adequate way of dealing with the problem and I do so not because I reject in principle, as President Eisenhower seemed to do, a birth control program supported by our government but because there is a danger that the whole effort to aid other countries in their development might be frustrated in Congress if it became involved with the debate over birth control.

ON CLARIFYING ISSUES

William Esty

For the atheist, as for the Protestant, Catholic or Jewish theist, the recent headlined flurry of controversy over birth control in U.S. foreign aid programs can be a cause of wry amusement or of depression, but scarcely of edification. The statements of prominent politicians constituted a comedy of panic-stricken but determined inoffensiveness, with the exceptions of the comparatively lucid and straightforward avowals of Messrs. Kennedy and Symington. Protestant and Catholic clergymen have been trading formless snarls of hostility.

This controversy over birth control in foreign aid programs would be considerably clarified if the

participants would distinguish among the following possible courses of action for the U.S. government (none of which, as the I.C.A. made clear, is at present being pursued): (1) make information about artificial birth control available to countries that have requested it; (2) make such information available even if not requested in advance, (3) make birth control materials available if requested, (4) make such materials available whether or not requested in advance.

The President and the Catholic bishops oppose all four of these courses. This writer would support all four. Some people would support some of these measures and not others. The failure to make these distinctions renders most of the current "controversy" an oafish Battle Royal in blindfolds.

Of course, even for those who support all four alternatives, there can be no question of "forcing" birth control on foreign peoples. (Do we have enough police to supervise the sexual behavior of Asia? Has Margaret Sanger proposed a U.S. ultimatum on ceasbirth be delivered to India?) This is a false issue raised by timid politicians seeking a toothless straw man. (Humphrey: "The U.S. should not set birth control policy for other nations"; Stevenson: "The U.S. government should not impose birth control programs on foreign countries"; Brown: "I certainly don't believe this country has the right to impose upon any other country . . .") The birth control advocate simply proposes that our public health aid to other countries automatically include contraceptive information and materials—as they are automatically included in the public health programs of several Southern American states, without apparently raising any great outcry from the Catholic taxpayers of those states. We have brought death control, with frightening demographic consequences, to nations from British Guiana to Japan; it would seem simple justice to offer them also the means of birth control.

As for the Catholic bishop's statement, while hardly sharing the indignant surprise of some liberals at the moral position laid down therein, I do wish the bishops would confine themselves to the declaration of their position, and not attempt to bolster dogma with dubious "facts", and what seems to me either disingenuousness or self-deception.

The bishops say, of "the recently coined terror technique phrase 'population explosion'," that "it is still a hypothesis that must stand the test of science"—which is about like saying that the Empire State Building is a dubious hypothesis. They say that "the widespread use of contraceptives would hinder rather than promote the acquisition of those

qualities [discipline, self-control, and the disposition to postpone present satisfactions for future gains] needed for the social and economic changes in underdeveloped countries." How? They say that "immigration and emigration—even within the same country—have their role to play in solving the population problem." If the bishops really believe in this discredited panacea, they should read the analyses of emigration's ineffectiveness by the population authority Robert Cook.

The bishops further contend: "it never seems to dawn on them [the birth controllers] that in a chronic condition where we have more people than food, the logical answer would be, not to decrease the number of people, but to increase the food supply, which is almost unlimited in potential." Such "logic" does not warrant a serious refutation. Contrary to the bishops, birth control advocates do "place in proper focus the idea of increasing the acreage yield to meet the food demands of an increasing population," but regard population control as essential if the more-food-for-more-mouths race is to be won in the poorer countries. The bishops might consult the sober writings on this subject of such competent scholars as Warren Thompson and Kingsley Davis.

The atheist, like most Protestants and Jews, also of course rejects the whole Natural Law logic meat-grinder (*vox Aristotelis vox Dei*) and regards the distinction between "rhythm" and "artificial" birth control as itself highly artificial. For him, too, the Church's attitude toward the uses of sex in marriage is an appalling Procrustean bed which reminds him of Orwell's *1984* with its state-approved "goodsex" and state-punished "badsex".

The pro-birth control secularist, if lucid and just, will recognize that many Catholics, feeling themselves to be defenders of "life", oppose Planned Parenthood as they would oppose Buchenwald. But he will nevertheless regard this position as morally wrong-headed. He will not attack Catholic attempts to persuade or influence in this sphere as "undemocratic"—as if freely contending pressure groups were not the essence of a virile democracy. He will attack the Catholic position because it is *wrong* (un-American word!). He regards present-day contraceptive techniques, and the improved ones of the future, as not only useful in meeting food-and-population problems, but as good in themselves, and obviously so: they need no apology or defense.

Like all the great advances in control which have brought man expanded freedom, contraceptive techniques are subject to abuse. They do not "solve" the problems of man's sexual life; nothing ever will.

But to oppose the means by which man may grapple with his problems in greater freedom, and therefore on a higher level, to oppose these means in the name of "ethics"—this seems to me timidity, reaction, and obscurantism indeed.

A CATHOLIC CANDIDATE?

Robert Lekachman

It was never realistic to anticipate that religion would play a minor role in the presidential politics of an election year. Those who held such expectations were misled by the astonishing support that the Protestant South gave to Senator Kennedy in 1956. But when Southerners turned to a Catholic it was largely out of rage at one of their own number, Estes Kefauver, who had turned renegade on racial issues. Moreover, their support for Kennedy was limited to the vice-presidency in a year when all the omens favored the reelection of General Eisenhower. This year Senator Kennedy is after our society's largest prize, traditionally reserved for the descendants of those who got here first: white, Anglo-Saxon Protestants. Naturally there are rumbblings in the Bible Belt and questions by Protestants elsewhere.

Under the circumstances it is fortunate that American population policy, the issue which has focused public controversy, is a genuine problem of the very highest importance rather than a peripheral point. In part the chance to conduct a sensible argument about so large an issue must be put to the credit of Senator Kennedy. He has made his position on the school question so unmistakably plain that some of his critics have been reduced to labeling it an un-Catholic stand. He unequivocally opposes public aid to parochial schools. On the range of fringe benefits which may be construed by some as aiding children rather than churches or church-controlled schools, he takes much the same pragmatic, non-ideological view as a great many Protestants, Jews, and agnostics. There is little support to the charge that the Church dominates the Senator in view of this statement, his forthright defense of the traditional separation between church and state, and his strong declaration that a public official's oath of office commits him to the primacy of the general welfare over any sectarian interest. On the present debate about

whether future American policy shall make funds and information available to assist family limitation programs in underdeveloped and overpopulated countries in Asia, South America, and Africa, the Senator has taken the not-unexpected position that he would decide the question on the basis of his conception of the national interest. And he has added some sensible words about the dangers of preaching family limitation to the poor when our own motives might be so readily misinterpreted.

Under the circumstances, does the non-Catholic have anything left to worry about when he contemplates the possibility of a Catholic president, at least if the Catholic is named Kennedy? The Senator has made it clear that even the solemn statements of bishops will not determine his policies and his judgment of the national interest. Apparently, like other Americans, he reserves to himself the right to evaluate as either nonsense or wisdom the vehemence of ecclesiastical recommendations of Catholic action. He can, if he wishes, summon clerical aid to his side in the shape of the *America* article by a Jesuit which contemplated a Catholic president's allowing to pass into law (without his signature) legislation supporting family limitation programs in other countries.

Even when all this has been said, I am afraid that there is something left still to consider. Since Senator Kennedy is a Catholic, we must assume his training and his beliefs have an influence upon him, much as we ought to assume that a Methodist's or a Lutheran's training and beliefs go far to define him as a person. This amounts to the near truism that the official's conviction of the public interest must be related to the convictions and intellectual habits which nurture and education have formed.

The direct application to the present point is not hard to find. I shall put it this way. Consider the case of an American who is convinced that the world's most menacing danger is the Malthusian threat made apparent—the enormous acceleration in population growth which is the consequence of medical advance and social structures favorable to large families. Assume that this American believes that this population growth is certain to intensify rather than alleviate the desperate poverty of nations like India and end by throwing them into the waiting arms of their native Communists. Suppose finally that this American is utterly persuaded that economic progress depends on population control and that contraceptive techniques are the most powerful instrument available. Such an American has every right to ask himself this question: is Senator Kennedy or any other Catholic as likely to realize

the extent of the danger, the need to deploy all weapons against it, and the necessity of Presidential leadership in the formulation of a modern population policy, as specific non-Catholic candidates whose consciences have been formed in other ways? It should be clear that this is a very different matter from any allegation of clerical control over a Catholic President. It is a question as applicable to a Protestant, Jew, or agnostic as to a Catholic. The unfortunate fact may be that the question upon which a Catholic conscience may give answers at variance to a non-Catholic conscience appears to be a good deal more vital than the questions to which other consciences might give such answers.

The situation I have described is far from hypothetical. India's very real gains in the construction of an industrial base have been swallowed by an ocean of new mouths. Very soon we may have to ask whether it is sensible to give economic aid to India until population growth has slowed. The corollary question will then be whether our best means of helping India will be to strengthen her family limitation program and to speed up the development of improved contraceptive techniques. Does it make no difference whether a Catholic or a non-Catholic handles this issue? Upon this judgment, and upon the citizen's evaluation of the importance of population policy in comparison to other issues, will depend the answer to the more specific question, does it matter that Senator Kennedy is a Catholic?

THE NEED FOR CONSENSUS

Will Herberg

The current controversy over birth control raises many questions, but the really significant thing about it seems to me to be the fact that, for the first time, the issue has become one of high public policy rather than one of personal morality or local legislation. Not that the question of the morality of birth control has not arisen in the discussions, but this time only tangentially; the big problem has been, and still remains, the question whether in the present situation the United States government should or should not sponsor contraception as part of its foreign aid program to help meet the threat of the so-called "population explosion." This is primarily

a political question, even more specifically, a question of the nature and operation of our constitutional system. It is this question with which I am particularly concerned in these paragraphs.

But, of course, something must be said about the other aspects of the problem to make the political and constitutional issue intelligible. Let me summarize as briefly as possible how I see the present controversy in perspective.

A large segment of the American people—not only Roman Catholics by any means—regard artificial birth control as immoral because contrary to natural law. A large, or an even larger, segment of our people challenge this view and hold birth control to be not only permissible, but even (in the view of some) morally mandatory under certain conditions.

Even if one holds birth control to be immoral, however, it does not follow that its practice, or the purveyance of information about it, must necessarily be made into a crime, that is, something forbidden by law. Sins are not convertible automatically into crimes; only those sins may be made into crimes which obviously threaten the public order and which are recognizably public acts with which government is competent to deal. In Britain, for example, both the Anglican and Roman Catholic hierarchies, in their testimony before the Royal Commission out of which came the Wolfenden Report, recommended the relaxation, and in part, even the abolition, of the laws penalizing homosexual practices between consenting adults in private. Homosexual practice is certainly a grave sin; yet it does not follow that it must be made into a crime punishable by law. In the same way, it may well be argued—and many Roman Catholic spokesmen have so argued publicly—that regarding contraception as a sin does not necessarily imply approving such restrictive laws as are to be found on the statute books of Massachusetts and Connecticut. These laws, I think, are bad, and ought to be repealed; and this may be said, and indeed has been said, even by those who strongly disapprove of birth control on moral grounds.

This brings us to the primary issue in the present controversy—the issue of public policy. Let us assume that there is a worldwide population problem, that is, a problem created by population expanding explosively beyond foreseeable food resources. There are those who maintain that this problem can best be met by a concerted effort to increase the food supply to keep pace with increasing population. There are others who believe that such a solution is inadequate, and that the only really effective way of coping with the problem is by limiting population especially in such countries as Japan and India. But

there are many ways of limiting population, and each one involves moral issues. There is, for example, contraception; but there are also abortion and infanticide. It may seem grotesque to bring infanticide into the discussion, and yet it was once widely practiced by a cultivated people from whom we are proud to derive at least part of our heritage—the Greeks. Each one of these methods—contraception, abortion, infanticide—is, technically speaking, a more or less effective way of limiting population, and the technical merits of each may be argued in a purely technical spirit. Yet that is not how we deal with the question: we do, of course, assess the technical aspects, but our final decision is a *moral* one. Americans, we may assume, are unanimously opposed to infanticide, and we would all be shocked if we found our government aiding some foreign country to finance an infanticide program as a way of meeting the threat of an inordinately expanding population. Most Americans are against abortion as a means of limiting population (though abortion is virtually official policy in Japan), and would strongly oppose our government sponsoring such programs as part of our foreign aid effort. Here there is a moral consensus—in the one case virtually unanimous, in the other case sufficiently great—and no controversy over public policy emerges.

But the situation is very different with contraception. Here there is at present no moral consensus among Americans. Many think contraception to be morally even desirable. This deepgoing difference of opinion is not over technical merits, but over moral right and wrong; and this difference seems, for the time being at least, to be unresolvable. In the face of such a situation, what can the government of the United States do?

For the government officially to sponsor contraception as part of its foreign aid program to “overpopulated” countries would, in effect, be to set itself up as official adjudicator over the conflicting moral philosophies held by sections of the American people. This, under our conception of constitutional democracy, the government has neither the right nor authority to do. With us, the State is not the supreme moral teacher and guide that it is in totalitarian systems; it is a carefully defined and limited social agency serving to maintain public order, promote public welfare, and (in certain cases) effectuate moral purposes so far as there is a substantial consensus among the American people on the moral issues. We all understand this, even if we do not often put it into words. The very same people who demand that contraception be made part of our public policy aboard, even though a substantial part of the Ameri-

can people find contraception to be morally wrong, would be outraged and resentful if our government made abortion part of its public policy in aiding Japan, where abortion has official approval. They would not be placated by being assured that the Japanese population problem is a serious one and that abortion was a technically effective way of meeting it; and the reason they would not be placated is that to them abortion is first of all a *moral* problem. They would not want to give the government the right to make moral judgments overturning the moral consensus of the nation. And yet today these very people demand that the government set itself up as supreme moral judge by implementing their particular moral philosophy over against the moral philosophies held by other large and significant sections of the American people. Such an attitude, I suggest, is quite contrary to the ethos and tradition of our kind of constitutional democracy; and this would surely be obvious to all intelligent Americans did not the question emerge in a context of religious-political controversy which seems to preclude all sober and responsible consideration of issues.

Fortunately, President Eisenhower has been able to see things in their proper perspective. It is not for us, he has in effect said, to decide how other nations meet their population problems; we cannot set ourselves up as moral judge over them. If they want to employ methods which the American government cannot officially support either because the American people find them morally repugnant

(abortion), or because the American people are sharply divided on the moral issue (contraception), they—the nations we aid—can get their information and resources from private agencies, which are not restricted by the same considerations that limit the scope and functions of the government. This is the way such problems have generally been met in the past, and it is a way that is in consonance with the genius of the American system.

This position on the matter can be held, and is in fact held, by large numbers who actually approve of contraception on moral grounds. Among them is Billy Graham. "The Rev. Dr. Billy Graham," the *New York Times* reports, "believes there is nothing morally wrong in the practice of birth control. But he agrees with President Eisenhower that should a foreign nation ask the United States government for birth prevention information, the request should be turned over to private foundations or agencies . . . Dr. Graham said that birth control was one of the answers to the 'terrifying and tragic' problem of over-population. There is nothing in the Scriptures, he emphasized, that bars the responsible use of birth control. The majority of Americans, he said, practice it . . . But, he added, when a segment of the citizenry is opposed to birth control, the problem should be handled privately and not as a 'political issue'" (December 13, 1959).

Here, certainly, we can all learn political wisdom from Billy Graham, whether we agree with his opinion on contraception or not.

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