

THE ELEPHANT IN THE ROOM — CONTRACEPTION AND THE RENAISSANCE OF TRADITIONAL MARRIAGE

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I. INTRODUCTION

The Regent University Law Review's symposium on Moral Realism and the Renaissance of Traditional Marriage¹ was a needed and valuable contribution to the public conversation concerning both marriage and the contemporary efforts to undermine the traditional understanding of marriage. But while listening to the speakers at the symposium (all of whom, as evidenced by the papers published, had many trenchant and valuable insights), I had the feeling that there was the proverbial elephant in the room that nobody noticed or wanted to notice. That elephant is contraception. More precisely, it is the relationship between contraception, marriage, and the renaissance of traditional marriage.

I think it is time for those who defend traditional marriage, Christians, in particular, to take notice of the elephant. Why? To be blunt, contraception is antithetical to the traditional Christian understanding of marriage. Moreover, accepting contraception vitiates the logic for distinguishing marriage, as the committed sexual union of one man and one woman, from other relationships (most notably so-called same-sex marriage).

These claims might strike some of my Christian brothers and sisters as overstated. They should not. Until recently (within the context of a two-millennia tradition), the universal judgment of all Christian communions (not just Catholics, but Protestants as well) was that using artificial means to thwart the procreative power of sexual relations was immoral and inconsistent with a proper view of marriage.² That changed in 1930 when the Anglican Lambeth Conference (Lambeth) held that

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¹ See Symposium, *Moral Realism and the Renaissance of Traditional Marriage*, 17 REGENT U. L. REV. 185 (2005).

² See, e.g., Harold O.J. Brown, *Contraception – A Symposium*, FIRST THINGS (1998), available at <http://www.firstthings.com/ftissues/ft9812/articles/contraception.html> (“It was not until 1930 at the Lambeth Conference of the Anglican bishops that any Christian body had ever explicitly authorized the use of contraceptives.”); Kathleen O’Grady, *Contraception and Religion: A Short History*, in ENCYCLOPEDIA OF WOMEN AND WORLD RELIGION 1999, (Serinity Young et al. eds., Macmillan 1999), available at <http://www.mum.org/contrace.htm> (“Prior to the 1930s all Christian denominations were united in their firm rejection of contraceptives.”); see generally, Aaron D. Wolf, *Hating Babies, Hating God*, 27 CHRONICLES 19 (June 2003), available at <http://www.chroniclesmagazine.org/Chronicles/June2003/0603Wolf.html>.

“where there is a clearly felt moral obligation to avoid parenthood,” a couple could resort to contraception so long as they did so “in light of . . . Christian principles.”³ That “Christian principles” were not then commonly thought to embrace contraceptive use is revealed in a 1931 editorial in the Washington Post, which responded to the Federal Council of Churches⁴ (FCC) decision to endorse “careful and restrained” contraceptive use:

It is impossible to reconcile the doctrine of the divine institution of marriage with any modernistic plan for the mechanical regulation or suppression of human birth. The church must either reject the plain teachings of the Bible or reject schemes for the “scientific” production of human souls. Carried to its logical conclusion, the committee’s report if carried into effect would sound the death-knell of marriage as a holy institution, by establishing degrading practices which would encourage indiscriminate immorality. The suggestion that the use of legalized contraceptives would be “careful and restrained” is preposterous.

It is the misfortune of the churches that they are too often misused by visionaries for the promotion of “reforms” in fields foreign to religion. The departures from Christian teachings are astounding in many cases, leaving the beholder aghast at the willingness of some churches to discard the ancient injunction to teach “Christ and Him crucified.” If the churches are to become organizations for political and “scientific” propaganda they should be honest and reject the Bible, scoff at Christ as an obsolete and unscientific teacher, and strike out boldly as champions of politics and science as modern substitutes for the old-time religion.⁵

The reactions to Lambeth’s and the FCC’s pronouncements on contraception echoed the view of the Reformers, who uniformly

³ CHARLES E. RICE, *NO EXCEPTION: A PRO-LIFE IMPERATIVE* 47 (1990) (quoting N.Y. TIMES, Aug. 15, 1930, at 1).

⁴ See JOHN F. KIPPLEY, *BIRTH CONTROL AND CHRISTIAN DISCIPLESHIP* 5 (2d ed. 1994). The Federal Council of Churches is now the National Council of Churches.

⁵ RICE, *supra* note 3, at 48 (quoting Editorial, WASH. POST, Mar. 22, 1931). Professor Rice also noted the reaction of other Protestant leaders to the Lambeth and FCC decisions. According to Dr. Samuel A. Craig, editor of *Christianity Today*, the Lambeth decision “seem[ed] somewhat equivalent to saying that there are circumstances under which we may lie or steal, provided we do so in light of Christian principles.” *Id.* at 47 (quoting N.Y. TIMES, Sept. 30, 1930, at 20). Dr. Walter A. Maier, a professor at Concordia Theological Seminary, called contraception “one of the most repugnant of modern aberrations representing a twentieth century renewal of pagan bankruptcy. . . . It tends to degrade motherhood, and through its involved association with companionate marriage and similar laxities, to weaken marriage ties.” *Id.* at 48 (quoting WASH. POST, Mar. 22, 1931, at 1). See also KIPPLEY, *supra* note 4, at 6 (citing negative reactions of other Protestants to the FCC’s decision).

condemned contraception as unbiblical and immoral.⁶ Martin Luther, in fact, likened contraception to a form of sodomy,⁷ and John Calvin likened contraception to homicide.⁸ This historic Protestant teaching was reflected in the spate of laws, such as the federal Comstock Act,⁹ which were passed in the late nineteenth and early twentieth centuries. These laws were passed by Protestant, not Catholic legislative majorities.¹⁰

The Reformers, and their spiritual descendants up until 1930, consistently condemned contraception as unbiblical;¹¹ this means they recognized that contraception was inconsistent with a Christian idea of marriage (as the above cited Washington Post editorial explicitly stated). Christian morality has always taught that sexual relations are to take place only between spouses in a marriage.¹² If sexual relations are appropriate only for married couples, and the use of contraception during sexual relations is immoral, then contraception by married couples is inconsistent with the good of marital sexual relations and therefore inconsistent with marriage.

⁶ See KIPPLEY, *supra* note 4, at 2.

⁷ See also CHARLES D. PROVAN, *THE BIBLE AND BIRTH CONTROL* 63-93 (1989); 7 LUTHER'S WORKS, *LECTURES ON GENESIS CHAPTERS 38-44* at 20-21 (Jaroslav Pelikan ed., 1965). Specifically, Luther wrote with regard to the story of Onan in Genesis 38:10:

Onan must have been a malicious and incorrigible scoundrel. This is a most disgraceful sin. It is far more atrocious than incest and adultery. We call it unchastity, yes, a Sodomitic sin. For Onan goes in to her; that is, he lies with her and copulates, and when it comes to the point of insemination, spills the semen, lest the woman conceive. Surely at such a time the order of nature established by God in procreation should be followed.

Id.

⁸ PROVAN, *supra* note 7, at 67-68.

The voluntary spilling of semen outside of intercourse is a monstrous thing. Deliberately to withdraw from coitus in order that semen may fall on the ground is doubly monstrous. For this is to extinguish the hope of the race and to kill before he is born the hoped-for offspring. This impiety is especially condemned, now by the Spirit through Moses' mouth, that Onan, as it were, by a violent abortion, no less cruelly than filthily cast upon the ground the offspring of his brother, torn from the maternal womb. Besides, in this way he tried, as far as he was able, to wipe out a part of the human race. If any woman ejects a foetus [sic] from her womb by drugs, it is reckoned a crime incapable of expiation and deservedly Onan incurred upon himself the same kind of punishment, infecting the earth by his semen, in order that Tamar might not conceive a future human being as an inhabitant of the earth.

Id. (quoting JOHN CALVIN, *COMMENTARY ON GENESIS* 38:8-10).

⁹ Comstock Act, ch. 258, § 2, 17 Stat. 599 (1873) (making it illegal to send obscene, lewd, or lascivious books through the mail) (current version at 18 U.S.C. § 1461 (2005)).

¹⁰ See RICE, *supra* note 3, at 47; KIPPLEY, *supra* note 4, at 2-3.

¹¹ PROVAN, *supra* note 7, at 63-93.

¹² *Exodus* 20:14; *Deuteronomy* 5:18; *1 Corinthians* 6:9.

We have strayed far from the historical Christian teaching concerning contraception in the past seventy or so years.¹³ Most Protestants, it is fair to say, simply do not regard contraceptive use as an important moral issue, except, perhaps, for the question of whether certain contraceptives may have an abortifacient effect.¹⁴ Even though the Catholic Church has twice since Lambeth officially reconfirmed its historical teaching that contraceptive use is contrary to God's law,¹⁵ that teaching is commonly ignored by many, if not a majority of, Catholics, or those who identify themselves as Catholics (at least in the West).¹⁶ Meanwhile, since 1930, we have experienced a revolution in sexual mores, a revolution that has included attempts to redefine the institution of marriage¹⁷.

Indeed, rather than seeing contraception as inimical to a proper understanding of marriage, many (Christians included) see contraception as a means of enriching marriage. In this view, contraception is good because it "frees" the spouses to be more "spontaneous" in their sexual relationship. Put more pointedly, contraception is seen as good for marriage because it allows spouses to engage in and experience the pleasure of sexual relations whenever the mood strikes them without having to worry about the "burden" of possible pregnancy and childbirth. This attitude in effect treats

¹³ Imagine the Washington Post's reaction to the suggestion that there is something wrong with contraception. There is no need to imagine the response of some Christian publications. For instance, one commentator has reported that "*Christianity Today* devoted considerable space in its November 12, 2001, edition" to a book by a young Protestant couple, Sam and Bethany Torode, urging Christian couples to forsake contraception but that *Christianity Today* editors "could not, however, allow the Torodes to go unchallenged, even for one issue" and published an accompanying essay challenging Torodes' conclusions. See Wolf, *supra* note 2, at 20-21. The articles to which Wolf refers are Sam Torode and Bethany Torode, *Make Love and Babies*, CHRISTIANITY TODAY, Nov. 12, 2001, at 49; Raymond C. Van Leeuwen, *Be Fruitful and Multiply—Is This a Command or a Blessing?*, CHRISTIANITY TODAY, Nov. 12, 2001, at 59.

¹⁴ Lutheran commentator James Nuechterlein has made this point: "[A]mong Protestants, it is not simply that the overwhelming majority of them come down on the same side of the issue [of contraception], but that for most of them *there is no real issue here at all* . . . [Contraception] is not a matter that engages them." James Nuechterlein, *Catholics, Protestants, and Contraception*, 92 FIRST THINGS 10-11 (April 1999), available at <http://www.firstthings.com/ftissues/ft9904/opinion/nuechterlein.html>. See also Wolf, *supra* note 2 at 20 ("Too many Protestant leaders are simply unwilling to let go of the right to choose – in this case, the right to choose to reject God's blessing of children. The issue, therefore, is simply not discussed.")

¹⁵ PAUL VI, *HUMANAE VITAE* (1968); PIUS XI, *CASTI CONNUBII* (1930).

¹⁶ Edward N. Peters, a Catholic canon lawyer, has noted that "[a]ccording to various studies, the lowest reasonable estimate of contraceptive use among Americans seems to be around 85%, with Catholics being statistically indistinguishable from the population at large." Edward N. Peters, *Contraception and Divorce: Insights From American Annulment Cases*, http://www.canonlaw.info/a_contraceptionanddivorce.htm.

¹⁷ See *Goodridge v. Dep't. of Pub. Health*, 798 N.E.2d 941 (Mass. 2003).

pregnancy and childbirth—the creation of a new human being made in the image and likeness of God who may, by God’s grace, through all eternity give Him glory and praise—as some kind of burden to be avoided at all costs.¹⁸

All this should make Christians who seek to defend traditional marriage think seriously about contraception. My modest goal in this essay is to stimulate discussion about contraception among (primarily) Christian defenders of traditional marriage—to persuade them at least to take account of the elephant in the room. To do this, I will first set out an account of traditional marriage from a Christian perspective. Then, I will briefly defend the proposition that contraception (acts taken for the specific purpose of thwarting the procreative end of the marital act; e.g. using a condom, barrier, or birth control pills) is inconsistent with that account of marriage. Throughout, I will discuss why this should matter to Christians and others who defend traditional marriage.

In setting forth and defending the account of traditional marriage and explaining why contraception is inconsistent with that account, I will draw on both natural law and scriptural arguments. Since this essay is directed primarily at Christians, I will not be too concerned about mixing the natural law and scriptural arguments. After all, natural law and Scripture are two ways that God reveals to us both Himself and the truths (both purely physical and moral) about His created world.

II. THE ACT OF TRADITIONAL MARRIAGE

There are several important points about marriage in Scripture that are especially relevant when discussing marriage and contraception. First, Scripture tells us that marriage is a “one-flesh union” of a man and a woman.¹⁹ Jesus confirmed the nature of marriage, and that this was God’s original plan for marriage, when asked why Moses allowed divorce: “[H]e who made them from the beginning made them male and female, and said ‘For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh.’ So they are no longer two but one flesh.”²⁰ St. Paul reiterated the nature of

¹⁸ Scripture seems to testify otherwise. See, e.g., *Psalm 127:3-5* (Revised Standard Version) (All Scripture quotations in this essay are from the Revised Standard Version.):

Lo, sons are a heritage from the LORD, the fruit of the womb a reward.

Like arrows in the hand of a warrior are the sons of one’s youth.

Happy is the man who has his quiver full of them!

He shall not be put to shame when he speaks with his enemies in the gate.

Id. While any number of Scripture passages treats sterility as a curse and fertility as a blessing, I know of no Scripture passage that treats sterility as a blessing or childbirth as a curse.

¹⁹ *Genesis 2:24* (“Therefore a man leaves his father and his mother and cleaves to his wife, and they become one flesh.”).

²⁰ *Matthew 19:4-6*. See also *Genesis 2:24*.

marriage as a one-flesh union,²¹ and then went on to associate the union of man and wife with the union of Christ and His Church.²² Paul also makes clear that husbands and wives are to “[b]e subject to one another,” instructs wives to be subject to their husbands “[a]s the church is subject to Christ,” and instructs husbands to “love your wives, as Christ love[s] the Church.”²³ Much can be said about these passages from Ephesians, but the key point here is that by associating the union of man and woman in marriage with the union of Christ and His Church, Paul makes Christ’s love for His Church the model of marital love.

A. A “One-Flesh” Union

Reflecting on these two points from Scripture enables us to see why contraception is inconsistent with marriage in the Christian tradition. First, what does it mean that marriage is a “one-flesh” union between a man and a woman? “One-flesh” is not simply a metaphor indicating a close emotional bond. Rather the one-flesh union of marriage is a reality “grounded in the complementarity of reproductive functioning.”²⁴ Men and women are different in a complementary way; they “are designed to complement each other [T]o be whole, they must be united.”²⁵

Professor J. Budziszewski of the University of Texas, refers to this fact as “blessed incompleteness.”²⁶ The incompleteness—the fact that man and woman need each other to be complete—is blessed because it “makes it possible for them to give themselves to each other.”²⁷ To give oneself to another is to give oneself totally: “You cannot partly give yourself, because your Self is indivisible; the only way to give yourself is to give yourself entirely.”²⁸

What does this have to do with contraception? To see the connection, one must reflect on the nature of marital sexual relations. More precisely, one must reflect on the nature of sexual intercourse between spouses.²⁹ When a husband and wife unite sexually, they

²¹ *Ephesians* 5:31.

²² *Ephesians* 5:23 (“For the husband is the head of the wife as Christ is the head of the church, his body, and is himself its Savior.”).

²³ *Ephesians* 5:21-25.

²⁴ Gerard V. Bradley, *Pluralistic Perfectionism: A Review Essay of Making Men Moral*, 71 NOTRE DAME L. REV. 671, 695 (1996) (reviewing ROBERT P. GEORGE, *MAKING MEN MORAL*, 1993).

²⁵ J. Budziszewski, *Designed for Sex*, TOUCHSTONE, July/Aug. 2005, at 5, available at <http://www.touchstonemag.com/archives/article.php?id=18-06-022-f>.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ By “sexual intercourse,” I mean genital sexual intercourse, or, as John Finnis has put it, “the inseminatory union of male genital organ with female genital organ.” John Finnis, *Law, Morality, and “Sexual Orientation,”* 69 NOTRE DAME L. REV. 1049, 1066 n.46

experience and make real the one-flesh union of marriage. This union is literal—by sexually uniting, the husband and wife literally become one flesh. The significance of sexual union in making real the one-flesh union of marriage is reflected in the traditional legal requirement that consummation of marriage by genital sexual intercourse is an essential element of marriage and that failure to consummate is typically a ground for annulling a marriage.³⁰

How is it that by uniting sexually, the couple literally becomes one flesh? The explanation is grounded in the complementarity of sexual functioning. No man or woman can procreate by himself or herself; only a mated pair, consisting of a male and a female, can perform the single function of procreation. Germain Grisez has explained:

Though a male and a female are complete individuals with respect to other functions – for example, nutrition, sensation, and locomotion – with respect to reproduction they are only potential parts of a mated pair, which is the complete organism capable of reproducing sexually. Even if the mated pair is sterile, intercourse, provided it is the reproductive behavior characteristic of the species, makes the copulating male and female one organism.³¹

This is not crude biologism. Rather, as Budziszewski notes, “the union of the spouses’ bodies has a more-than-bodily significance; the body emblemizes the person, and the joining of bodies emblemizes the joining of the persons. . . . [O]ne-flesh unity is the body’s language for one-life unity.”³² The body is not merely an instrument the true “self” uses for its own purposes. The body is an integral part of the person, so that when the body acts, the whole person acts. Thus, when spouses join bodily in sexual intercourse—when their bodies become, literally, one functioning organism—they join their whole persons together.³³

(1994). This excludes, for reasons that will become apparent, acts such as sodomy and mutual masturbation.

³⁰ See Jay Alan Sekulow & John Tuskey, *Sex and Sodomy and Apples and Oranges – Does the Constitution Require States to Grant a Right to Do the Impossible?*, 12 *BYU J. PUB. L.* 309, 318, 322 (1998) (citing Robert P. George & Gerard V. Bradley, *Marriage and the Liberal Imagination*, 84 *GEO. L.J.* 301, 307-09 nn.23-27 (1996)).

³¹ George & Bradley, *supra* note 30, at 311-12 (quoting Germain Grisez, *The Christian Family as Fulfillment of Sacramental Marriage*, Paper Delivered to the Society of Christian Ethics Annual Conference (Sept. 9, 1995) (unpublished manuscript, on file with The Georgetown Law Journal)).

³² Budziszewski, *supra* note 25, at 5.

³³ See George & Bradley, *supra* note 30, at 311 n.32 (“[M]ales and females—who unite genitally in marital acts really do unite biologically (and, because—as [John] Finnis has observed . . . —the biological reality of human beings is part of their personal reality, they unite personally.”).

B. Husbands and Wives Subject as the Church is Subject

Budziszewski's observation about the gift of spouses to each other was based on reasoned reflection about the nature of man and woman.³⁴ That observation also logically follows from Paul's association of marital union between a man and a woman with the union between Christ and His Church.³⁵ Christ's love for His Church is the model for marital love.³⁶ And Christ's love is marked by His complete giving of Himself to and for His Bride.³⁷ In His love for His Church, Christ held nothing back.³⁸ He, the second person of the Trinity, took on all the infirmities and indignities of human flesh.³⁹ He subjected Himself to insults and threats, and ultimately poured out His very life on the Cross in His love for us.⁴⁰ If, then, Christ's love for His Church is the model for marital love, spouses (ideally) must also give themselves completely to each other. Just as Christ held nothing back in His love for His Bride, spouses must not hold anything back from each other.

III. CONTRACEPTION AND TRADITIONAL MARRIAGE

Now it is possible to explain why contraception is incompatible with the traditional understanding of marriage as one-flesh union between man and women. The explanation is easier to grasp by first considering an objection to the proposition that marriage really is a one-flesh union. Historically, marriages between sterile spouses have been as understood no less a marriage than marriages between fertile couples. But why is that so if marriage is literally a one-flesh union, and that one-flesh union depends upon the spouses joining together in *reproductive* behavior? One might say that a sterile couple's intercourse is no more "suitable for reproduction"⁴¹ than pointing an empty gun at someone and pulling the trigger is behavior suitable for murder by shooting a person.⁴² If so, then either the sterile couple is not really married (although we all recognize the couple as being married) or sexual intercourse does not have the

³⁴ See Budziszewski, *supra* note 25, at 5.

³⁵ *Ephesians* 5:31.

³⁶ *Ephesians* 5:23.

³⁷ *Matthew* 26:47 – 27:54, *Mark* 14:42 – 15:39, *Luke* 22:47 – 23:49, *John* 18 – 19.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ See Finnis, *supra* note 29, at 1066 n.46 ("Biological union between humans is the inseminatory union of male genital organ with female genital organ; in most circumstances it does not result in generation, but it is the behavior that unites biologically because it is the behavior which, as behavior, is suitable for generation.")

⁴² See Sekulow & Tuskey, *supra* note 30, at 320.

unitive significance I have argued it does. If that is so, “[m]arriage as a ‘one-flesh union’ is, at best, a metaphor.”⁴³

The objection fails because it refuses to account for the fact that sexual reproduction includes both a behavioral component (sexual intercourse between the spouses) and a non-behavioral component over which the spouses have no control (for example, the motility of the male’s sperm or the presence of an ovum in the woman’s reproductive tract). When a sterile couple completes the act of sexual intercourse, that couple performs the behavior necessary for reproduction even if non-behavioral factors beyond their control prevent procreation.

Compare the murder example. Committing murder with a gun also involves behavioral components and non-behavioral components. Among the behavioral components are loading the gun, aiming the gun and pulling the trigger. If a person aims and fires a gun he knows to be unloaded and has chosen not to load, he would be omitting an essential part of the behavior necessary to accomplish a murder. However, if a person loads, aims, and fires, but the firing mechanism malfunctions or a gust of wind blows the bullet off target he would still have performed the behavior suitable for murder. Something other than his behavior has thwarted his efforts.⁴⁴

The sterile couple is like the person who fired the malfunctioning gun. Nothing they *did* prevented their intercourse from generating new life. “It is not as if a man and a woman fail or forget to ‘load’ sperm in the man’s semen or ova into the woman’s reproductive tract.”⁴⁵ Just as the man who fired the malfunctioning gun was performing murderous behavior, the sterile couple by engaging in sexual intercourse was engaging in reproductive behavior. As such, by their act of sexual intercourse, the couple does become one functioning organism and therefore does make real the bodily and personal union of marriage.

Contrast a couple who uses contraception. Unlike the sterile couple, the couple using contraception is acting intentionally to ensure (as much as they can) that procreation does not result from their act of intercourse. Procreation is thwarted by their own behavior. They are (forgive the analogy) in the same position as the “murderer” who deliberately refuses to load or deliberately unloads his gun. Just as that person is not performing behavior suitable to murder by shooting, the couple using contraception is not engaging in behavior suitable to reproduction. By acting deliberately to thwart procreation, their act of intercourse is incapable of actualizing the bodily and personal union of marriage.

⁴³ *Id.*

⁴⁴ *Id.* at 321.

⁴⁵ *Id.*

Recall St. Paul's association of the union of man and woman in marriage with Christ's union with His Church.⁴⁶ This association makes Christ's love for His Church the model for marital love; Christ's love for His Church was completely self-giving—He held nothing back.⁴⁷

Spouses' love for each other is reflected in their actions toward each other. Ideally, then, spouses, if they are modeling Christ's love for His Church, will reflect in their actions toward each other the total self-giving love that Christ showed for His Church.⁴⁸ This applies to the couple's sexual relations. In fact, one could say that this applies especially to the couple's sexual relations. If, as Budziszewski states, "one-flesh unity is the body's language for one-life unity,"⁴⁹ and the one-life unity is meant to reflect a total gift of the spouses to each other, then the bodily language that reflects that one-life unity—the one-flesh union of sexual union—must also reflect that total gift. In other words, in their sexual union, the couple is saying to each other, "I give all of myself to you."

Contraception, however, deprives marital sexual relations of its capacity for total self-giving. That is because by using contraception, the spouses are holding back from each other their fertility, or whatever fertility happens to exist at the time.⁵⁰ In this, the couple is acting contrary to what the "body's language" purports to be saying. The act says, "I give all of myself to you;" in reality, however, that is not the case.

Contraception, then, deprives marital sexual relations of the power actually to unify (literally) the couple, to make them literally one-flesh. It is contrary to the total self-giving that marital love (modeled on the love of Christ for His Church) ideally should entail. By embracing contraception, Christians who purport to defend traditional marriage send the message that they are willing to settle for something less than the total self-giving and one-flesh unity that traditional marriage is supposed to be. That something less is a relationship based ultimately on feelings of closeness and sexual pleasure. However, feelings and pleasure, unlike true one-flesh union, do not require a mated pair

⁴⁶ *Ephesians* 5:23.

⁴⁷ *Matthew* 26:47 – 27:54, *Mark* 14:42 – 15:39, *Luke* 22:47 – 23:49, *John* 18 – 19.

⁴⁸ Of course, I realize that unlike Christ, we are not sinless and, more often than not, our actual behavior will not meet this standard. Still, morality is based on ideals – how one ought to act – and the fact that we often fail to live up to the moral standard does not mean the moral standard must change or that we need not strive (by the help of God's grace) to meet that standard more and more in our lives.

⁴⁹ Budziszewski, *supra* note 25, at 6.

⁵⁰ Note the difference with the infertile couple or the couple having sexual relations during the infertile time of the woman's cycle; they are not holding back from giving each other their fertility in their sexual act. That they are not actually giving each other their fertility occurs only because they have no fertility to give, not because they have it but have taken steps to suppress it.

consisting of male and female. So the question naturally arises: Why should the law give special protection to marriage as the union of one man and one woman when what we are willing to call marriage is not something that requires a man and a woman (or even only a pair, for that matter)?

IV. CONCLUSION

I submit that accepting contraception makes it difficult, if not impossible, to give a convincing answer to that question. Therefore, it is time for those who defend traditional marriage, particularly Christians, to begin to think seriously (as the Church has historically) about contraception. It is time to take notice of the elephant in the room.