



Anglicanism, Family Planning and Contraception: The Development of a Moral Teaching and its Ecumenical Implications

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ABSTRACT

This essay examines pressures and theological developments regarding sexuality and birth control within Anglicanism, as represented by statements from Lambeth Conferences and in discussions in the Church of England during the early to mid twentieth century, and notes some of the changes in 'official' position within US churches and especially The Episcopal Church. It offers comparison with the developments in moral theology within the Roman Catholic Church after 1930 and asks if, and by what means, the two Communion may come to agree on the specific issue of contraception.

KEYWORDS: Anglicanism, contraception, family planning, Lambeth Conferences, marriage, moral theology, Roman Catholicism

Moral Theology in the Anglican and Roman Catholic Churches

Until very recently there were pronounced differences in both method and content of ethical teaching between the Roman Catholic and other churches. As James Gustafson noted, part of the original concern of moral theology was to be a source of guidance to priests hearing the confessions of penitents, and in a sense, sitting in judgment on them.² Among

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2. James M. Gustafson, *Protestant and Roman Catholic Ethics* (London: SCM Press, 1978), pp. 2-3.

Christian churches only the Anglican Church developed anything resembling this in its approach to Christian ethics, preserving as it did at the time of the English Reformation a relationship between law and morality, especially through the writings of Richard Hooker.³ Thus something like the traditional moral theology of the Roman Catholic Church operated within Anglicanism, but was always joined with other ways of offering ethical and pastoral guidance, based on Scripture, tradition and reason.⁴

Differences in the content and expression of moral teaching may thus have arisen as part of a wider divergence on how to conduct the Christian moral quest. Despite the growing rapprochement in recent years between the various Churches there still remain some distinct differences in detailed teaching, especially on matters concerning human sexuality, and in this area, on the subject of contraception within marriage. In the years following the second Vatican Council and its call for renewal in moral theology there has been an increasing convergence in the methodology of Christian ethics between all the Christian churches, as Roman Catholic moral theology became less concerned with providing guidance for confessors and instead with a wider moral quest.⁵

The 1994 Statement of the Anglican Roman Catholic International Commission (ARCIC II) *Life in Christ*, which is concerned with 'Morals, Communion and the Church', says that both the Anglican and Roman Catholic churches 'are at one in opposing what has been called a contraceptive mentality'. Yet the Statement also recognizes that 'Situations exist in which a couple may be morally justified in avoiding bringing children into being'. The difference between the churches is summarized as being over the methods by which responsibility may be exercised. While Anglicans understand the good of procreation to be a norm governing the married relationship as a whole, the official Roman Catholic teaching, reaffirmed by Pope Paul VI in *Humanae Vitae* (1968) and on subsequent occasions, is that each and every act of intercourse should be 'open to procreation'.⁶

3. See A.J. Joyce, *Richard Hooker and Moral Theology* (Oxford: Oxford University Press, 2012), pp. 239-40.

4. See the account of ascetical theology - closely associated with moral theology - in Anglicanism in John T. McNeill, *A History of the Cure of Souls* (New York: Harper and Brothers, 1951), pp. 218-46. See also J.L. Morgan, 'A Sociological Analysis of Some Developments in the Moral Theology of the Church of England since 1900', DPhil thesis, Oxford University, 1976, ch. 2.

5. Richard McCormick, *The Critical Calling: Reflections on Moral Dilemmas since Vatican II* (Washington DC: Georgetown University Press, 1989), pp. 3-5.

6. *Life in Christ; An Agreed Statement by the Second Anglican-Roman Catholic International Commission* (London and Vatican City, 1994), pp. 30-31.

The ARCIC Report also notes that before 1930 the difference of understanding did not emerge at an official level. Prior to that, both Churches would have counselled abstinence for couples who believed that they had a justifiable reason to avoid conception. In 1930, the Lambeth Conference declared that in certain cases it was morally permissible to employ contraception within marriage. While the pronouncements of these Conferences do not have binding authority – there being no highly developed official *magisterium* or teaching office within Anglicanism – they have always carried great weight as representing a considered teaching on the part of the Anglican episcopacy which offers guidance to both member churches and individual Anglicans.

The Lambeth Conference Statements on Family Planning

Aspects of marriage and family life have been discussed by most Lambeth Conferences. Most of the pre-1908 discussions concerned questions of marriage and divorce and associated disciplines, such as whether or not access to the Sacraments or the privileges of the Church should be accorded to those who married under Civil sanction. Committees at the 1908, the 1920, and the 1930 Lambeth Conferences discussed the moral licitness, from a Christian viewpoint, of employing artificial means of contraception for family planning within marriage, and the Conference passed resolutions concerning these. We may note readily the evolution of views on this subject by comparing the various conference resolutions.

1908 Resolution 4

4. The Conference regards with alarm the growing practice of the artificial restriction of the family, and earnestly calls upon all Christian people to discountenance use of all artificial means of restriction as demoralizing to character and hostile to national welfare.⁷

7. *The Lambeth Conferences 1867–1948* (London: SPCK, 1948), p. 295 (hereafter *Lambeth Conferences*); cf. the earlier comment of the Bishop of London, Winnington Ingram, an implacable foe of contraception who described it as ‘a gigantic evil ... practice which, if continued must eat away the heart and lifeblood of our country’ (*The Times*, London, 20 October 1905). A memorandum, *The Misuse of Marriage*, printed and circulated privately among the Bishops of the Church of England in 1914, gave allowance for family limitation by confining marital relations to the likely infertile periods of the month. This admitted, in principle and practice, the secondary purpose, as then understood, of sexual relations. It is claimed that the Memorandum had received the approval of the majority of English bishops. It was

1920 Resolutions 68 and 70

68. The Conference, while declining to lay down rules which will meet the needs of every abnormal case, regards with grave concern the spread in modern society of theories and practices hostile to the family. We utter an emphatic warning against the use of unnatural means for the avoidance of conception... In opposition to the teaching which under the name of Science and Religion encourages married people in the deliberate cultivation of sexual union as an end in itself, we steadfastly uphold what must always be regarded as the governing consideration of Christian marriage. One is the primary purpose for which marriage exists, namely the continuance of the race through the gift and heritage of children; the other is the paramount importance in married life of deliberate and thoughtful self-control.

70. The Conference urges the importance of enlisting the help of all high principled men and women, whatever be their religious beliefs, in co-operation with, or, if necessary, in bringing pressure to bear upon, authorities both national and local for removing such incentives to vice as indecent literature, suggestive plays and films, the open or secret sale of contraceptives ...⁸

1930 Resolution 15

15. Where there is a clearly felt moral obligation to limit or avoid parenthood, the method must be decided on Christian principles. The primary and obvious method is complete abstinence from intercourse (as far as may be necessary) in a life of discipline and self-control lived in the power of the Holy Spirit. Nevertheless, in those cases where there is such a clear felt moral obligation to limit or avoid parenthood and where there is a morally sound reason for avoiding complete abstinence, the Conference agrees that other methods may be used, provided that this is done in the light of Christian principles. The Conference records its strong condemnation of the use of any methods of conception control from motives of selfishness, luxury or mere convenience.⁹

External Influences on the Church and its Teaching

Why did the Lambeth Fathers alter their teachings between 1920 and 1930? Was it simply to accommodate the growing disparities between what was proclaimed officially by the clergy and what in fact the laity

(F¹ note continued)

reprinted in *The Declining Birth Rate* (London: National Birth Rate Commission, 1916), pp. 63ff.

8. *Lambeth Conferences*, pp. 50-51.

9. *Lambeth Conferences*, p. 166.

was doing? There is no doubt that birth control – whether through artificial contraception or not – was growing in practice, especially amongst the middle classes who were anxious to preserve their standards of living. Even the clergy of late Victorian England had a lower number of children than many other occupational groups.¹⁰

The change in the Lambeth teachings on contraception at the 1930 Conference was officially sanctioned only in the case of those who felt ‘a moral obligation’ to limit the size of their families. The factors which led to this change in teaching are said by commentators to have included ‘a care for the poorer classes’, especially the case of mothers burdened by ‘the demands of excessive children’, now made all the more numerous by a declining infant mortality rate.¹¹ Oddly enough there were few direct references to the worldwide economic depression, which began in 1929; it was probably taken ‘as read’. Christian compassion then may account for one part of the allowance now made for birth control, just as perhaps earlier the need to provide bodies to populate the empty lands of the British Empire helped to account in part for the opposition to birth control. We cannot, however, discount some development taking place in the theology of marriage and sexuality within Anglicanism, even in this period.

Between 1920 and 1930 a new attitude towards discussion of sexuality began to emerge among Anglicans. This was parallel to a greater freedom in the general discussion of sexual matters among the general public – a freedom that had been gained in part through the earlier efforts of the sexual rebels of the nineteenth century, such as Charles Bradlaugh and Annie Besant. The 1920s was the period of ‘the New Morality’. Existing ‘morality’ was questioned, especially in the light of new approaches from the social sciences: psychology, from Freud, anthropology from Malinowski and the work of ‘sexologists’, such as Havelock Ellis. The changing status of women raised questions about women’s sexual nature and desires. All of these fed into public discourse and informed church discussions.

10. J.A. Banks, *Prosperity and Parenthood* (London: Routledge, 1969), pp. 5-6. See also National Birth Rate Commission, *The Declining Birth Rate: Its Causes and Effects* (National Council for Public Morals: London, 1916), pp. 64-65. The 1911 Census showed that the fertility rate for Anglican clergy was approximately 30 per cent below that of the population as a whole; 40 years earlier, it had been above the average.

11. An editorial in the church weekly, *The Guardian*, 18 July 1930, gave a conspectus of reasons for a change in teaching. See also the discussion post-Lambeth 1930 in A.A. David and M.B. Furse, *Marriage and Birth Control* (London: James Nisbet and Co., 1931), pp. 21-22.

The work of Marie Stopes, who spread her 'gospel of contraception' among the English-speaking world through her books, which combined a philosophy of sexuality with practical advice on anatomy and contraception, was of considerable importance.¹² Dr Stopes, who addressed a pamphlet to the 1920 Lambeth Conference, was not the only one advocating a new outlook on both sexuality and contraception.¹³ The message was also being carried by those clergy who had made a study of psychology, although during the 1920s their influence was probably indirect. Perhaps the change is typified by the writings of an anonymous Anglican priest who, in 1924, published a work entitled *The Morality of Birth Control and Kindred Sex Subjects*, in which he claimed that: 'The sex force or "urge" needed to be properly satisfied'.¹⁴ He went on to attack the attitude of Anglican clergy who 'bind men's consciences (in cases where the Anglican Church has not officially promulgated her decision binding upon her children) under pain of mortal sin just because modern Roman Catholic moral theology does so'.¹⁵

Marie Stopes had sought to be involved with the Lambeth Conference of 1920 – seeing it as an opportunity to engage with a major Christian body in the English-speaking world, and to draw publicity to the need for birth control and questions of women's sexuality. It was of great significance then that the 1930 Lambeth Conference heard a presentation on birth control by Dr Helena Wright – a qualified gynaecologist. Dr Wright was presumably invited because of her Anglican credentials and her medical background, as well as her public persona. She had gone to China, with her husband, also a doctor, under the auspices of the Society for the Propagation of the Gospel to teach gynaecology at Shandong Christian University between 1921 and 1926. Like Stopes, she published works about women's sexuality which became best sellers, and in 1930 one of them, *The Sex Factor in Marriage*, went through six printings. It is claimed that she exercised an almost hypnotic power as she spoke to the bishops about the

12. As in her books *Married Love* (London: A.C. Fifield, 1918), and *Wise Parenthood* (London: A.C. Fifield, 1918).

13. The pamphlet was entitled *A New Gospel to All Peoples*. Dr Stopes, a Quaker, claimed that she had received a divine revelation charging her with commending birth control to the world.

14. *The Morality of Birth Control and Kindred Sex Subjects: A Handbook of Moral Pathology, by a Priest of the Church of England* (London: Bale and Co., 1924), p. xi. The book included multiple references to psychological literature, including the writings of Sigmund Freud.

15. *The Morality of Birth Control*, p. xiv.

plight of working-class mothers burdened with frequent childbearing, and was instrumental in persuading them to look again at previous pronouncements in the light of emergent pressures and knowledge.¹⁶

The difference between the Lambeth resolutions of 1920 and those of 1930 appeared to many at the time to be a dramatic change. Yet there was an increasing number of highly placed Anglican clergy speaking up for the use of birth control within marriage. In 1919, for example, the Bishop of Birmingham, H.R. Wakefield, had written that 'morally as well as eugenically, it was right for people to use harmless means to control the birth rate'.¹⁷ G.A. Studdert Kennedy ('Woodbine Willie'), the famous World War I chaplain, spoke at the Church Congress of 1923 in favour of 'more moral control of birth'.¹⁸ The doyen of Anglican moral theologians, Kenneth Kirk, had declined to commit himself to a denunciation *tout court* of contraception. In his important work, *Conscience and its Problems* (1927), he wrote that:

The principle of doubt allowed the possibility of employing birth control or rather that condemnation of its use was not legitimate in each case – in line with an important – perhaps growing body of Christian opinion that refused to regard the condemnation of birth control as in every and any case as legitimate.¹⁹

Kirk was to later expand both on this and the place of custom in determining moral theology – factors instrumental in the development of new attitudes on birth control.

The shift at Lambeth 1930 was not by any means universally accepted by the Bishops; the voting was 193 to 67 with 47 abstentions. It was opposed by many Anglo-Catholics, including Bishop Gore.²⁰

16. Wright became the leading exponent of both birth control and of an open approach to women's sexuality. Her work led to the foundation in the UK of the National Birth Control Association which later became the Family Planning Association. See Barbara Evans, *Freedom to Choose: The Life and Work of Helena Wright, Pioneer of Contraception* (London: Bodley Head, 1984).

17. Quoted in *The Times*, London, 8 April 1919. A writer in *The Sunday Chronicle*, 19 October 1919, later pilloried the Bishop, imagining him 'walking majestically up the aisle of his cathedral ... with packets of child killing drugs bulging out of the end of each lawn sleeve'.

18. As reported in *Birth Control News*, October 1923.

19. Kenneth Kirk, *Conscience and its Problems* (London: Longmans, 1927), p. 292.

20. Bishop Gore felt so strongly on the matter that he later published a pamphlet *Lambeth on Contraceptives* (London, undated), which contained a strong attack on the decision. He joined the League of National Life, a largely Roman Catholic organization devoted to anti-birth control activities, founded by Halliday

Their reasoning was based on a traditional understanding of the purpose of marriage and the role of natural law. Bishop Carey of Bloemfontein felt so strongly against the particular resolution on contraception that he withdrew from the Conference, refused to attend the final service, and sent a petition to the King on the subject.

The Report of the same 1930 Lambeth Committee on Marriage and Sex provides further evidence of a change in attitude. The Bishops agreed that:

A new day has dawned in which sex and sex matters are emerging from the mists of suspicion and even shame, in which for centuries they have been enveloped, into the clear atmosphere of candour, honesty and truth.²¹

Any guidance, therefore, which the committee offered needed to fully appreciate 'facts and conditions ... which are due to modern civilization', in the absence of any clear-cut teaching on the subject in the New Testament or any Ecumenical Council. However, the Committee made it plain that parenthood was still the foremost duty for married people, and abstinence the best method of avoiding conception. Only in certain moral situations, on the advice of medical and scientific authority, and by reference to the spiritual ends of marriage, was it acceptable to use 'conception control' to achieve the 'secondary ends' within the natural sacrament of marriage.²²

Reactions to Lambeth 1930

Reactions to the Lambeth Conference resolutions of 1930 varied widely. An obvious need was felt by some to clarify just what was intended by the Conference. There were those who wanted to play down the possible implications regarding the place of contraception vis-à-vis the ethics and theology of married love, and to see the real basis for the newly emerging attitude towards contraception as brought on by a need for large-scale birth control due to population increases. The newly emerging status of women was also viewed as significant, as was concern for the health of women worn out by over-frequent child bearing. Opinion ran high in certain circles, especially in England.

(F)note continued

Sutherland, a Roman Catholic gynaecologist and fierce opponent of Marie Stopes, who had sued him for libel.

21. *Lambeth Conferences*, p. 196 (Report of Committee).
22. *Lambeth Conferences*, pp. 199-200.

The Church Times said in an editorial that Lambeth 1930 on birth control was:

a great departure from the position adopted by the Lambeth Conference of 1920 ... unquestionably an enormous concession to the spirit and perhaps the practice of a modern world which is by no means guided in its conduct by Christian principles.²³

Archbishop Lang of Canterbury, in an address to the Convocation of Canterbury, denied such a move. All that was meant by the Lambeth Conference resolution was that the Conference was 'unable to condemn the use of artificial methods (of birth control) as in themselves sinful'. It was a matter of admitting it in exceptional cases, not a vote in favour of contraceptives.²⁴ The direction in which theological thought on the subject appeared to be moving within Anglicanism was probably well represented by Canon (later Bishop) F.R. Barry in his influential book *The Relevance of Christianity* (1931). Barry accepted the need for family limitation and claimed that abstinence, the hitherto approved form of birth control, interfered with 'the secondary aim of intimacy as a physical seal and Sacrament of love'.²⁵ Here it is worth noting the difference between the introduction to the Marriage Service in the proposed 1928 Church of England Book of Common Prayer and that of 1662. The second cause for which matrimony was ordained was said in the 1662 service to be for 'a remedy against sin, and to avoid fornication', while the 1928 service has it as, 'in order that the natural instincts and affections implanted by God should be hallowed and directed aright'.

Reactions of Other Churches

Some four months after the Lambeth Conference had ended Pope Pius XI issued his Encyclical *Casti Connubii*, a collection of basic theses on human sexuality. It is clear that the section of the Encyclical dealing with contraception was prompted by the Lambeth resolutions. Pope Pius wrote:

Since, therefore, openly departing from the uninterrupted Christian tradition, some have recently judged it possible to declare another Doctrine regarding this question, the Catholic Church to whom God has entrusted the defence of integrity and purity of morals, standing erect in the midst of the moral ruin which surrounds her, in order that she may preserve the chastity of the nuptial union from being defiled by this foul

23. *The Church Times*, 15 August 1930.

24. *Chronicle of Canterbury Convocation*, 13 November 1930, pp. 153-55.

25. F.R. Barry, *The Relevance of Christianity* (London: James Nisbet, 1932), p. 231.

stain, raises her voice in token of her divine ambassadorship and through Our mouth proclaims anew: Any use whatsoever of matrimony exercised in such a way as the act is deliberately frustrated in its natural power to generate life is an offence against the Law of God and of nature, and those who indulge in such are branded with the guilt of a grave sin.²⁶

This statement in the Encyclical was preceded by an attack on the Lambeth Resolutions from Cardinal Bourne of Westminster who referred to it as 'this destructive resolution', and in a talk at Swansea said of the Lambeth Bishops: 'It is recognized that the prelates who adopted this resolution have abdicated any claim which they may have thought to possess to be authorized exponents of Christian morality'.²⁷

The Lambeth Resolutions were widely discussed in the USA. The US Methodist Church was divided on the issue post-Lambeth 1930, although the New York Eastern District Conference of the Methodist Episcopal Church had earlier approved a report recognizing the responsible use of contraception as acceptable.²⁸ In March 1931, the Federal Council of Churches – the representative body of protestant churches in the US – issued a committee report *Moral Aspects of Birth Control*, which stated that, 'careful and restrained use of contraceptives by married people is valid and moral'.²⁹

Some of the member churches of the Council reacted adversely to this, especially the Presbyterian churches.³⁰ The Protestant Episcopal Church of the USA – whose bishops of course had taken part in the Lambeth Conference – did not take up the Resolutions at its next General Convention. Discussion largely remained within the dioceses, with one, the Diocese of Long Island, having a resolution proposed by its Bishop – Stires – endorsing the Lambeth decision. But a motion condemning use of contraception placed by the Bishop of New Jersey (Matthews) before the House of Bishops at the General Convention of 1931 was laid on the table.³¹ It was not until the General Convention of 1934 that dissemination of birth control information was approved at

26. Pius XII, *Casti Connubii*, Encyclical of December 31, 1930. Text from Anne Fremantle (ed.), *The Papal Encyclicals in Historical Context* (New York: New American Library, 1956), p. 239.

27. See Reginald J. Dingle, *Cardinal Bourne at Westminster* (London: Burns, Oates and Co., 1934), p. 165.

28. See Kathleen A. Tobin, *The American Religious Debate over Birth Control, 1907-1937* (Jefferson, NC: McFarland & Company, 2001), p. 153.

29. Tobin, *The American Religious Debate*, pp. 161-67.

30. *The American Religious Debate*, pp. 168-70.

31. *Journal of the General Convention of the Protestant Episcopal Church of the United States, 1931*, p. 124. Bishop Matthews' proposed motion was that the bishops

denominational level by Episcopalians, and then only indirectly, in the context of a resolution dealing with family life and referring to eugenics.³² This was roundly condemned by the aforementioned Bishop of New Jersey and passed by 44 votes to 38 in the House of Bishops, indicating their conservatism on the issue. It passed in the House of Deputies by a margin of three to one. The Convention of the Women's Auxiliaries of the Church, held at the same time, adopted the resolution overwhelmingly. The passing of the Resolution by the bishops was front page news in the *New York Times*.³³

Despite the indirect approach to the topic at the 1934 General Convention, the resolution was regarded as a great victory by the principal American campaigner for birth control, Margaret Sanger – herself an Episcopalian. She had ranged herself strongly against the Roman Catholic Church in the USA, and had originally worked for repeal of the Comstock Law which effectively criminalized the sending of birth control information through the post – on the grounds it was ‘obscene literature’. Mrs Sanger popularized the term ‘birth control’ and is regarded as the founder of the Planned Parenthood movement in the USA. She was later associated at an international level with Helena Wright. Like Stopes and Wright, she was concerned with the need for public acknowledgment and discussion of women's sexuality and its place within family life, but her concern at the outset was the burden of over-frequent child bearing on women, which she had seen as a young nurse in New York, although she later took eugenics concerns into her approach, as had some earlier in the UK.³⁴

(F note continued)

‘declare as their solemn judgement that the use of all unnatural means to limit the family is contrary to the principles of the Christian religion’.

32. *Journal of the General Convention 1934*, p. 292. The motion read ‘That we endorse the efforts now being made to secure for licensed physicians, hospitals and medical clinics, freedom to convey such information as is in accord with the highest principles of eugenics and a more wholesome family life, wherein parenthood may be undertaken with due respect for the health of mothers and the welfare of their children’. See also: David M. Kennedy, *Birth Control in America: The Career of Margaret Sanger* (New Haven, CT: Yale University Press, 1970), pp. 166–69.

33. *New York Times*, 21 October 1934. The report noted that ‘pious twaddle is scored!’ The bitterness of this debate within the Convention was especially noticeable. During debate, the Bishop of Olympia (Huston) remarked that ‘We cannot find out the necessity for such action by looking through stained glass windows’. The Bishop of St Albans (Furse) had been invited to the Convention – presumably in a bid to counter arguments for approval of contraception.

34. Like Stopes and Wright, Sanger published a book on women's sexuality: *Happiness in Marriage* (New York: Blue Ribbon Books, 1926).

A further Lambeth Conference was not held until 1948. This Conference did not discuss the subject of birth control, but the Committee on the Christian Doctrine of Man said in its report that 'Creative love in the setting of the home finds its fullest expression in the birth of children.'³⁵

The 1958 Lambeth Conference and The Family in Contemporary Society: Family Planning and Contraception Endorsed

By 1958 it was obvious that contraception was both widely accepted and practised by Anglicans throughout the world. The Lambeth Conference of 1958 had on its agenda discussion of both family life and the pressures facing it, as well as the problem of population growth. In order to assist the Conference a preparatory commission had been set up in England under the chairmanship of Canon Max Warren, then Secretary of the Church Missionary Society. The Commission drew its personnel and evidence from a wide range of backgrounds – permanent staff members of the Moral Welfare Council, some of whom had been examining the theology and expression of sexuality, as well as moral theologians, sociologists, demographers and former colonial administrators. The result was a report – *The Family in Contemporary Society*³⁶ – that ranged widely over the problems of population pressure and the effects of rapid social change on contemporary family life as well as an examination of birth control from a Christian perspective. Evidence was presented from church committees across the Anglican Communion, with a wide range of members, including theologians, social scientists, medical doctors, and lay persons, both male and female. The published report must stand as one of the most significant publications to emanate from the Anglican Communion centrally.

It would be incorrect to say that contraception as a means of family planning was the principal concern of the Report; rather it emerges from a discussion of the directions and understanding, both sociological and theological, of family life at that point. Family planning was given positive endorsement, unlike the reserved or grudging permission of 1930, and this was duly taken up by the English press, some sections of which sought to sensationalize it.³⁷

35. *The Lambeth Conference, 1948* (London: SPCK, 1948), Part II, p. 34.

36. *The Family in Contemporary Society: The Report of a Group Convened at the Behest of the Archbishop of Canterbury. With Appended Reports from the U.S.A., Canada, and India* (London: SPCK, 1958), hereafter *FICS*, p. 4.

37. For example, 'Birth Control Book Will Split Church', *Daily Sketch*, 12 April 1958.

More interesting than the actual report perhaps is its theological approach. The Church could not simply issue its ethical teachings as Sinai-like commandments, but rather must study its theology in relation to the things that are – ‘the given by revelation together with the given by situation’.³⁸ The theological basis of the contemporary family was spelt out very fully, reflecting developments in thinking on birth, marriage and sexuality that had taken place over the previous three or four decades. Some of those who had been the principal theologians in this area during the post-Second World War era were members of the preparatory committee – Derrick Sherwin Bailey, G.B. Bentley, I.T. Ramsey, and G.R. Dunstan. A theological rationale for the use of contraception in family planning was provided in terms of the relational value of the sexual act within marriage. It was not that contraception was to be seen as exceptional, but rather it was a decision to be made by a particular couple in relation to the achievement of the ‘one flesh unity’ within *their* marriage.³⁹

The contribution of Derrick Sherwin Bailey, a member of the preparatory committee and a theologian working in this area within the Church of England, must be noted. In 1952 he published *The Mystery of Love and Marriage*, in which he explored and expounded the principle of union in one flesh as the meaning of the New Testament understanding of *henosis*, which he saw as most fully expressed in marital coitus. Although contraception in no way conflicted with this principle, and might well assist the development of the personal relation of husband and wife, he pointed out that his views did not ‘presuppose scientific contraception’.⁴⁰

The Family in Contemporary Society was commended by the relevant committee at the Lambeth Conference. In various resolutions, marriage and family life was seen as being intrinsically related to the Christian faith: ‘the idea of the human family is rooted in the Godhead’.⁴¹

38. *FICS*, p. 23. There is a comprehensive analytical section, entitled ‘Some Theological Considerations’ (pp. 130-63) which considers most ethical views on birth control and the opinions of theologians such as Reinhold Niebuhr and Karl Barth, as well as considering in some depth approaches based on the casuistic tradition.

39. *FICS*, p. 150.

40. Derrick Sherwin Bailey, *The Mystery of Love and Marriage* (London: SCM Press, 1952), p. x. See also *The Man-Woman Relationship in Christian Thought* (London: Longmans, 1959). Sherwin Bailey’s later work was influential in the discussions of the UK Wolfenden Committee which recommended the decriminalizing of homosexual acts between consenting male adults.

41. *The Lambeth Conference of 1958* (London: SPCK, 1958), Part ii, p. 142.

Attention was drawn to the need for self-discipline and restraint in expression of sexual love and the importance of preparation for marriage. This served to introduce the Conference resolution that touched on family planning. The responsibility for deciding upon the number and frequency of children was now said to be laid by God upon the consciences of parents 'in such ways as are acceptable to husband and wife'. Family planning thus assumed the status of a proper and important factor in Christian family life. The factors involved in such a decision were said to be:

the abilities and the resources of the family, as well as the thoughtful consideration of the varying population needs and problem of the Society and the claims of future generations.⁴²

A New Style in Christian Moral Thought? Moral Theology, Contextualism, Custom and Consensus

Bishop Ian Ramsey, who had served on the Committee responsible for *The Family in Contemporary Society*, later described this report as 'the beginning of a new era in Christian moral thinking'.⁴³ The approach to moral problems it displayed was significant, first because it was empirically based. All those who had taken part in the discussions were 'experts'. This approach involved the abandonment of the previous kind of moral theology of 'applying' theology in a 'rule of thumb' fashion. Now the empirical factors dictated the way in which the moral decision should be reached. Secondly, the Report showed that moral theology could include both traditional and more empirical strands of reasoning. Both of these, however, articulated a moral claim that had been developed within a wider theological context. Both approaches recognized that the status of the theology used in the argument was 'subordinate to the moral claim which in one way or another it was endeavoring to articulate'. The traditional theological concept gained 'a new moral awareness' from the new insights into 'the one flesh unity of marriage'. According to Bishop Ramsey:

A Christian moral decision emerges when a moral ideal brought by its theological setting alongside of the empirical facts of a particular problem discloses a new moral claim to which our particular moral decision then occurs as a response.⁴⁴

42. *Lambeth Conference of 1958*, Part 1, p. 52.

43. I.T. Ramsey, 'Christian Ethics in the 1950's and 1960's', *Church Quarterly Review* 2.iii (1970), p. 221.

44. Ramsey, 'Christian Ethics', p. 223.

This kind of approach, based partly on contextualism, obviously opened up the question of the absoluteness of Christian moral teaching. Bishop Ramsey felt that in an area like sexuality, Christian rules served as 'wide generalisations of great stability', 'good practical guides' which were 'never absolute' as specific teachings. When these rules commended an ideal, they were absolute, but their application was subject to empirical complexities. A free response was thus invited to a rule of this nature.⁴⁵

It would be easy to suggest that this was a convenient compromise with the secular world – a means of diluting traditional teachings. The situation is much more complex than that. Rather the appreciation of empirical complexities, for example, that of population pressure, and the expression of new theological insights into the traditional teachings on marriage and the family, enabled a new outlook on contraception, based on a developed theological understanding of marital coitus. There had been a change in the Anglican outlook which had a basis in theological tradition.

Professor Gordon Dunstan, a leading staff member of the Church of England Moral Welfare Council, and involved in the background work for *The Family in Contemporary Society*, later claimed its importance was that:

it exemplified an instance in which the *magisterium* of the church facilitated and ratified a moral judgement made by a sort of *consensus fidelium*, for which a good theological rationale was worked out *ex post facto*. That consensus ... in the history of doctrine is claimed as a source of moral insight, which a church may, and indeed must after testing, properly make its own.⁴⁶

Dunstan's view contains strong elements of the casuistic approach, as taken earlier by Kenneth Kirk in his treatment of the place of custom in reinterpretation of moral teaching within the church. While concerned with loyalty to past teaching, Kirk had seen that it might be necessary to vary a teaching, where it had become a hindrance and where variation did not affect fundamental loyalty. Past teaching had a claim, he said, but there was always the possibility of error. Any notion of infallibility was open to questioning.⁴⁷ Thus, he suggested that it might be necessary to revise the Church's moral code because of custom, which he

45. Ramsey, 'Christian Ethics', p. 224.

46. G.R. Dunstan, *The Artifice of Ethics* (London: SCM Press, 1974), p. 48. I am grateful for friendship and past conversations with Canon Dunstan as well as the insights he gave me into the preparatory work on *FICS*.

47. Kirk, *Conscience and its Problems* (London: Longmans, 3rd edn, 1948), p. 70.

wrote 'can introduce, interpret or abrogate law, where it is reasonable – and to the advantage of religion, discipline and salvation'.⁴⁸ Customs of the community, he wrote, are its lifeblood.

While concerned with maintaining loyalty to both tradition and law in the life of the Church, Kirk considered that, as with British law – by which he understood the common law tradition – flexibility is a necessary element. The church, he wrote, is a living organism, not a mechanical organization. He concedes that customs may go against existing authority, but in the end it is Christian approval which stamps any custom as legitimate, and when so legitimated such custom has – or ought to have – for Christian people, 'the force and obligation of fully promulgated law'.⁴⁹

Dunstan is drawing on this insight of Kirk in his explanation of the way the Lambeth Conferences were able to develop – or alter – their teachings on birth control and contraception. It comes from within the tradition of a modified, or enlightened, casuistry in which methodology Dunstan follows him. We can see an aspect of this when, in the third edition of *Conscience and its Problems*, Kirk refers to his own earlier work in which he said that the 1920 Lambeth Resolution on birth control had 'an element of ambiguity', because of the stated 'refusal to lay down rules which will meet the needs of every abnormal case' and thus the door was opened for the employment of contraceptives, and necessarily the place of conscience. This is not, of course, quite the same as custom, but it is an admission in principle regarding the moral use of contraception. Kirk continued in this vein to develop the view that an Anglican had good reason to doubt whether the 'universal condemnation of birth control within the Roman Catholic Church is paralleled by as absolute an obligation in the Church of England'.⁵⁰ He had earlier, as one influenced by Aquinas, allowed for conscience to be followed in difficult matters after due examination.⁵¹ By his methodology Kirk had prepared the basis for a theological legitimation of birth control, and the role of lay people themselves in formulating, through considered usage – their 'custom' – the means by which contraception could be employed by conscientious Anglicans within marriage, as in the 1930 Lambeth resolution.

48. Kirk, *Conscience*, p. 81.

49. Kirk, *Conscience*, p. 85.

50. Kirk, *Conscience*, pp. 293–94.

51. Kenneth Kirk, *Some Principles of Moral Theology* (London: Longmans, 1920), pp. 176–201, esp. p. 179.

Over a period of 40 years the Anglican teaching on contraception had thus moved from the stage of seeming prohibition, as expressed at the Conference of 1920, to the 'grudging permission' of the 1930 Lambeth Conference, and, finally, to the positive endorsement of the 1958 Lambeth Conference.

As we have seen, there were both theologians and parish clergy who had doubted either the correctness or absoluteness of the earlier views, and there is no doubt that a *consensus fidelium* developed amongst the laity, and most of the bishops and clergy. In taking the position which it did, the Lambeth Conference of 1958 was affirming what the Church as a whole had come to appreciate as its position, guided in part by the writing of theologians, as well as by a conscientious response to the demands of contemporary life. It may be that in so doing the style of ethics shifted from reliance on a crude form of natural law to 'a form of theonomous personalism',⁵² but in any case it was now an ethic which required an honest confrontation of the way things are in the world, as well as a responsible and free response on the part of individual Anglicans.

The changes in Anglican teaching represented – among other factors – a developed evaluation of the traditional 'secondary end of marriage' so that coitus was given a legitimate place within marriage apart from procreation. This could, however, be viewed as a development of natural law interpreted by revelation – the New Testament understanding of 'one flesh'. It is important to note, too, that even within the mediaeval Church there was some acceptance of the moral lawfulness of pleasure in the coital act, even if there was no possibility of procreation.⁵³ In an address to the Italian Catholic Society of Midwives in 1951, Pius XII gave approval to restriction of conjugal intercourse to the 'safe period' if it was necessary, which pointed to scope for development regarding the relational aspect of the sexual act. Recent Roman Catholic teaching at the papal level – as in *Humanae Vitae* – has stressed both the procreative and unitive aspects of sexual intercourse, although still

52. This phrase was used by the Episcopalian theologian Harmon Smith who examined some of the same material discussed here: Harmon L. Smith, 'Contraception and Natural Law: A Half Century of Anglican Moral Reflection', in Paul Elmen (ed.), *The Anglican Moral Choice* (Wilton, CT: Morehouse-Barlow, 1980), pp. 198-200.

53. J.T. Noonan, *Contraception: A History of its Treatment by the Catholic Theologians and Canonists* (New York: New American Library, 1976), pp. 293-97, 396-408. Noonan's work was regarded by some, at the time of the Papal Commission, as being potentially subversive of traditional teachings on contraception – providing a brief for the view that teaching could change.

maintaining that the end should not be separated artificially from the act, as noted in the ARCIC statement.

Roman Catholic Developments

In 1968 the Lambeth Conference considered the Encyclical, *Humanae Vitae*, of Pope Paul VI, which had been issued that year. Within the Roman Catholic Church there had been increasing discussion over birth control methods – especially with the advent of the contraceptive pill. An international commission of the church – the Papal Commission on Population, Family and Birth – was thought by some to be preparing the way for a change in official teaching on contraception. It reported in 1966 and a draft document on Responsible Parenthood, which was to announce a change in the church's teaching, was leaked to the press.

Earlier a number of significant theologians had voiced questions regarding the traditional teaching. In 1963 Belgian-American scholar Louis Dupré published a small book, *Contraception and Catholics*, in which he questioned whether or not an ultimate answer had been provided. While he would accept any final word from the *magisterium*, any answer needed to consider a realistic view of human nature and its limitations, and it was regrettable that the publications of theologians did not reflect more of the doubts concerning the traditional position – doubts which he claimed were widespread in theological circles.⁵⁴ However, the encyclical *Humanae Vitae* reaffirmed the traditional teaching and rejected the use of the contraceptive pill as permissible. The document ranged well beyond a discussion of the morality of contraception and set its approach to this within a full discussion of marriage and the family.

The Bishops at Lambeth in 1968 recorded their appreciation of 'the Pope's deep concern for the institution of marriage and family life', but they found it necessary to record their dissent from his viewpoint that 'all methods of conception control other than abstinence from sexual intercourse or its confinement to the period of infecundity are contrary to the order established by God'. There was therefore, a rejection of a biological view of natural law as providing any basis for Christian ethics in this area, expressed in *Humane Vitae* as 'an inseparable communion, willed by God ... between the two meanings of the conjugal act: the unitive and the procreative'.⁵⁵ The resolutions of the 1958 Lambeth Conference were reaffirmed: family planning was approved

54. Louis Dupré, *Catholics and Contraception: A New Appraisal* (Baltimore, MD: Helicon, 1964) p. 86.

55. *Humanae Vitae*, s. 12.

of 'in such ways as are mutually acceptable to the husband and wife in Christian conscience'.⁵⁶

North America and Roman Catholic Debate

Rather than putting the matter to rest, *Humane Vitae* gave rise to very intense discussion within the Roman Catholic Communion – especially in the USA – and has led to widespread questioning of both aspects of traditional reasoning in moral theology and the role of the *magisterium*. One prominent moral theologian in the USA, Fr Charles Curran, was suspended initially from teaching at the Catholic University of America in the aftermath of *Humane Vitae*, and in 1986 stood down again and no longer permitted to teach theology in any Catholic institution because of his dissent from the approach of the church in its moral teachings, especially regarding *Humane Vitae*.

The dismissal of Fr Curran became a cause célèbre, both within and outside academic circles. It led not only to frequently heated discussion of the morality of contraception within marriage, but also to questions regarding ecclesiology and discipline within the church. Prominent among those who expressed their dissent, both from the perspective of the specific teaching on contraception in *Humane Vitae*, but who also questioned its authority while applauding its general approach to family and sexuality, was Fr Richard McCormick SJ, regarded by many as the leading moral theologian in the USA Catholic Church. Fr McCormick, who was steeped in the casuistic tradition, defended Fr Curran vigorously, as well as the right to 'loyal dissent' within the Church. He wrote later that he saw 'the matter of church teaching on birth regulation as dominantly an authority problem. ... Any modification of past authority is viewed as an attack on present authority', and he believed that this attitude regarding authority had been dealt with at Vatican II. He was concerned especially that the debate on contraception would be a distraction, and that

important values regarding the holiness of marriage, the human character of the expression of married love, openness to life, married love, the fidelity and stability of marriage and respect for life could be lost in debates about the means of birth regulation.⁵⁷

56. *The Lambeth Conference of 1968* (London: SPCK, 1968), Resolution 22.

57. See Richard McCormick, 'L'Affaire Curran' in *The Critical Calling*, pp. 123-36, and also the wide-ranging review of his own and others' reactions to the controversy in "'Humanae Vitae' 25 Years Later', *America Magazine*, 17 July 1993. It is a pleasure to recall my friendship with Fr McCormick. A fine treatment of these matters within the US Catholic church is provided by Mark S. Massa SJ, *American*

The English Jesuit theologian John Mahoney considered that the debate about the Encyclical had brought the entire methodology into question. He sees in it a struggle to bring about a deeper insight into the nature of moral theology with a glimpse of theological pluralism behind the diversity of moral behaviour.⁵⁸ The ramifications of this are still being worked out.

A very large number of the Roman Catholic laity have – both in the United States and United Kingdom – ignored the official role of the church in offering teaching and advice on birth control methods. The maintenance of the official teaching on contraception has thus possibly led to a questioning of the wider role of the church as moral guide on specific matters in the area of family and sexuality.⁵⁹ With the fiftieth anniversary of *Humane Vitae* there have been renewed calls for a re-examination of the official ban on use of artificial contraception, with claims that such usage is within the moral framework of the faith. At the same time, there are still many, both lay people and theologians, who are supportive of the anti-contraceptive teaching of the encyclical.⁶⁰

*Lambeth, Rome And Contraception: Is 'Official' Agreement Possible?
A Role for Sensus/Consensus Fidelium*

Despite the outrage of Pope Pius XI regarding the Lambeth resolutions of 1930, is there a possibility that a move similar to that which took

(Footnote continued)

Catholic Revolution: How the Sixties Changed the Church Forever (New York: Oxford University Press, 2010). See especially ch. 3, 'Humane Vitae in the United States', pp. 29-48 and ch. 4, 'The Charles Curran Affair', pp. 49-74. On the developments in Catholic moral theology see the overview in James F. Keenan SJ, *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences* (London and New York: Continuum, 2010), especially chs. 6 and 7. The introduction of an historicist perspective – which owed much to Canadian Jesuit Bernard Lonergan – is credited by Keenan as helping the turn away from a strict classicist viewpoint, based on a form of natural law, which generally assumed unchanging teaching (pp. 113-16).

58. John Mahoney, *The Making of Moral theology: A Study of the Roman Catholic Tradition* (Oxford: Clarendon Press, 1987), pp. 259, 301.

59. See the sociological study of laity in England, Michael P. Hornsby Smith, *Roman Catholic Beliefs in England: Customary Catholicism and Transformations of Religious Authority* (Cambridge: Cambridge University Press, 1991), pp. 168-77. In the USA, sociologist and priest Fr Andrew Greeley demonstrated over many decades the gap between official teaching and lay practice regarding contraception. See Massa, *American Catholic Revolution*, pp. 72-73.

60. Sarah MacDonald, 'Scholars Call for End to Church Ban on Artificial Contraception', *The Tablet*, London, 24 September 2016.

place among Anglicans earlier regarding contraception as a form of birth control is occurring within the Roman Catholic Communion? Charles Curran, among others, pointed to the distinct difference between a fallible teaching and an infallible statement of a doctrine in the life of the church.⁶¹ While an encyclical possesses great authority, does this settle a matter forever? The encyclicals of Pius XI and Paul VI in this area rejecting contraception are, however, defended by the *magisterium* and some theologians as if they have an infallible nature, rather than a teaching expressed at a particular time.⁶²

The understanding of the place and role of a *sensus fidei*—*sensus fidelium* has recently received renewed attention, and here we might see an opening emerging in how moral teaching could develop differently within the Roman Communion. In June 2014, the International Theological Commission, a body under the auspices of the Congregation for the Doctrine of the Faith, released a document entitled *Sensus Fidei in the Life of the Church*, which specifically discusses the role of the laity, past and present, in conserving and helping to develop the truth of the faith.⁶³ This of course was raised pointedly by John Henry Newman in his essay ‘On Consulting the Faithful in Matters of Doctrine’, but had not been discussed greatly as a concept until Vatican II, despite *sensus fidelium* being used in justification of the declaration of Marian doctrines concerning the Immaculate Conception and the Assumption.

A significant point made in the 2014 document concerns personal dissent from a teaching:

The *sensus fidei fidelis* is a sort of spiritual instinct that enables the believer to judge spontaneously whether a particular teaching or practice is or is not in conformity with the Gospel and with apostolic faith.⁶⁴

Resistance to the *magisterium* – as ‘a matter of principle’ is claimed to be not compatible with the *sensus fidei*. On the other hand, the document acknowledges that ‘lack of reception may indicate ... that certain decisions have been taken by those in authority without due consideration of the experience and the *sensus fidei* of the faithful, or

61. Charles E. Curran, *Tensions in Moral Theology* (Notre Dame, IN: University of Notre Dame Press, 1988), p. 83.

62. John C. Ford SJ and Germaine Grisez, ‘Contraception and the Infallibility of the Ordinary Magisterium’, *Theological Studies* 39 (1978), pp. 258-312. See also Keenan, *A History of Catholic Moral Theology*, pp. 111-26.

63. International Theological Commission, *Sensus fidei in the Life of the Church* (Rome, 2014).

64. *Sensus fidei in the Life of the Church*, para. 49.

without sufficient consultation of the faithful by the *magisterium*'.⁶⁵ The document is also careful to point out that there can be no simple identification between the *sensus fidelium* and majority lay opinion. Indeed Pope Benedict XVI had earlier warned specifically against this, saying that 'these are by no means the same thing' and 'it is unthinkable to mention it in order to challenge the teachings of the *magisterium*'.⁶⁶

At the same time, some theologians have begun to examine both the method and the actual teaching of the *magisterium* on matters relating to family and sexuality, citing the *sensus fidelium* as a basis for their approach. The discussion of the place of *sensus fidelium* is by no means confined to North American theologians.⁶⁷ If it is to be used as a means of bringing any change on the part of the *magisterium* in this area it would have to be accepted as a legitimate development, or a fuller insight, which has arisen from within the whole body of the faithful, and from both the teaching and listening church.

Reflection

In 2014 the six years long Anglican-Roman Catholic Theological Consultation in the USA completed its dialogue on Ecclesiology and Moral Discernment. It faced the fundamental differences by noting the way in which ecclesiology is a particular difficulty, and concluded 'it is hard to see how our differences in moral theology and ecclesiology will be resolved, and it is not clear to many whether they should be ... legitimate diversity has its place in the Church, and history demonstrates that this is true'.⁶⁸

The Anglican and Roman Catholic Churches continue, at local and international levels, to seek to find those matters of Christian faith and practice on which they agree, as a means of drawing together. There has been an honest recognition of differences in the manner of moral teaching, but while a high degree of rapprochement has taken place

65. *Sensus fidei in the Life of the Church*, para. 137.

66. Address of His Holiness Benedict XVI to the International Theological Commission on the occasion of its Annual Plenary Assembly, 2012.

67. See the articles reproduced in part 2 of Charles E. Curran and Lisa A. Fullam (ed.), *The Sensus Fidelium and Moral Theology: Readings in Moral Theology, No. 18* (New York: Paulist Press, 2017), especially Giuseppe Angelini, 'The *Sensus Fidelium* and Moral Discernment', pp. 234-36; Todd A. Salzmann and Michael G. Lawler, 'Experience and Moral Theology: Reflections on *Humane Vitae* Forty Years Later', pp. 257-79; Thomas Knieps-Port Le Roi, 'Church Teaching on Marriage and Family – A Matter of *Sensus Fidelium*?' , with a response by Serena Nocetti, pp. 280-97.

68. *Ecclesiology and Moral Discernment: Seeking a Unified Moral Witness* (The Anglican-Roman Catholic Theological Consultation in the USA, 2014), p. 65.

between scholars regarding the methodology of ethical reflection, especially on fundamental issues, any convergence on specific teachings at official level on particular issues such as contraception awaits an outcome.⁶⁹ It may be that teaching on contraception will cease to be a matter of difference, but there are other matters in the area of marriage, family and sexuality which remain difficult – and not just between the churches, but internally, for both Communion.⁷⁰ Nonetheless, the venture of seeking mutual understanding and possible agreement must – because of loyalty to our common faith – continue.

69. Note the comment of Michael Root on importance of agreement on specific rules and practices: 'Ethics and Ecumenical Dialogue: A Survey and Analysis', *Journal of Ecumenical Studies*, 45.3 (2010), p. 369.

70. On this see Timothy Sedgwick, 'Exploring the Great Divide: Sex, Ethics and Ecumenism', *Journal of Ecumenical Studies*, 45.3 (2010), p. 420.