

# Popes, Condoms, and The Sanctity of Life

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March 2009. On his way to Cameroon, Pope Benedict said that HIV/AIDS is “a tragedy that cannot be overcome by money alone, that cannot be overcome through the distribution of condoms, which can even increase the problem. ... It is of great concern that the fabric of African life, its very source of hope and stability, is threatened by divorce, abortion, prostitution, human trafficking, and a contraception mentality.”

The Pope said that the “cruel epidemic” should be tackled through fidelity and abstinence rather than condoms, and that “the traditional teaching of the Church has proven to be the only fail-safe way to prevent the spread of HIV/AIDS”, continuing the doctrine of his predecessor.

The president of the Vatican’s Pontifical Council for the Family, Cardinal Alfonso Lopez Trujillo, argues that HIV passes through holes in the latex from which condoms are made and concludes that the use of condoms contributes to the spread of disease rather than preventing it.

The Pope also warned of a threat to the Catholic Church in Cameroon from evangelical movements and from the “growing influence of superstitious forms of religion”.

We shall examine these claims.

The Church has a role to play in keeping spiritual values alive in the Third World, but only insofar as those values are compatible with keeping the Third World alive at all. A doctrine which sees the potential individual life as more important than the collective actual life is a doctrine which leads to desperation and extinction.

AIDS is the major health problem of Africa today, and possibly of this century. Statistics are staggering: tens of millions of infections, millions of dead, tens of millions of orphans left in its wake. As in a previous age, when another killer disease (syphilis) was ravaging the world, the Church is counselling stupidity and morbidity: no condoms, abstinence. The argument made by the cardinals is this: the use of condoms does not prevent AIDS, it *spreads* AIDS! Their argument is that the HIV virus is smaller than the pores in the material used in condoms and can therefore pass through the pores and cause further infection.

This horrifying anti-logic should be countered.

The HIV virus does not float about freely; it is carried by seminal fluid. While the material of which condoms is made is indeed pervious to molecules as small as a virus, it is impervious to seminal fluid. The HIV virus does not jump out of the seminal fluid and through the pores of condoms. So long as the fluid does not penetrate the material, neither will the virus. Q.E.D.

Willful distortion of facts is superstition, and propagating dogma based on willful distortion of facts is a superstitious form of religion. Therefore, Pope Benedict himself, by propagating the falsehood that condoms increase the spread of HIV, is contributing to the “growing influence of superstitious forms of religion.”

If logic is not sufficient to refute this dogma, then consider empirical evidence. In countries where AIDS has gotten a foothold and condoms have been introduced, the rate of infection has dropped. In countries where condoms are not used, the rate of infection rises. The world went through this same argument a hundred years ago with condoms and syphilis; the Church is still propagating the same superstitious (counterfactual) dogma it did then.

The Church will claim that it protects the sanctity of life and that that is why it forbids contraception. In this case the use of condoms is not for the purpose of contraception, but for the prevention of a deadly disease; contraception is a double effect. The Christian doctrine on double effects is that the goodness or rightness of the intended purpose exonerates one of culpability for bad effects resulting therefrom, even where the bad effects are known or suspected in advance.

Therefore, there is a perfectly sound, orthodox Christian, argument in favor of the use of condoms for the prevention of the spread of a deadly disease.

The Belgian Cardinal Godfried Daneels said in 2004 that using a condom with the intention of stopping disease was morally different from using one to prevent the creation of life. He based this on the doctrine of double effect.

Willful propagation of anti-logic is a major contributor to the suffering of the Third World. A distorted understanding of “the sanctity of life” is a major contributor to the spread of this deadly disease, as well as to overpopulation and all of its attendant evils (of which poverty is only one). I agree that the fabric of African life is threatened; but what is threatening it is desperation, not contraception. Recent scientific research warns of dire consequences if the world’s population continues to rise at the present rate; by some estimates, the world population will be unsustainable by 2030. The sanctity of life must first and foremost concern itself with the sustainable well-being of those already alive. There is nothing sanctimonious about sheer numbers, reproducing to the point where the habitat will no longer support us.

Catholic doctrine is that the only legitimate form of sexuality is the getting of children between husband and wife. This reduces sexuality to physiology: coitus, fertilization, pregnancy, and live birth. Given that, it is clear why homosexuality, contraception, and abortion are doctrinal issues: they introduce forms of sexuality not related to the getting of children, or which actively interfere with the expected physiological course of events.<sup>1</sup> This view of sexuality, dominated as it is by physiological aspects, leads the Church to make certain claims about fetuses and zygotes which would otherwise be unintelligible, for example, that fetuses have rights.

The claim that a fetus has an inviolable right to life is a peculiar, and a peculiarly modern, way of expressing the sanctity of life.

Historically, the Church never championed any rights at all; it resisted them as *hubris*, as human presumption. Rights were invented by 19th century French and American revolutionaries primarily to curtail the abuses of autocratic state religions. It is a peculiar argument indeed which religious fundamentalists now make, that zygotes have a ‘right to life.’ Nothing in the Bible says that *adults* have a right to life.

A commandment not to kill is not equivalent to having a right not to be killed.

Not even adults have an inviolable right to life; execution is not explicitly ruled out by the United States Constitution (or the Bible, for that matter). What the American Constitution guarantees is a right not to be deprived of life, liberty, or property, *without due process of law*. The exact phrase in the Constitution is “inalienable rights”, which does not mean “inviolable rights.” An *inalienable* right is one which the possessor cannot abjure, even if he wants to; but this does not make it *absolutely inviolable*, especially where the exercise of it conflicts with the rights of others. It is a well-established principle that one man’s right may be trumped by another’s. For example, a man’s right to freedom of expression does not include the right to shout “Fire!” in a crowded auditorium, and thereby to cause a panic, when there is no fire. Most European nations have similar provisions and similar exceptions.

Because an adult has no inviolable rights, a fetus or zygote cannot have them either. If a fetus can be said to have any rights at all, they must be weighed against other’s rights. Therefore, they may in principle be subordinated to other’s rights, just as an adult’s rights may be.

The life of the unborn is potential, whereas the lives of those already born are actual. The potential should not be preferred to the actual, but just the reverse. Those already born have the superior claim.

So long as a fetus is not viable outside the womb, it must be considered a potential life, and therefore to have only a potential right to life *conditional upon and subordinate to the mother’s actual rights*.

The Church itself accepts this principle, for it accepts that when a pregnant woman’s health is endangered by pregnancy, the pregnancy may be terminated (aborted). The woman’s actual life

takes precedence over the fetus's potential life. The question is, whether there are any other considerations, in addition to risk to a pregnant woman's physical health, which might carry such weight. As soon as this question is raised, regardless how you answer it, the position that a fetus has an absolute and inviolable right to be born is invalidated.

As soon as a child is viable outside the womb, *and is in fact* outside the womb (including premature newborns in incubators), it may be considered to have actual rights separate from those of the mother and no longer subordinate to hers.<sup>2</sup>

The same consideration applies to women who are not yet pregnant. Where the health of a woman would be endangered by allowing a man's semen to enter her body, because the man carries a deadly virus, the woman's health must take precedence over the 'sanctity of a zygote', for, at this point, the zygote doesn't yet exist, its existence is merely possible, whereas the woman's health is actual. If a woman's health would be endangered by carrying a pregnancy to term, then the fetus may be aborted; this is already accepted Church doctrine. Therefore, if a woman's health would be endangered by *becoming* pregnant, then, by the same reasoning, pregnancy may be prevented by contraception. A gamete has no right to anything, for example, to be fertilized.

This applies equally from the man's point of view; he, if healthy, can be infected if his wife carries the HIV virus. Therefore, his actual health takes precedence over a zygote which may possibly (but does not necessarily) come into existence through coitus.

The Church maintains that a zygote is ensouled at conception. There is no shred of tangible evidence to support this claim. It is sheer speculation. Intangible evidence has no business dictating politics, no more so now than during the Salem witch trials.<sup>3</sup>

All attempts to base the prohibition of abortion and contraception on biblical passages run aground on an ancient definition of life: all biblical passages which speak of this say that God gives man "life and breath." Ancient Greeks, Hebrews, and early Christians equated life with breath. A fetus does not breathe; neither does a zygote. The first breath is drawn outside the womb. That is why the modern Church has had to adopt the terminology of rights, which are intrinsically at odds with Catholic doctrine<sup>4</sup>, and abandoned the biblical definition of life as breath.

The age when "be fruitful and multiply" was a sensible sexual ethic is long past. Any species which overburdens its habitat is doomed. This is a law of Nature and humans are no exception to it. Our species must not increase over the next two hundred years as it has done over the past two hundred; therefore, we require a sexual ethic which takes its point of reference to be the biosphere, not the individual zygote.

I asked whether there might be any other consideration, in addition to risk to a woman's physical health, which carries such weight as to overrule a presumption against contraception or abortion. Yes, there is another consideration: keeping liferaft Earth afloat.

It is not simply a question of feeding great numbers of people. Great numbers of people burden the planet in many ways, not only in the amount of food required to sustain them. Humanity is an invasive species; wherever it gets a foothold, it drives other species into extinction. There is nothing sanctimonious about driving other species into extinction because we reproduce with abandon. We must come to see the sanctity of life in planetary terms, no longer in terms of individual zygotes or fetuses. Viewing a zygote as having an inviolable right to life is tantamount to viewing a cancer cell as having an inviolable right to reproduce at a rate which suits itself, regardless what cost to the host. This planet is our host.

If the human population is not reduced, we shall become the cancer of the biosphere. If we do not reduce our population voluntarily, then Nature—in the form of famine, pestilence, and frenzy—will reduce our population to an ecologically sustainable level, which may be zero.

To those who claim that abstinence is the best (and only "failsafe") way to prevent the spread of HIV and overpopulation, the reply is: abstinence doesn't work. Not, of course, in the sense that abstinence doesn't prevent pregnancy, but rather in the sense that people cannot abstain. The doctrine of abstinence refuses to look at people the way they really are; it distorts the facts of

human nature and denies the reality of social behavior patterns. The belief that abstinence will be effective in preventing HIV and overpopulation is belief in magic; a superstitious form of religion.

When the cardinals claim that there is a more important issue at stake than HIV, they are quite right; when they claim that life “trumps” all other considerations, they are quite right. But they have the scale wrong; they are looking through the wrong end of the telescope. Not the life of the individual zygote is the paramount issue which trumps all other considerations, but the sustainability of life in the biosphere.

***Postscript:*** November 2010

In an interview published as “Light of the World: The Pope, the Church and the Signs of the Times,” Benedict claimed that the use of condoms may be justified in exceptional cases. “The Pope considered an exceptional case in which the exercise of sexuality is a real danger to the life of another,” said Fr. Lombardi, Vatican spokesman; “condom use to lessen the danger of infection is a ‘first assumption of responsibility.’ In this, the reasoning of the Pope certainly cannot be defined as a revolutionary breakthrough.” No, certainly not a breakthrough, but at least a back-handed retreat from the previous, absurd, position that condoms spread HIV. The case in question was that of a homosexual prostitute; that is, a case in which the use of condoms would have no contraceptive double effect. The Pope has a ways to go yet.

Notes:

1. Pregnancy is by no means risk-free and a live birth is by no means the inevitable natural outcome of coitus: worldwide, the number of women who die in childbirth is greater than the number of fetuses aborted. The doctrine denies any legitimate form of sexuality to those who are not married or not fertile (for example, it denies any legitimate form of sexuality to women past menopause).
2. The distinction between actual and potential life obviates the argument, sometimes made, that abortion is tantamount to euthanasia, that if you allow the one, you are committed to the other. Abortion terminates a potential life, euthanasia an actual one; therefore, it is tenable to accept the one without necessarily being committed to the other.
3. There is a passage in the Gospels [Luke 1:39-44] in which the fetal John is said to have ‘jumped for joy’ in the presence of Mary, then pregnant with Jesus. That fetuses move is indisputable; that one might feel or express *joy* is disputable.
4. The Catholic Church does not, for example, hold that man has a right to freedom of religion; Catholic doctrine continues to assert that Catholicism is the one true faith and that all other religions are not religion at all, but demonology or superstition or, in the case of Protestantism, failed Catholicism. See John Paul II’s Encyclical Letter *Veritatis Splendor*, 1993; we may assume that there is nothing in that document with which Cardinal Ratzinger would have taken exception.

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