

Maritain's Unnatural Acts

Roger Duncan

To call any act “unnatural” these days seems quaint to many, as does talk about “natural law.” But even among philosophers who accept some version of natural law, critiques of the notion of “unnatural” have made many wary of appeal to it as a basis for moral evaluation. While every wrong or sinful act goes counter to natural law, what makes such acts wrong might never involve some narrower, more dubious sense of “unnatural” as, for instance, that the term has been used in relation to sexual perversion.

The question of the morality of contraception has focused these issues for Catholics; the simplest thing to say about contraception is that it is an unnatural act. The question is whether it makes any sense to say this, and what that sense might be. This paper attempts a “Maritainian” contribution to the discussion, though Maritain himself, to my knowledge, did not say anything about contraception or, except indirectly, about “unnaturalness” as applied to human acts.

There are philosophers who want to oppose contraception but wish at the same time to avoid the term “unnatural” for reasons which would clearly be opposed by Maritain. Germain Grisez, for instance, rejects the “traditional” argument, which he represents as follows:

Major: To prevent any act from attaining its natural end is intrinsically immoral.

Minor: Contraception prevents sexual intercourse from attaining its natural end.

Conclusion: Contraception is immoral.¹

¹Germain Grisez, *Contraception and the Natural Law* (Milwaukee, Wisconsin: The Bruce Publishing Company, 1964), p. 20.

Grisez's chief objection to this argument is that, basing its prohibition solely upon a consideration of "natural" teleology, it requires an illegitimate move from an "is" to an "ought."²

But *this* objection, exploiting a rigid fact-value dichotomy, is surely a Humean red-herring, accepted by certain Catholic philosophers, who for presumably Humean reasons reject the metaphysically rich Thomism of Maritain and of Thomas himself. In reply to them we would say with Maritain, who insisted on the grounding of ethics in metaphysics, that, while there are certainly facts from which the derivation of an "ought" would be impossible, there are other facts—facts of a metaphysical nature (though available to the non-metaphysician)—which contain prescriptions and proscriptions implicitly.³

Roughly, Good is a transcendental of being. Insofar as I cognize the being of something, I recognize what is "due" it. For example, I know that the blind cow is missing something it ought to have. Insofar as the presence or absence of such natural evil in my own act depends on my free will, the ought takes on the force of moral prescription.⁴ The rejection of Humean "being-blindness" takes us only part way. Our question is whether we can discover a "narrow" sense of "unnatural" which will authorize syllogisms similar to the one Grisez rejects.

It might help at this point to list several meanings of "unnatural" relevant to moral discourse.

1) The general sense, mentioned above, according to which "every sin is unnatural."

2) "Contrary to basic human inclination"; e.g., living in isolation, or not feeding the baby.⁵

3) A *privation* within an act, so that an essential ingredient of the act is missing, and consequently it looks like trying to bake a cake without an oven. St. Thomas uses this sort of criterion in talking about

²*Ibid.*, p. 22, 50.

³Jacques Maritain, *An Introduction to the Basic Problems of Moral Philosophy* (Albany, New York: Magi Books, 1990), p. 49. Cf. Henry B. Veatch, "Natural Law and the Is-Ought Question," in *Swimming Against the Current in Contemporary Philosophy* (Washington, D.C.: The Catholic University of America Press, 1990), pp. 293–311. See also Ralph McInerny, *Ethica Thomistica* (Washington, D.C.: The Catholic University of America Press, 1982), pp. 50–62.

⁴Jacques Maritain, *An Introduction to the Basic Problems of Moral Philosophy*, pp. 47–53.

⁵St. Thomas derives the natural law from human inclinations: *ST.*, I-II, 94, 2.

homosexual acts, where he argues that the plumbing, so to speak, is all wrong.⁶

4) “Against nature” in the sense that you cannot commit an act in question without dire consequences, as when we say, “if you don’t exercise, nature will get you back”; such is the sense when we give warnings about polluting the environment.

5) “Artificial” as, for instance, in the claim that bottle feeding is unnatural.⁷

6) Another meaning might be “the frustration of a natural teleology.” Grisez thinks this is the issue in the “traditional” syllogism as presented above, and remarks that it would rule out the use of earplugs.⁸

I do not pretend this to be an exhaustive list. But it may help bring into relief the project of suggesting a meaning of “unnatural” distinct from all of the above, and crucial to the question of the morality of contraception.

We may get closer to this notion by listening to Grisez again. Of course, he wants to recast the whole argument against contraception in terms of the Grisez-Finnis machinery of basic “human goods.” It is not my purpose here to give a detailed criticism of that system, a job which has been done ably by Russell Hittinger and others.⁹ But on the way to his own formulation Grisez makes the following helpful remark:

Normally one has no obligation to engage in sexual relations . . . but if intercourse is carried on to the point where procreation might follow unless we act to prevent it, then the full force of obligation falls upon us. We need not act, but if we do act, we may do nothing to prevent the procreative good from being realized. Positively to do any such thing by direct volition will set us absolutely at odds with the essential human good which our very action has made proximately possible of attainment.¹⁰

⁶ST., II-II, 154, 11.

⁷This seems to be a particularly culture-relative criterion, e.g., the Amish refuse zippers and automobiles on this basis. But this notion of “unnatural” gains some force when combined with the consequential considerations of #4. For example, bottle feeding may subtract important nurturing ingredients.

⁸Germain Grisez, *Contraception and the Natural Law*, p. 90.

⁹Russell Hittinger, *A Critique of the New Natural Law Theory* (Notre Dame, Indiana: University of Notre Dame Press, 1987).

¹⁰Germain Grisez, *Contraception and the Natural Law*, p. 90.

What is helpful about this statement is that it recognizes that the problem is that there is some sort of contradiction within the contraceptive act. Having initiated this act of intercourse, it says, one may not then undertake a second act cutting across the first.

Consider the issue of lying as Thomas deals with it in the *Summa Theologiae*. In answer to the question as to whether it is always wrong (sinful) to lie, St. Thomas says “yes,” because lying is *unnatural*.¹¹ Speech is ordered to truth.¹² I do not have to speak, but once I choose to do so I may not then by a lie act contrary to the purpose of speaking, which is the truth.

The discussion may be advanced by noting the difference between Thomas’s account and Grisez’s statement about contraception. 1) Thomas unabashedly specifies that the lie is “unnatural.” 2) While for Thomas a “good” is involved (the virtue of “truthfulness”), he gives the point a different spin. It is not that, having once launched ourselves into the pursuit of some basic human good we may not *then* turn back,¹³ but rather that, having chosen to speak, we may not *concomitantly* deform our act. To do so would be to make inner gears grind against each other, so to speak. A speech act is by its very nature an act “toward” truth. Hence, to act against truth, while at the same time acting toward it, does inner violence to the agent. As Josef Pieper once observed, lying “splits the soul.”

Grisez presumably avoids a parallel account in the case of contraception for reasons connected with two examples: the vomitorium and earplugs. First, the vomitorium.¹⁴ If in our characterization of acts as unnatural we were to leave out reference to serious or basic “human goods,” we would, Grisez fears, in the end be making trivial prohibitions, like telling the gluttonous ancient Romans that they must keep down their food even when, by use of the vomitorium, they could continue the banquet. But is this issue really so trivial? Is not there a perversion here? Even if a Roman says “I am not eating just for pleasure but for the good fellowship of the feast,” would not we want

¹¹*ST.*, II-II, 110, 3.

¹²*ST.*, II-II, 110, 1.

¹³Grisez’s analysis necessarily underscores this temporal aspect of choice: “Having gone this far we may not turn back.” The example he adduces—the unjustifiability of undoing a life-prolonging measure we have decided to try—is unconvincing. Germain Grisez, *Contraception and the Natural Law*, pp. 88–89.

¹⁴*Ibid.*, p. 30.

to counsel him seriously against the separation, say, of the nutritive from the convivial good?

As for the earplugs, the disanalogy supports our point. For there is no *act* involved in hearing, as contrasted with a choice to listen to something in particular. One just hears, automatically, whether one likes it or not, and sometimes it makes perfect sense to cut off or plug up the hearing. We are not concerned with the question of interrupting the teleology of a power—the notorious “perverted faculty” argument. We are concerned with the moral impropriety of the destructive interior attempt to perform *two acts at once*, one cutting across or cancelling out the other.

I propose, then, that we develop a concept of “unnatural in the strict sense” to apply these cases of double-edged, self-contradictory acts. Lying will be unnatural in this sense, as an inner violence blunting the agent’s capacity to relate to reality. Contraception will be deficient in the same sense except with the interesting twist that it is related to the complexity of the soul-body constitution of the human being. Contraceptive acts split soul and body by treating the procreative aspect as if it were “purely biological” and deforming the physical act to conform to a supposedly “spiritual” unitive aspect. The contraceptor thinks he is a “ghost in a machine.”

In case it should be asked why or how human beings can suffer this inner act of collision in the first place, Maritain’s analysis can help. “Inclinations of our animal nature,” he tells us, “are grasped and transferred into the dynamism of the intellect’s field of apprehension” so that “properly human inclinations” contain a complexity.¹⁵ We might say that a properly human act is layered, or that there is an inner articulation of levels within the unity of the one act, giving the agent the possibility of initiating the act and yet simultaneously trying to stifle one of its aspects. In our vomitorium example the nutritive aspect of animal activity is altogether disregarded for the sake of the convivial expression of human feasting. It is all too easy, once it occurs to somebody, to try to split the act by a direct act against one of its aspects.

The analogy which treats contraception as a kind of “lie with one’s body” may be helpful in answering some of the objections frequently

¹⁵Jacques Maritain, *An Introduction to the Basic Problems of Moral Philosophy* (Albany, New York: Magi Books, 1990), p. 54.

brought against *Humanae Vitae*. One of these objections is to the effect that the general principle of the unity of the unitive and procreative meanings of human sexuality is preserved by a life-style of generous intent to have children, without interpreting the principle to entail that "each and every marital act" must be "open to procreation." But with our analogy we can see what is wrong with this; we can see why we would not want to say: "Telling the truth in general is what counts; a lie now and then is all right." To be sure, a single swallow does not make a summer, and a virtue is not made or broken by a single act. But a single act may damage the power, an insight with which Christian moral seriousness has always complemented Aristotelian virtue ethics.

One frequently hears the accusation that *Humanae Vitae* inconsistently allows, under certain conditions, natural spacing of births by recourse to periodic abstinence. The idea is that intercourse intentionally taking advantage of infertile periods is, after all, subtly contraceptive. But from the standpoint taken here, the question would be: Exactly where is the contraceptive *act* in these cases?

The history of moral theology around the question of lying points the way here. The problem with lying is not deception as such, which in many cases may be justified. In any case, despite the *prima facie* goodness of truth, there are many cases where I ought to choose not to speak. What I may not do is perform an act "unnatural in the strict sense."

To call contraception "unnatural" is not to say all there is to say about the evil of contraception. Philosophy, after all, can only say so much about such an issue; even moral philosophy which is "subalternated" to moral theology, as Maritain puts it, suffers this constraint. True, we can derive an "ought" from an "is." But for positive guidance toward the good life, philosophy must, like Dante's Virgil, point us to a higher horizon. This higher source, in the form of the continually renewed teaching of the Church's Magisterium, has lately been pointing us toward that irreducibly sexual (though analogically so) communion of persons celebrated by Pope John Paul II in his "theology of the body" in terms of the "original unity of man and woman."¹⁶ Within this theological context contraception will be viewed as a block within the process by which we move toward the fulfillment of participation

¹⁶Pope John Paul II, *The Original Unity of Man and Woman* (Boston: Daughters of St. Paul, 1981).

in the very life of the Trinity. Contraception blocks fullness of communion: it avoids both the fruitfulness and the abstinence by which the personalizing process is advanced.

In this article I have tried to speak in the spirit of Jacques Maritain who, no matter how sophisticated or creative his own expression of his master's thought, he always preferred a kind of "paleo-" Thomism to any form of "neo-Thomism." But just as Maritain was able to advance Thomistic thought through a sensitivity to problems raised by the neo-Thomists, he was not blind to problems surrounding the "is-ought" issue. Accordingly, he developed a nuanced position which deserves study. "I do not think that the passage from metaphysical or transcendental good to moral good takes place by a simple logical particularization; it supposes the appearance of a new datum: moral experience. But it remains ontological by nature, a particularized ontological good."¹⁷

In order to see what is involved here, consider what an objector might say to our thesis at this point: "In developing the notion of 'unnatural in the strict sense' haven't you merely displaced the sticking point? How can you explain why I ought not to act 'self-destructively' without appealing to some sort of 'categorical imperative' of the sort that interests Grisez and Finnis, something like 'Do not act directly against a basic good,' in this case, human life?"

The objection is in a sense well-taken. An ethics of self-fulfillment will have a difficult time grounding prohibitions against self-destruction on the *telos* toward happiness without sooner or later adverting to what Maritain always insisted was the key to a properly Christian, but not yet theological, ethics: *recognition of the objective good of being*. If I am truly to act toward my happiness (the order of exercise), then I must transcend myself sufficiently to honor goods that are simply good in themselves—the *bonum honestum* (the order of specification). The good here is, however, not limited to "human goods"; it ranges analogically as widely as being itself. Of course, honoring *this* good will have implications for my own being in a primary way because my own being is the only being I am always successful at damaging if I act against it. Within this perspective unnatural acts in the strict sense will be *ipso facto* prohibited.

¹⁷Jacques Maritain, *An Introduction to the Basic Problems of Moral Philosophy* (Albany, New York: Magi Books, 1990), p. 68.

In sum, for a reconstructed Maritainian position there is nothing wrong with traditional “biologistic” objections to contraception provided we recognize that we are talking not about preserving faculties from frustration but about protecting the integrity of *acts*, and that what renders an act unnatural in the strict sense is a “short-circuiting,” an interference, which works against the inner unity, and thus the being, of the agent.