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RECENSIONES


Can A Couple Practicing NFP Be Practicing Contraception?

Among Catholics who follow the Church's teaching, it is well accepted that a couple practicing Natural Family Planning (NFP) with an intention of a certain kind is doing a morally good act, quite different from contracepting. It is also accepted that a couple practicing NFP with an intention of a different kind is doing a morally wrong act, similar to contracepting.¹ These two intentions — how exactly do they differ?

The best way to answer the question is to take up a related one, posed by the title of this essay. When a couple practices NFP in the wrong spirit, what kind of action are they doing? Would it be correct to say that they are contracepting? This is a question of act classification. Some moral theologians answer it in the affirmative, and they add that NFP, if willed in the wrong way, is a "method of contraception". The purpose of this paper is to challenge their answer. I shall argue that no couple choosing to abstain periodically, regardless of their reason for doing so, is ever practicing contraception. I shall argue by-the-bye that this answer yields a better, clearer account of the intentions by which morally good choices of NFP differ from morally bad choices of it.

The best reasoned case for the position with which I disagree is put forward in a work with whose larger contentions I fully agree. That work is a defense of *Humanae Vitae* offered by Germain Grisez, Joseph Boyle, John Finnis, and William May.² I shall refer to these authors hereafter as GBFM. They state that "NFP can be chosen with contraceptive intent".³ The authors argue at length that a contraceptive intent, precisely as con-

³ GBFM, p. 81.
traceptive, is the will that a baby not-be; and they call this a contra-life will. Their remark about NFP therefore amounts to saying that NFP can be chosen with the very same contra-life will with which contracepting is chosen. I take the authors to mean that NFP practiced with this will is an act of contraception — a way of practicing contraception. If GBFM mean to say something short of this, they give no sign of it. In fact, the signs point the other way, as we shall see.

The present writer agrees with GBFM on three essential points. They are (1) that the human good most centrally at stake in reproductive choices is the good of life, (2) that this good is violated in choices made with a contraceptive intent, and (3) that the malice of contraception therefore consists in the contra-life resolve which it embodies.5

My disagreement comes from how the “contraceptive intent” is more precisely analyzed. This analysis determines where the “contra-life will” of contraception-users is located, so that a slight mistake in the former results in a mislocation of the latter by GBFM. The reader will see where I think the mistake lies, if a few words about action classification are presented.

Sorting Human Actions into Kinds

Aquinas provides two major texts in the *Summa Theologiae* on the classification of human actions. The first is 1-2 q. 1, a. 3, where he says that an action is put into its kind by its proximate end (corpus and ad 1). This end is the agent’s most immediate purpose in acting. Oftentimes, a statement of one’s most immediate purpose will not differ (or will differ only slightly) from what one ordinarily thinks of as a description of what one is doing. For example, if I am washing the car so as to get ready for a trip, the trip is my ulterior purpose, and to prepare for it or “get ready” is the intermediate purpose, but my most immediate purpose in acting is to wash the car, or to get the washing over and done with. This is why I am bustling about in the drive-way with a hose. Thus if we call this end (to wash the car) $e_{w}c$, we can say that it puts the bustling into the kind $^{*}K_{w}c$. That is, the end classifies my bustling by putting it into the end-based kind ($^{*}K$) which is washing the car.

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1 GBFM, p. 44ff.
2 The present writer is working, then, within the “research programme” established by Grisez as far back as 1964 (in *Contraception and the Natural Law*) and developed in many subsequent work by him or by others of the GBFM group. The argument of the present paper should not be taken as proposing a different programme or “paradigm.”
The other text is 1-2 q. 18, a. 2, where Aquinas says that an action is put into its kind by its object. This is the matter with which the action deals (materia circa quam). One can think of this “matter” in grammatical terms. I start with the verb that would be involved in expressing what I am considering doing, e.g. ‘wash’. I add whatever nouns or noun-phrases would be needed to complete the expression of what I am considering doing, e.g. ‘my car’. This is the object, and “wash my car’ is a kind of action (genus ex objecto). We may call it 0KWc for short.6

If these two texts are to hang together, there are three possibilities. Either (1) the kind based on the object and the kind based on the proximate end are identical, or else (2) they classify on different levels, with one of them putting the action into a genus, the other putting it into its sub-genus or species, or else (3) the kinds are independent but both apply.

In fact, all three possibilities turn up. The first is so common that Aquinas seems to have thought it needed no discussion. The example given above of washing the car will serve to illustrate it.7 The second possibility is treated explicitly in 1-2 q. 18, a. 7. Aquinas says it arises only in the following way. If the object-based kind 0Kx is a kind of action that is per se connected to the end ex, so as always to be chosen for the end ex, then 0Kx is a species or sub-genus of the genus 0K, if the reader will pardon so many symbols.8 Otherwise, the two classifications are in-

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6 If I choose to do what I have been considering, my choice will be an interior action of the to-wash-my-car kind (0Kw), and what I do in the driveway with my hose will be an exterior action of the corresponding object-kind (0Kw), if I get round to doing what I choose. See 1-2; q. 20, a. 4; q. 72, a. 3 and 2.

7 The first possibility turns up whenever one takes one’s proximate end to describe one’s means. An action of the object-based kind “wash my car” would be chosen very naturally as a means in the project to take a trip, via the intermediate purpose “to get ready for the trip,” on the understanding that washing one’s car is a way to get ready (contributes to getting ready). Thus it is easy to see that one’s “means” will often be an object-based kind of action. Aquinas says that once a means is chosen, its execution becomes one’s most immediate purpose. Hence the frequent identity of kind-from-object and kind-from-proximate-end.

But this possibility need not turn up. One’s means might be open to more than one description. One’s means described as an object-based kind of action might be open to a further description which discloses the point of choosing that kind of action, and this further description might be thought of as disclosing one’s proximate end.

8 Here one is thinking of the “proximate” end as different from a description of one’s means but as tightly connected to it. For example, “to communicate” is a shade different from “to speak” (since one can communicate without speaking), but it is always and intrinsically the case that one speaks in order to communicate. Hence speaking is a species of communicating.
dependent of each other. In what follows, the second and third possibilities will be the ones that interest us most.

The GBFM defense of *Humanae Vitae* does not state whether the authors accept Aquinas’s method of classifying human action. But elsewhere Grisez says that the phrase, “the proposal adopted by choice”, which he uses in his thesis that a human action is defined (classified) by the proposal adopted by choice, has “more or less the same meaning” as the phrase “the object of an action” used by St. Thomas. I shall assume, therefore, that his approach to action classifications by objects and action classifications by ends would be substantially similar to Aquinas’s. The other authors in the GBFM group share Grisez’s action theory or else locate themselves somewhere between his theory and Aquinas’s, if they perceive a significant difference.

In that light, “practice NFP” should be accepted by GBFM as an object-based-kind of action. Let us call it  *K_{fp}*. “Use a contraceptive” should also be accepted as an object-based-kind, and we may call it  *K_{uc}*. It is an object-based genus, of which kinds like “take a pill as a contraceptive”, are object-based species.

A key question can now be raised. Would the object-based genus “use a contraceptive” (*K_{uc}* ) be accepted by GBFM as a sub-genus of a broader kind of action defined by the proximate end for which it is done? I think that this is precisely what the authors hold. They identify this

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* That is, if *K_1* is a kind of action which is sometimes done for the end *e_1*, sometimes done for the end *e_2*, so as not to be *per se* connected to either, then *K_2* is not a species (or sub-genus) of *K_1*, nor of *K_2*; and neither *K_3* nor *K_4* is a species of *K_n*. To paraphrase an example which Aquinas gives: seducing a woman is a kind of action which is sometimes done for the purpose of stealing her purse, but it certainly isn’t always (or even often) done for that purpose, and so seduction is not a species of theft. Rather, if a Don Juan hard up for cash were to adopt this odd project, we should say that his action was both one of seduction and one of theft. The two kinds are independent, but both would apply.


* These species of action would normally be denoted more simply as “take the Pill”, “use a condom”, etc., but I include the phrase “as a contraceptive” for two reasons. First, the phrase indicates how the thing used is understood by the person choosing to use it in the kinds of action in question. The fact that the thing is a contraceptive is at least a *principalis conditio* of its use in these actions. If a different understanding is in place, the action is different. Thus a proposal to take a pill as medicine for an irregular cycle and a proposal to take a pill as a contraceptive hold out possible actions of different kinds. Even if the pill is the same. Second, the phrase serves to distinguish these kinds of action from mere kinds of behavior. A child who swallows one of her mother’s anovulant pills exhibits a behavior which is the same as one of her mother’s behaviors, but the two perform no common action. What I mean here by behavior and how it is different from human action is discussed further below.
proximate end with the not-coming-to-be of a baby (e_{nb}), so that the broader end-based-kind is something like “exclude a baby” (K_{eb}). Intending this end is having the contra-life will, in their view, and choosing to use a contraceptive always involves having this contra-life will, because of the per se connection between choosing to use a contraceptive as a contraceptive and intending that a baby not come to be.

If the preceding points are accepted, then it is obvious immediately that “practice NFP” is not an object-based species within the object-based genus “use a contraceptive”. For every member-species of that genus is per se connected to the contra-life intent, whereas “practice NFP” is not per se connected to it.

Rather, “practice NFP” should be viewed as a kind of action which is morally indifferent in its object-based classification, so that it gets its evaluation from the end for whose sake it is chosen in a given set of circumstances by a given couple. In that way there can be an individual action by a couple NN which is a performance of practicing NFP and whose morally determinative “kind” is the end-based kind “not have a baby”. One suspects that exactly such an action is what GBFM have in mind when they say that NFP “can be chosen with contraceptive intent”. Exactly such an action will then count as “practicing contraception”; in their view, without using a contraceptive; in different terms, it will count as “practicing NFP as a method of contraception”.

**Getting the Proximate End Right**

With these preliminaries in place, I should like to argue that the end-based kind (of which all acts of using a contraceptive and some acts of natural family planning are alleged to be instances by GBFM) is ill-chosen. The end they select to establish the kind is not the proximate end for whose sake (intrinsically) all choices to use a contraceptive are made, though it may be the proximate end for whose sake wrong choices to practice NFP are made.

Broadly speaking, one chooses to use a contraceptive in order to prevent a baby’s coming to be. This is a per se connection. One cannot use a contraceptive as a contraceptive without intending to prevent a ba-

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1 Aquinas discusses this sort of situation, where a type of action is morally indifferent in its kind-from-object, in articles 8 and 9 of 1-2 q. 18.

2 The situation as GBFM see it can be expressed set-theoretically by saying that whereas the intersection K_{af} \cap K_{nc} is empty, the intersection K_{af} \cap K_{nb} is not empty.
by. It is further true that one cannot intend to prevent a baby without intending not to have a baby, i.e. without intending that a baby not-be. This is a second per se connection. Thus I do not deny that every choice to use a contraceptive is per se connected to the intention that a baby not-come-to-be, but I deny that this connection is "immediate". Rather, it allows room for the intention to prevent a baby, which is the genuinely proximate end of choices to use a contraceptive, so that all human acts of using a contraceptive ($e_{K_{\infty}}$) are acts of preventing a baby ($e_{K_p}$).

However — and this is crucial — the term 'prevent' as used in the preceding paragraph has to be understood more precisely than 'prevent' is often understood. Suppose there were a 98% effective filter that could be put on the end of a cigarette. Then in common parlance, using that filter while smoking and quitting smoking would both be called "prevention" vis-à-vis the threat of lung cancer. Similarly, if there were a tablet one could take before drinking whiskey, which would alter the chemistry of alcohol digestion so as to block the processes that lead to cirrhosis of the liver, then taking that tablet while drinking and abstaining from drinking would both commonly be called "prevention" vis-à-vis liver trouble. In general, then, 'to prevent $x$' admits of two senses: (a) 'to add a counter-measure to acts causative of $x$' and (b) 'to abstain from acts causative of $x$'. It is precisely sense (a) of 'prevent' which is understood by a person when he or she chooses to use a contraceptive. The person plans to perform sexual acts causative of a baby (complete acts of intercourse chosen irrespectively of their performance during fertile or infertile periods) and chooses to perform an act which, as a counter-measure, prevents those foreseen sexual acts, when performed, from causing a baby. It is in this sense of 'prevent a baby', therefore, that I say all human actions of the object-based kind $e_{K_{\infty}}$ belong to the end-based kind "prevent a baby," $e_{K_p}$.

When the ambiguity of 'prevent' is removed, it becomes clear that the proximate end for whose sake every act of using a contraceptive is done, namely $e_{K_p}$, is not (and cannot be) the proximate end for whose sake any act of practicing NFP is done. For as GBFM themselves admit, those practicing NFP act "by abstaining from causing the baby to come to be".¹⁴

¹⁴ GBFM, p. 88. In this text, the authors are talking about the morally good way of practicing NFP, but they do not think that the morally good way and the morally bad way differ in the means willed. They think the two ways differ in the end willed. So I think they would not disagree that all acts of practicing NFP are acts done "by abstaining" rather than "by adding a counter-measure".
Should the Locus of "Contra-life Will" Be Shifted?

I have conceded that intending to prevent a baby is *per se* connected to intending that a baby not-be, so that the end-based kind *K*_nb could perhaps be a species or sub-genus of an end-based kind *K*_eb, and nothing I have said so far precludes some or all individual actions of using NFP from being instances of an end-based kind *K*_nb. The analysis given so far is consistent, then, with the following possibility:

Any human act is a "contraceptive" act if, and only if, it is an act of the end-based kind *K*_eb, and all contraceptive acts are morally wrong because, as acts of that end-based kind, they embody (intrinsically, in what it is to intend them) a contra-life will.

I think that this is pretty exactly what GBFM do contend. They identify the morally determinative contra-life will with intending-the-end-*e*_eb, which is broad enough to constitute an end-based kind of which all acts of using-a-contraceptive and (at least) some acts of practicing NFP are instances; and they identify the classifying trait of "contraceptive acts" with intending the end *e*_eb, so that at least some acts of practicing NFP become "contraceptive acts".

My doubt about this is not a narrowly Thomistic quibble, to the effect that the end-based kind made to classify acts of *K*_eb is not the end-based kind proximate to them, but a point of real substance (to which I think the quibble contributes). I doubt whether intending that a baby not come to be (*e*_eb) is the best available locus of the contra-life will which is morally determinative in the context of contraceptive choices. The above analysis has provided another candidate, intending to prevent a baby (*e*_pb), which might be this contra-life will.

Two important features of the GBFM argumentation suggest that my alternative candidate would suit their purposes better than their own.

One arises in the part of their argument where GBFM compare the contra-life will at work in contraception to the contra-life will at work in homicide.\(^{15}\) Aware that this comparison shocks many people, they argue for it carefully from tradition as well as from reason. They take care that the distinction between a will set against the life of an actual person and a will set against the life of a merely possible person is recognized. But they think the comparison retains its plausibility to the extent that, in both

\(^{15}\) GBFM, *op. cit.* pp. 60-65 and *passim.*
cases, the contra-life will has some identifiable life or lives as its target. Hence they suggest repeatedly that, when one's choice includes what they mean by the contra-life will, one wills a rather definite "possible baby" not to be. *In a sense*, this condition is met by the fact that, typically, a contracepting couple projects a possible baby under a definite description — "the baby we could have before we get our mortgage lowered", "the baby we could have this year", "our third child" — and the couple wants this very baby not to be. But there is a problem which GBFM do not face. People readily understand that "this very baby" is really any baby fitting this description, so that the "targeted life" is not nearly so definite in real terms as it seems in the concept. Quite a few philosophers would say that the couple's thinking in projecting a child they don't want breaks down; "the" targeted life is illusory, a trick our language plays on us; and so the GBFM comparison between the couple's will and a homicidal will becomes vulnerable to the criticism that it rests upon an illusion.\(^\text{16}\) If GBFM are to have an answer to this, they should begin with the following facts. The possibility of a baby is made real by actions which have a causal potential. And it is these same actions which make the baby not wanted "identifiable" in real terms. For any "possible baby" would be the result of some performance of intercourse. A couple who perform *this* inter-

\(^{16}\) Willard Quine is perhaps the most famous critic of modal logic, and more especially of quantified modal logic, and most especially of quantified modal logic with definite descriptions. The last would be needed to assess what a couple is thinking in projecting and/or rejecting "the baby we could have." In a famous passage, Quine asks us to consider the possible fat man in that doorway. Is he the same person as the possible bald man in that doorway? There is no answer; and since there is no answer, Quine thinks that "possible persons" cannot be individuated, and so they fail to pass a test which items must pass if they are to be accepted as (even abstract) "entities." Thus Quine's position threatens to deprive a "contra-life will" of any coherent object or target in the context of reproductive choices.

To remove that threat, it helps to observe that "entities" in Quine's sense are objects over which one is prepared to quantify existentially (saying, "there is a..."'). English grammar often makes it seem that we are actually quantifying over items when we are not. Thus "there is a possible baby — a baby we could have this year" sounds as though we are actually quantifying over items called "possible babies". The truth is that we are only possibly quantifying. The idiom is correctly paraphrased this way: 'it is possible that there be a baby born to us this year.' Thus Quine's position can be side-stepped: his point would be relevant, if ordinary couples were attempting to quantify-actually over possible-baby-entities; but since they are not, his point is irrelevant.

There remains a further issue, however. When the couple's thoughts are correctly paraphrased, the idea of possibility comes first: "it is possible that...". Where does this possibility come from? Sheer absence of contradiction? Is it just "logically possible" that a baby be born to them? Does dislike of a logical possibility constitute a contra-life will? Surely not. For people do not make choices to avoid or prevent what they think to be only logically possible. A contra-life will is directed against a real possibility. One must ask, then: in the reproductive context, what makes the possibility real?
course but under the influence of a chosen counter-measure which blocks these gametes from meeting can certainly be said to have acted by choice against definite “possible babies.” They willed (and didn’t just wish) that these possible babies not be (namely, the one or ones who could have been conceived from these cells [namely, this month’s ovum plus one or more of the sperm deposited by this love-making]). But as soon as one turns to omissions rather than counter-measured performances, the set of “possible babies” not willed loses much if not all of its real-world basis for definiteness. For example, the male reproductive system is too unpredictable to allow one to speak of the exact set of sperm which would be deposited at time \( t \), if the couple were to make love at \( t \). Therefore even in speaking of a carefully timed abstention, one cannot really speak of “the baby or babies who could come to be from these gametes.” One has to fall back to “the baby or babies which some gametes of ours might make, if we were to make love at \( t' \).” And in proportion as the time \( t \) becomes indefinite, the case becomes worse and worse. For purposes of the homicide comparison, then, my candidate for the end whose being-intended is the contra-life will makes a better candidate than an end such as \( e_{abs} \), to which a choice of periodic abstinence could be ordered.

The preceding argument gains strength from another feature of the GBFM argumentation. These authors also compare the contra-life will of contraceptors to the contra-life will of suicide-choosers. In doing so, they write:

Whenever a baby comes to be from a couple’s one-flesh communion, the new person is, as it were, an emerging part of his or her parents. Although contraception intervenes before any new person emerges, it is still a choice to interfere with existing human life. For, in preventing the baby they project and reject, those who choose to contracept attack their own lives as they tend to become one through the sexual act. By contracepting, they commit limited suicide, as it were — they choose to cut off their human life as they are about to hand it on, precisely at the point at which the new person would emerge.\(^{17}\)

Every word in this passage makes better and more convincing sense, if the contra-life will here described is intending-the-end-\( e_{ppb} \), to prevent a baby in the precise sense selected above, rather than intending the physically contentless end \( e_{sc} \), to have no baby, to which a choice of periodic abstinence (or, for that matter, a choice to enter the convent) could be ordered.

\(^{17}\) GBFM, op. cit., pp. 66-67.
Moreover, these two features of the GBFM argumentation connect together in the following powerful way. If we take ‘possible’ in real terms rather than merely logical terms, the possible-ness of any “possible baby” is identically the potency of the parents to beget, which is a real aspect of their existing lives. A practical hatred of the former (the possibleness of the baby, whence the homicide comparison) is therefore a practical hatred of the latter (the potency of the parents, whence the suicide comparison). But this hatred is precisely practical in the manner described by GBFM when it is directed against this potency when and as it is being reduced to act. Therefore practical hatred is expressed in intending to prevent a baby in the counter-measure sense defined above (e_{pb}).

That intention is the right “place”, I conclude, in which to locate the contra-life will that is acted upon in contraception.

The re-location which I propose carries, however, this logical consequence: no normal act of NFP is an act of contraception in its end-based kind, regardless of what else might be said against it. For while intending to prevent a baby in the sense defined is per se connected to intending that a baby not be (e_{nb}), the converse is not true. A novice in a nunnery can wish, will, or even intend that a baby not be (e_{nb}) without intending, willing, or even wishing to prevent a baby from coming to be (e_{pb}).

Two interesting analogies help to illustrate the moral difference between a contra-life will which simply wants “no baby” through abstention and a contra-life will that wants to prevent a baby.

The first analogy concerns truth-telling. Perhaps Smith knows an important truth which honesty requires him to divulge, but he is loathe to reveal it. He wants to bury it. Smith has a contra-truth will, but perhaps it only goes so far. He is willing to keep silent (abstain from speaking) but not willing to lie (add a counter-measure to speaking). Smith may be doing wrong in keeping silent; but as long as he keeps his mouth shut, he is at least not lying (contracepting).

The second analogy concerns poker. Jones likes to play with a group of friends, but he fears that his long winning-streak is over. He doesn’t want to give his friends a chance to win their money back. Unfairly, he refuses to play. He has a contra-fairness will. But perhaps it only goes so far. Jones is willing to deprive them of their chance, but he is not willing to cheat. He is not willing to put an ace up his sleeve or bring out a marked deck, though these counter-measures would prevent the losses he fears. He may be wrong not to play (abstain); but so long as he doesn’t play, he doesn’t cheat (contracept).
Of course Smith should be told that his silence is dishonest; he should come to understand that lying is not the only form of dishonesty. And Jones should be told that his refusal to play is taking unfair advantage and so is more like cheating than he’d care to admit. But a moralist only compromises his own ability to persuade these men, if he says that their action are a lie and a cheat respectively.

I conclude that couples choosing to abstain periodically are never contracepting. I concede that couples choosing to abstain periodically can have a contra-life will, but I have given a reason to think that their contra-life will would be other than the contra-life will of contraceptors. It would stop short of being a will to prevent. After a short interim, I shall consider objections to these conclusions.

Interim Summary

Thus far, I have used the Thomistic business about how actions are classified in only a limited way. I have taken the point that, if one is to reclassify an object-based kind $K_i$ into an end-base kind $K_e$, one should choose the most immediate purpose (“proximate end”) for whose sake, intrinsically, actions of the $K_i$-kind are chosen. I have read GBFM as reclassifying acts of using a contraceptive so as to put them into an end-based kind. I have argued that the end selected by GBFM (that a baby not-be) was not as immediate as it could be, and I proposed an alternative (to prevent a baby). I have argued that the central claims of GBFM — that a contra-life will is at work in acts of contraception, and that thanks to it every such act is morally wrong — not only survive but become all the more convincing, if the locus of this contra-life will is shifted to intending the alternative I propose.

This part of my case is its strongest part, I think, and it can stand independently. The remainder of my case makes further use of the

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18 One can certainly adopt a moral perspective from which this difference doesn’t matter. Wrong is wrong. If some choices to abstain reflect a contra-life will, those choices show the same core of malice as choices to prevent. This may well be the GBFM perspective. If so, they are not interested in action kinds but in moral equivalence classes. They are using the end $e_n$ to define the class of actions which are morally equivalent to contracepting; and in calling wrongful NFP “contraception”, they are only adopting a misleading way of saying something which is true enough: that some choices of NFP set the will against the good of life in “practically” the same way as a choice to contracept does.

The downside of such a perspective is that it leads moral analysis away from ordinary language, the language in which people deliberate. Ordinary language presents action kinds as options. Paying attention to them helps people to understand their choice, to distinguish wrong actions which are only similar, and to compare the malice of each.
Thomistic classification doctrine, which might be thought to be "speculative" or metaphysical in its interest, rather than strictly ethical, and it also makes use of an analysis of negative intentions which might well be open to criticism.

**First Objection**

GBFM might concede that the intent to prevent a baby is at least as good for defining "contraceptive acts" as the intent which they selected in their analysis. But they might add that this concession in no way shows that their selection was inappropriate. Sometimes there is more than one serviceable way to define a "kind", and perhaps the action-kind which is contracepting is like that. Perhaps there is a narrow way and a broad way to think of contraception (just as there is a narrow way and a broad way to think of prevention), both appropriate. Perhaps the present writer has chosen the narrow way (which is not wrong), while GBFM have chosen the broad way (which is not wrong) — so that apart from technical quibbles about who has the "more coherent" or the "more Thomistic" classification theory, there is just nothing more to be said about the matter.

The present writer readily concedes that human actions adopt or carry out proposals which are "beings of reason", so that classifying human actions is not like putting natural substances into some system of scientific kinds. Action kinds cannot be more precise than ordinary human thought; and so I should not be surprised if there were many cases of genuine ambiguity. I am not persuaded, however, that the present case is so easily dismissed. I doubt whether the intent that a baby not-be provides any way (broad or narrow) to define a kind of action.

**Does the Intent that a Baby Not-Be Establish a Kind of Action?**

Sometimes a statement of one's purpose as an agent includes a description of what one would be doing for that purpose, and sometimes it doesn't. When it does, the statement-of-purpose sounds like an action description; and when it doesn't, the statement-of-purpose sounds like a state of affairs which might obtain or fail to obtain apart from any given sort of action.

For example, if a child breaks his brother's toy in order to "get even", the statement-of-purpose sounds like an action description ("I am getting even"), a further description of the act-of-breaking. One could easily think that the phrase, 'acts of getting even', designated a kind of action.
But if the child breaks his brother’s toy so that the latter might not have it, the statement-of-purpose does not have the ring of an action-description at all. One is not tempted to form in the mind a classifying term, such as “acts of someone’s not having something.” Rather, one sees that the purpose sounds like a state of affairs (my brother’s having a toy) which is intended not to obtain; but for all that its intelligible content requires, this state of affairs could fail to obtain with or without a sibling’s intervention.

Another difference is also salient. When the act of breaking a toy is connected to the end of getting even, the morally significant motivation becomes unequivocal; one is dealing with an act of “vengeance”. When the same act of breaking is connected to the end that a brother not have the toy, one is not clear about the motivation. Is it revenge (“I didn’t want him to have it, because he did so-and-so to me”), or is it jealousy (“I didn’t want him to have it, because I don’t have one”)? Or is it a prudent concern (“I didn’t want him to have it, because he’d put his eye out with it”)?

Acts of jealousy, acts of revenge, acts of prudence — such terms belong to yet another layer of classification which Aquinas recognizes. These are evaluation-based kinds, which he sometimes (and rather misleadingly) calls “moral kind”.

To resume with the example under discussion, ‘I broke the toy so that I might get even’ seems to contain all the information one needs to reach a moral judgment, whereas ‘I broke the toy so that he might not have it’ seems to need a further clause telling us why the agent wanted him not to have it. And depending on what that further clause contains, one might be dealing here with an act of some virtue or an act of some vice.

Thus if, contrary to normal usage, one were to allege that there is an action kind defined by this not-have-toy purpose, that alleged kind would be morally heterogeneous.

That a moral action-kind should contain instances which are behaviorally heterogeneous is a very normal thing. That a behavior-kind

19 See *ST* 1-2, q. 18, a. 5.
20 See *ST* 1-2, q. 1, a. 3 ad 3 (at the end). Aquinas’s example suggests that the “K-kind, “act of justice”, includes instances whose performances would involve diverse behaviors, such as killing a man, flogging a man, etc. These behaviors are not object-based kinds but visible motions mentioned under brute descriptions. “Execute a criminal” would be an object-based kind of human action (*per se* ordered to the end of “upholding justice”),
should contain instances which enter into morally heterogeneous actions is a very normal thing. Normal, too, is an object-based action‐kind which is heterogeneous both behaviorally and morally. But quite extraordinary, really, would be an end-based kind of human action which contained both heterogeneous object-based‐kinds of human action (each perhaps behaviorally heterogeneous) and heterogeneous moral kinds of human action (e.g. acts of fidelity and acts of infidelity). One would have to wonder whether such an alleged kind was in any real sense a single kind at all.

Yet allowing a purpose like “that someone not have a toy” to define a “kind” of human action would posit precisely such a deeply dubious (doubly or even triply heterogeneous) “kind.”

This complaint can be generalized. The shortage of power to generate a convincing “kind” of action does not come from a special detail of the example just used. The shortage comes, rather, from the general intelligible content of a purpose which consists only in intending that a certain state of affairs not obtain. Such a purpose does not contain and does not imply any description of what the holder of the purpose would be prepared to do, or abstain from doing, to what, or to whom, in order to achieve the purpose. Hence such a purpose is objectively ill-suited to define a “kind” of action.

Stated in this general form, the complaint applies with equal force to the purpose “that a baby not-be.” This purpose, too, consists in intending that a state of affairs (e.g. my having a baby) not obtain. The purpose neither contains nor implies any description of what the person or the couple holding the purpose would be prepared to do or abstain from doing to what, or to whom, so as to achieve their purpose. They might even choose not to marry. Hence this purpose, too, is ill-suited objectively to define a “kind” of action. GBFM ought not to have used it.

according to Aquinas), whereas the visible motion brutally described as killing a man would be only a kind of behavior (which is not per se connected to any “K-kind of human action, according to Aquinas). Such kinds-of-behavior Aquinas calls “natural kinds” (genus naturae). Thus a single “K-kind of action has instances which are heterogeneous in “natural kind.” In the same way, those acts of fidelity which are marital acts are behaviorally heterogeneous in foreplay and “position.” Acts of vengeance can vary from throwing a punch to formulating a nice verbal put-down.

Loc. cit. In Aquinas’s example, the behavior-kind which is “killing a man” can enter into acts of upholding justice (an ‘K-kind) or into acts of slaking wrath (another ‘K-kind), so as to enter sometimes into an act of justice (“K-kind), sometimes into an act of vice. In 1-2 q. 18 he gives another example: sometimes a behavior of coitus occurs in a human action of vice (fornication or adultery); sometimes, in a human action of virtue (marital intercourse).

For example, “to pick up a date” is behaviorally heterogeneous and morally indifferent in its kind-from-object.
I conclude that the GBFM definition of contraceptive acts is poorly made, that under their definition such acts do not constitute a plausible (“broad” alternative) “kind of action”, and that the rôle of \( e_{ab} \) in that definition ought to be played by a different end. I have argued above, on other grounds, that the rôle they give to \( e_{ab} \) ought to be played by \( e_{pb} \). I can now add that ‘to prevent a baby’ is the kind of purpose-statement which includes in itself (when ‘prevent’ is disambiguated) a description of what one would be doing for the purpose — so that ‘to prevent a baby’ both brings the act of pill-taking or condom-donning one is choosing under a further action description and states the purpose to which one is determining oneself. The end \( e_{pb} \) thus has what it takes to define (in an end-based manner) a plausible “kind” of human action. I have argued on other grounds that this kind would be the contraceptive kind.

**Second Objection**

Nevertheless, it seems to me that GBFM have a further line of reply, which opens up a very delicate topic. My reply will be the weakest (but also the most dispensable) part of my case.

GBFM may well think that, speculative matters of classification-theory aside, the end \( e_{a} \) has what it takes to serve their moral argument. They may point out that the examples discussed in the previous section (examples of intending that a state of affairs not obtain) differ in a morally crucial way. A toy is at best an instrumental good, whereas a human life is a basic good. While the intention that a toy not-be (or not be had by someone) may figure both in morally good acts and in morally bad ones, the intention that a baby not-be can figure only in morally bad acts. Thus, the “kind” defined by that intention (the contraceptive “kind” as GBFM define it), even if it is highly heterogeneous in other respects, is homogeneous in the moral respect. Every act of that kind is an act of vice (specifically, an act of injustice against a possible life). Therefore, even if the willing identified as the contralife will which is at work in contraception can or should be shifted to intending \( e_{pb} \) (to prevent a baby), the strong appearance remains that intending \( e_{ab} \) (that a baby not-be) also has a contra-life meaning that is morally determinative, so that it will at least serve to define (unambiguously) a moral equivalence class, so that even certain badly motivated, life-denying decisions not to marry can belong to this class.

I concede that nothing said so far serves to justify or exculpate holding the intention “that a baby not-be,” and that this intention contains at
least a verbal force which is contra-life. Nevertheless, I think there is a non-question-begging way to show that the verbal force is one thing, and the self-determination of the will expressed through it is another.

**Does the Intent that a Baby Not-Be Establish a Moral Equivalence Class?**

I suspect that virtually every couple practicing NFP in the hope of avoiding the bills or other burdens which a pregnancy would entail does will that a baby not be, and that these couples are under the impression (which they would be very surprised to hear criticized) that they intend this. GBFM, in order to both (a) maintain their thesis that intending is morally determinative-to-evil and defines the moral class “contraceptive acts” and (b) uphold the Church’s teaching that NFP can be chosen virtuously while no contraceptive act can be chosen virtuously, are forced to maintain that couples virtuously practicing NFP do not intend that a baby not be.

In the present writer’s experience, not only sympathetic lay couples but even well-prepared graduate students have found this claim unbelievable or unintelligible. Whatever truth GBFM mean to articulate through it (and I think there is one), they have failed to communicate successfully. To diagnose and cure the failure, I shall draw some distinctions and then criticize the case which GBFM make.

Sometimes a normal, straightforward statement of what one intends requires no use of negation; at other times, some use of negation is required. In the former case, I shall say that one has a “positive” intention; in the latter case, a “negative” intention. Notoriously, there are sometimes covertly negative ideas contained in the meanings of words or phrases which carry no grammatical sign of negation on their surface; so I hasten to admit that some positive intentions have a negative aspect. Vice-versa there are some grammatically negative expressions which convey a positive idea, so that perhaps some negative intentions are covertly positive. The argument I am about to make does not require sorting out all such oddities. It requires only that, very often at least, a positive intention is a willing that some state of affairs should obtain, while a negative intention is regularly a willing that some state of affairs should not obtain.

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23 Thus the intention to prevent a baby has both a positive aspect and a negative aspect: the causative actions intended are positive and the counter-measure intended is also positive but is understood to secure the not-being or not-happening of something.

Thus a couple taking temperatures and timing episodes of coition in order to achieve a pregnancy wills that a state of affairs (our having a baby soon) should obtain, while a couple taking temperatures and so on in order to avoid a pregnancy wills that the same state of affairs (our having a baby soon) should not obtain. Call this state of affairs HB. It should not be controversial, I hope, that intending-the-end-en_\text{b} (that a baby not-be) is intending that HB should not obtain.

The argument is this. When one has the positive intention that HB should obtain, one’s will bears upon a constituent of HB itself; one is attracted by it, and that is why one wills that HB obtain. In a word, the positive intention “says” where one’s heart is. But when one has the negative intention that HB should not obtain, the bearing of one’s will is not clear. Sometimes one is repulsed by a constituent of HB, so that one’s will is set against it; but sometimes there is no such repulsion. One is simply attracted by a different state of affairs, whose obtaining one understands to exclude the obtaining of HB. The negative intention does not “say” where one’s heart is, and there is thus an objective ambiguity about saying that someone has this negative intention.

The ambiguity is quite general, can arise in connection with any negative intention, and can make a moral difference. Consider again the brother-having-a-toy example, in which the state of affairs may be called BHT. The vengeful or jealous sibling is quite clearly repulsed by a constituent of BHT. It is the toy in his brother’s hands which irks, provokes, angers him. The meddlesomely prudent sibling is not repulsed by BHT but attracted by a different state of affairs (his brother being safe from physical harm), whose obtaining he understands (perhaps mistakenly) to exclude the obtaining of BHT. It suffices for present purposes if the reader agrees that the sibling’s will is objectively different in the two cases, even though both can be said (fairly) to intend that BHT not obtain. But now let us alter the means in the example. Instead of breaking the toy (which I should not care to justify, even on grounds of prudence), suppose the sibling is the elder of the two brothers and enjoys a certain jurisdiction over the toy closet. Suppose the means is to abstain from bringing the toy in question out of the closet, day after day. By this abstention, a jealous brother would have what he wanted (“I don’t have it, he won’t have it”), a vengeful brother would have what he wanted (“He won’t have it, serves him right”), and a prudent brother would have what he wanted (“He won’t have it, he’ll be safe”). The undestructive means does not compromise the prudent brother’s good intention (as breaking the toy might), but
that is not my point at the moment. My point is that the undestructive means does not morally distinguish the three projects, nor does the negative intention that the brother not have the toy. What distinguishes the three projects morally is how the negative intention is held, which is clearly connected with why it is held. In the two vicious projects, the negative intention is held in such a way that the agent’s will is attracted by a different state of affairs, whose obtaining is understood to exclude that of BHT.

Returning to couples and the state of affairs that they have a baby soon (HB), the case is wholly analogous. A Manichaean couple, such as the young Aurelius Augustinus and his mistress, abstain periodically from their embrace with the negative intention that a baby not-be; they hold the intention because the very thought of a baby repels them on ideological grounds, and this is reflected in how they hold it: their will is set against a constituent of HB. A Catholic couple abstain periodically from their embrace with the negative intention that a baby not-be; they hold the intention (let us suppose) because they have made a commitment to stay solvent, which they believe they cannot do while bearing the expenses (or lost income) attendant upon pregnancy and childbirth. This, too, is reflected in how they hold the negative intention: their will is attracted to a different state of affairs (their staying solvent — SS) whose obtaining they think incompossible with HB’s obtaining. Again, what distinguishes the two projects morally is not whether the negative intention is present but how it is held. The will of the Manichaean couple, set against a constituent of HB, the baby, is a contra-life will. The will of the

25 It would be my point, if I were going after the difference between a financially strapped couple that chooses NFP and a similarly strapped couple that chooses to contracept. The former couple chooses a means (periodic abstention) which does not compromise their good intention to live within their budget. The latter couple chooses baby-prevention as their means, which turns their pro-budget will into an anti-baby (contra-life) will. Their choice to prevent “positions” their will to be set against a constituent of the state of affairs which they intend should not obtain, namely, the baby.

26 The couple understand this conditional to be true:

(A) If we have a baby, we don’t stay solvent.
(B) If we stay solvent, we don’t have a baby.

By elementary logic, if (A) is true, (B) is true. The couple incorporate their understanding that (B) is true into their practical reasoning as a demand of the good they seek: our staying solvent demands that we not have a baby. Periodic abstinence is chosen as a means to (meet this demand of) the good sought. The demands of a good one seeks need not attract one as good in their own right. The demands of my health, for example, do not attract me in the least. If I abstain from Viennese pastries periodically in order to meet one of them, I do so with no trace of a contra-corpulence will.
Catholic couple, set against no particular constituent of HB but set rather upon SS, is a pro-solvency will. In appropriate circumstances, such a will is morally good. This is how I answer the question with which this essay began: how the intention of a couple virtuously practicing NFP differs from the intention of a couple practicing it wrongly.

I conclude: the intent that a baby not-be (a negative intention) may or may not be contra-life in a moral sense, depending on how it is held, thanks to an ambiguity which regularly arises about "holding" a negative intention.

When one tries to compare this conclusion to the GBFM view of the matter, one experiences a conceptual difficulty. The human phenomenon which we call "intending something" is psychologically complex. It is at once a willing and an understanding of that willing. What comes into public discussion in language chosen to "express" an intention is not the willing itself but the understanding of the willing. If the language chosen can fail to be adequate to the understanding, it is somewhat difficult to say exactly what we are to mean in public discussion by 'an intention.'

Shall we mean the intelligible content of a form of words which a human agent uses to state "what he intends"? If so, an intention is an expressed understanding of a willing (an expressed self-understanding, possibly a poor expression). Or shall we mean by 'an intention' precisely a willing, a posture of the will? If so, an intention is the willing behind an expressed understanding (and possibly poorly expressed).

If we mean the former, then what I have been calling intending-eb ("that a baby not-be") is one intention but there are two ways to hold it, and each of them is a different posture of the will. If we mean the latter, then what I have been calling intending-eb is not an intention but an ambiguous expressed-understanding, behind whose use there could be either of two different intentions, each identically a posture of the will. (On either option, what is morally determinative is a posture of the will).

One can make good sense of the GBFM position by assuming that they take the latter option, whereas I have been taking the former. In earlier sections of this essay, this particular difference hasn’t mattered; but now it has. My choice of position has allowed me to adhere closely to what ordinary people say they intend, accepting their professed intentions as in fact their intentions. The GBFM choice of position makes 'intention' more of a technical term, a Thomistic term of art, whose application need not and sometimes does not correspond to what an ordinary person would say his or her intention was.
Ordinary couples practicing NFP in a morally acceptable way and hoping to avoid pregnancy would say (I think) that they intend not to have a child (not any time soon, anyway). I begin by accepting this talk as veridically expressing the fact that they intend-the-end-e, and then I introduce a distinction as to how they hold it. GBFM (if I catch their drift) begin with this distinction. By ‘intending that a baby not-be’ they mean ‘willing that HB not obtain out of hatred for a constituent of HB’. In that light, they then deny that an ordinary couple practicing NFP in a morally acceptable way intends that a baby not-be.

I agree. Given what GBFM mean, I have no problem with where they come out. In substance, it is where I come out. The problem is the counter-intuitive way of speaking into which GBFM are led by their technical use of ‘intention’. In their effort to sustain that way of speaking, they compromise the cogency of their substantive conclusion by bringing forward unpersuasive arguments. I shall now examine and criticize them.

In order to make out a case for their claim that couples virtuously practicing NFP do not intend that a baby not be, GBFM rely upon two distinctions. One is the distinction between not-willing-that-a-baby-be and willing-that-a-baby-not-be. GBFM concede that a couple virtuously practicing NFP “don’t want to have a baby”, and they interpret this as the couple’s not-willing-that-a-baby-be. They deny that a virtuous couple wills that-a-baby-not-be.27

This argument fails to persuade because the distinction brought forward is inappropriate to the situation. The sensible distinction between ‘not willing that p’ and ‘willing that not-p’ arises in the situation where the agent has no belief or no interest in the subject-matter of p. Let p = the Kenyan government devalues its currency. I don’t want the Kenyan government to devalue its currency, and I don’t want it not to. I have no volition bearing upon the matter at all. Thus it’s true that I do not will that p and false that I will that not-p. But in situations where the agent has beliefs and interests at stake, there is no ordinary employment for this distinction. Let the agent be the couple NN, practicing NFP, and let p = NN have a new baby in nine months. It cannot be said that they have no volition bearing upon the matter. It is true that they do not will that p, but it is true precisely because they will that not-p. They may will that not-p out of hatred for something mentioned in p, or they may will that not-p because of their attraction to q which they understand to imply (and so demand) not-p. Either way, not-p is something they “will” in the

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27 GBFM, p. 85.
way ordinary speakers of English use the word ‘will’. If GBFM use the word differently, they fail to be persuasive.

Their second argument appeals to a distinction between emotive willing (which is wishing or even strong wishing) and practical or direct willing (choosing as means or intending as end). GBFM concede that a virtuous couple may have an emotive will against a baby’s being; they may wish strongly to have no baby. But wishes don’t change things, whereas practical willing does. It is the latter sort of willing which is morally determinative. As far as practical willing is concerned, GBFM say that the virtuous couple chooses as means an abstinence from intercourse and intends as the end the not-being-of-certain-debts-or-burdens. The not-being of a baby, then, appears neither in the means-slot nor in the end-slot; it is accepted only as a side-effect of the not-being of the burdens avoided.

This argument fails to persuade because, again, the distinction invoked belongs somewhere else. The idea of “emotive willing” is introduced in order to allow room for a desideratum (that we not have a baby) which is psychologically present but “beside the point” of the couple’s plan of action (praeter intentionem). The desideratum that a baby not-be is psychologically present all right, but as ordinary people speak of their plans and intentions, at least, it is certainly not “aside from” their intention. That a baby not be is the intelligible connection between the virtuous couple’s means (the abstention) and the virtuous couple’s end (absence of debts, etc). A “means,” in order to be intelligible as a means, has to contribute somehow towards attaining the end. Here the end is to save money, avoid debt. How does sexual abstention contribute to that? Is the wife charging her husband money for sexual services, and giving the money to a third party? If not, how does abstaining from intercourse save the couple any money? How, indeed — except on the understanding that the abstention contributes “no baby”, coupled with the understanding that “no baby” meets a demand of “no debt.” This is not to say that “no baby” comes into the virtuous couple’s plan as a means to “no debt.” That is another matter, and an unlikely one. I am simply saying that, to

28 GBFM, p. 88.
29 Loc. cit.
30 The means-to-end relation is native to practical reasoning and is not to be confused with the implicans-to-implicatum relation. Calling x a means and y an end is paradigmatically appropriate when x is a positive human action somehow productive of y, and y is what the agent wills as the positive good to be achieved by x; the further one moves from this paradigm, the more dubious the talk of means and ends is likely to become. In the present discussion, first, everything is beset by negativity. Abstaining from intercourse on a given occasion is only like a human action insofar as it is a chosen omission. "Not hav-
people who do their practical reasoning in ordinary English, whatever the status of “no baby” is, it is not what GBFM say it is: it is not a “side effect” which is “outside” or “beside the point of” their intention.31

By contrast, what GBFM want to say translates into my idiom without this problem. That-a-baby-not-be would appear in the couple’s expression of what they understand themselves to will; it would be part of their intention, as I use ‘intention’. But what matters morally is how it is there. Is it there to express their understanding of what good they are getting from the abstention they choose, in the sense that “no baby” is the very thing wanted, the exact “good” for whose sake abstention is chosen? Then it expresses a posture of their will which is its being set precisely against a baby; the couple have a contra-life will, and they are doing wrong.32 Alternatively, is that-a-baby-not-be present in their intention to express their understanding of what good they are getting from the abstention they choose, in the sense that “no baby” contributes to the solvency they seek, namely, that it meets a demand of it, so that the posture of their will is its being set upon that solvency, and the solvency is the exact “good” for whose sake their abstention is chosen? Then the couple have a pro-solvency will, and they need not be doing wrong.

A technical use of terms which leads one to speak in an unpersuasive way should be reconsidered, especially if there is an alternative use available. I hope that my choice of how to understand ‘intention’ provides an alternative.

31 GBFM are very faithful to Aquinas’s bare-bones theory of project formation. He recognizes only two ingredients: ends intended and means chosen. The puzzling status of that-we-not-have-a-baby in projects of NFP suggests that other ingredients might exist in some kinds of projects. Aquinas himself hints at another ingredient in those projects which are deliberate sins. For example, a person who knows that fornication is a sin and still chooses to do it for the pleasure’s sake, offends God “deliberately.” Is the offense a part of his project? It is not the end (for that is pleasure) nor the means (for that is fornication). Aquinas says the offense is willed “propter hoc,” that is, willed on account of the choice to get pleasure in this way (1-2 q. 73, a. 1; q. 78, a. 1, etc.). Is this kind of willing just acceptance of a side-effect (no part of the sinner’s project), or is it something more than that? Is it the willing of another kind of project-ingredient?

32 It is this posture of the will which defines the moral equivalence class in which GBFM are interested.
Third Objection

Suppose a couple already decided that they are going to practice contraception, and after shopping among the various methods and considering their drawbacks (some merely aesthetic), they thought their purposes would best be served by NFP, and so they are now practicing it. Isn’t it clear that for such a couple, at least, NFP is “a method of contraception”? Doesn’t their choice, as they understood it, specify their practice, so as to make it to be a practice of contraception?

This objection draws its force from the Thomistic understanding that interior action (choice) specifies exterior action. The interior act is choosing to do something, and the exterior act is the very doing of what one has chosen to do. These are definitions, in effect; and from them the following points follow with immediate obviousness:

— as carried-out intention, the exterior act is not reducible to mere behavior or limb locomotion; rather

— its classification depends upon that of the interior act whose execution or performance it is; and so

— it must be true in some way that the interior act contributes or communicates its kind (species) to the exterior act.

But how exactly is this communication to be understood? Is it simply and flatly the case that, whenever you think you are engaged in doing what you have chosen to do, the “kind” to which your performance belongs is identically the “kind” to which your choice belongs? Or is the matter a bit more complicated than that? Does it depend on what kind of “kind” one is talking about? Aquinas’s distinctions between moral kinds, kind-from-proximate-end and kind-from-object, suggest that there is room, at least, for complication.

The source of complication cannot be the interior act, because its classification is unitary. The action one is doing internally is choosing, and what one is choosing fully determines the kind of choosing one is doing; so there is this consequence:

(1) necessarily, what one has chosen to do (the object of choice) fully determines what kind of action one is doing internally.

Then, since the object of choice is a means, and a means chosen becomes an end, and the last means chosen becomes one’s proximate end, the truth of (1) quickly yields:

(1a) necessarily, the proximate end determines what kind of action one is doing internally.
The source of complication is rather the exterior action, in which the kind-from-proximate-end can be different from the kind-from-object. Setting aside cases of omission, so as to limit the discussion to those instances in which one is acting to carry out a positive choice, it is still doubtful whether the following can be said:

(2) necessarily, what one has chosen to do (the object of choice) fully determines what kind of action one is doing externally.

The reason this is doubtful can be seen by considering two points which lead to more modest claims. The first point is that one “does what one has chosen to do” only when one understands oneself to be executing one’s choice, and one cannot be understanding oneself to be executing one’s choice when one believes that the performance in which one is engaging does not execute it. In other words,

(3) necessarily, in all cases of doing what one has chosen to do, the performance in which one engages is a performance which one believes to be an execution of what one has chosen to do.

Now it is for this very reason that one’s moral responsibility for one’s exterior action follows upon one’s choice and belief. A youth who has chosen to smoke dope, and who is acting in the belief that he is smoking it, is “carrying out his choice” morally speaking, and so he is morally responsible for (guilty of) an executed choice to smoke dope, even if he is mistaken in his belief (e.g. if what is burning in his “twist” is pipe tobacco). When the young Jacob chose to marry Rachel and acted in the belief that he was consummating his marriage to her, he, too, was “carrying out his choice” and so was morally responsible for consummating that marriage, even though he was mistaken in his belief (because it was Leah in the tent). In short,

(4) necessarily, what one has chosen to do and believes oneself to be doing fully determines what kind of executed choice one is morally responsible for.

And it is for this very reason that, when one’s exterior act is classified into what Aquinas called its “moral kind,” that is, when the act is described as an act of this virtue or that vice, its kind is determined by the agent’s choice and belief. For virtues and vices are interior dispositions. In other words,
CAN A COUPLE PRACTICING NFP BE PRACTICING CONTRACEPTION?

(5) necessarily, what one has chosen to do and believes oneself to be doing fully determines the moral kind to which one’s exterior action belongs.

Thus, to come back to the present case, a couple who have chosen to contracept and who practice NFP in the belief that they are contracepting, are morally guilty of contracepting, and their exterior action is an act of the vice out of which contraceptors act. But the fact remains that this moral kind is neither the only kind nor the primary kind to which an exterior action belongs. According to Aquinas, an exterior action’s primary kind is its genus *ex objecto*.

In order to get this other and prior kind of “kind” into the picture, one must bring a second and distinct point into view. It is that kind-from-object derives from one’s common knowledge of what the words referring to various actions mean, including the words one uses to articulate one’s own proposals. Kind-from-object is thus dependent on conventional act-classification, and its basis is a public body of knowledge as to how to do things. Through acquaintance with this public knowledge, a normal agent knows how to do what he or she chooses to do. He or she has correct beliefs as to which performances serve to execute which projects (proximate ends). Also, a normal agent is ordinarily aware of the circumstances in which he or she is acting, so as to detect anything that would call for a modification of performance. So, while making allowance for bizarre sources of error, the following is safe to say:

(6) in all normal cases of doing what one has chosen to do, the performance in which one engages is an execution of what one has chosen to do, *because* one’s belief about one’s performance (namely that it serves to carry out one’s choice) is correct; and so

(7) normally, what one has chosen to do (the object of choice) determines what kind of action one is doing externally;

and so, again,

(8) normally, one’s proximate end determines what kind of action one is doing externally.

This is the same position as the one stated in the early pages of this articles (see above, in and around footnote 7), but it has been reached now from another angle.
In these propositions (7) and (8), there is no way to replace the adverb ‘normally’ with a stronger one like ‘necessarily’ or ‘always’. For it is stubbornly true that, sometimes, people turn in performances which, despite their belief, are not ways of carrying out their choices. Such cases need not reflect pathology or impaired judgment (as when a drunk drives in the left lane, believing he is driving in the right); they can reflect (in cases of speech-action) common mistakes about the meanings of words (e.g. that ‘epicene’ is a synonym of ‘obscene’, ‘reticent’ a synonym of ‘reluctant’); in other cases they can reflect mistaken beliefs about the rules of subtle games, like chess or bridge, miscues, misinterpretation of cues, etc. In all such cases, what one meant to say, do, or achieve is one thing, and what one deliberately did say, do, or achieve is another. In all such cases, the exterior act’s kind-from-proximate-end is one thing, and its kind-from-object is another. Hence in all such cases, the two kinds are independent but both apply. The interior act does communicate its kind to the exterior act, but not in such a way as to eradicate or entirely “override” its conflicting object-kind.

Such, I think, is the situation posed by this objection. The couple that chooses to contracept and chooses NFP as their “method” is choosing to prevent a baby (ep b) but is practicing an object-kind of action which, despite their belief, is not a way-to-prevent-a-baby. It is merely something similar. In much the same way, a couple that went shopping for a Ford and came home in a Lincoln is not driving what they originally chose to drive, and if they think they are still “driving an economy car”, they are mistaken. What is true of the mistaken couple is that they are morally guilty of whatever they mistakenly think they are doing. If I think that my current action (feeding you this grape) is killing you, and I voluntarily proceed with it, I have the guilty heart of a murderer, even if I am badly deceived in supposing this action lethal. Just so, the fact that a couple can be morally guilty of contraception while practicing NFP does not imply that an act of NFP can be an act of contraception in its object-kind and does not imply that, apart from mistaken belief, an act of NFP can be an act of contraception in its end-based kind.

If the element of mistake is eliminated, the objection collapses. For suppose the couple who decided to contracept, shopped for a method, and ended up practicing NFP are aware that “NFP” and “contraception” are conventionally distinguished (by some on moral grounds, by others on medical), so that the couple is inclined to think that what they are now doing is not “contracepting”, although it is still the case that they have no moral objection to contracepting.
In this amended scenario, the couple is still morally guilty of contraception, but for a different reason. They made a choice to contracept and have not repented of that choice. Having shaped their hearts to a contra-life will, they were prepared and still are prepared to “prevent a baby,” even if they are not now doing so. Just so, a husband who chose to acquire a mistress when his wife became sick, but she got well before he made the acquisition, is still an adulterer in his heart. It may perhaps follow that his current acts are acts of an adulterer, but it does not follow that his embrace of his recuperated wife is an act of adultery.

**Summation**

The matter of this essay can be summed up in the answers which have been given to three questions.

(1) When NFP is practiced with a bad will, what kind of action is going forward? Is it an act of contraception? I have looked at this question in the light of Aquinas’s theory of action kinds, and I have come up with a negative answer. Even badly intended acts of NFP are not acts of contracepting. The different (affirmative) answer of GBFM can be interpreted as being likewise about action kinds, and so taken it conflicts with mine. So taken, GBFM differ from me over what purpose (end) serves to re-classify “contraceptive acts” into an end-based kind. They say it is the purpose “that a baby not be”; I say it is the purpose “to prevent a baby”.

(2) When NFP is practiced with a bad will, what vice is going forward? Is it the same vice as appears in contracepting? This question I have distinguished from the first. I have taken it to ask whether some acts of NFP belong in a moral equivalence class with acts of contracepting, and I have conceded that the answer should be affirmative. The affirmative answer of GBFM can be interpreted as being about a moral equivalence class, and so taken it does not conflict with any answer of mine. Nor do we differ in real terms over the posture of the will which establishes this class; we differ only over whether this posture should be called “the intention that a baby not-be”.

(3) Even though Aquinas showed some interest in the conventional “action kinds,” should moral equivalence classes replace those “kinds” in a contemporary explication and advancement of his ethics? In other words, should Thomas’s action theory be streamlined to effect such a replacement? My answer is negative. Some members of GBFM may prefer the affirmative.

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RÉSUMÉ

L’auteur soutient, contre Germain Grisez, Joseph Boyle, John Finnis et William May, que le contrôle naturel des naissances (NFP) pratiqué avec une intention mauvaise n’est pas contraception. Il montre que les auteurs identifient de façon incorrecte la fin prochaine de la contraception comme choix qu’il n’y ait pas d’enfant, alors que la fin prochaine véritable est d’empêcher un enfant de venir au monde (en comprenant empêcher au sens limité de “ajouter une contre-mesure aux actes que causent quelque chose”). Ainsi donc, puisque en NFP un couple ne cherche pas à empêcher la venue au monde d’un enfant, NFP n’implique pas d’action contraceptive. L’auteur soutient aussi qu’identifier la fin prochaine comme “choix qu’il n’y ait pas d’enfant” ne spécifie pas de façon adéquate une classe homogène d’actes objectifs, bien que cela spécifie une classe homogène d’actes moraux.