

guaranteed and protected by the Constitution, the conclusion followed that her right transcends the fact that an abortion terminates the existence of an unborn being. Despite the Court's arbitrary division of pregnancy into three trimester periods, implicit in the decision was the result that abortions for the asking cannot be prevented by the states at any time before birth. The consequences, while dramatic, were predictable. Abortion on demand, without any asserted medical or therapeutic justification, is producing an annual toll of more than one million unborn victims. Also, raising the so-called "right" to an abortion to the dignity of Constitutional protection has already resulted in the Supreme Court's depriving the parents of a minor of their parental right to interfere with their child's abortion or even to know that one is imminent, as well as depriving a father of his right to protect the life of his unborn child whose existence is jeopardized by the prospect of an abortion. Other drastic consequences flow logically from **Roe v. Wade**. The Supreme Court may ultimately have to decide whether the Federal Government can compel a state to use Medicaid funds for non-lifesaving abortions; whether a hospital can be compelled by law to accommodate non-therapeutic abortions; whether religiously affiliated hospitals, including Catholic hospitals, can deny the use of their premises for abortions; and whether a conscientious objector to abortion can gain admission to a medical school. All of these rights, which have either been already judicially denied or have been seriously challenged, require protection. The loss of or danger to these rights, particularly rights involving conscience and religious freedom, as well as the Supreme

Court's denial of the basic right to life itself has spurred the Roman Catholic in our country to seek the overturn of **Roe v. Wade** by adopting a position in support of an amendment to the Constitution to protect the right to life at all stages of human existence. This public policy position is part of a three-fold program of the Catholic Plan for Pro-Life Activities, adopted by the National Conference of Catholic Bishops on November 20, 1975, which also includes educational and pastoral components designed to save human lives.

Abortion is bound to produce horror in those who perceive it as literally an indiscriminate slaughter of helpless human beings. But this appropriate reaction should not prompt us to pass judgment on those whose opinions differ from ours. Catholics realize that the people of our nation, even in this time of promiscuous abortion, are people of good will, and are not setting out to do evil. Consequently, we believe that any impulse to polemics should be moderated and strident terminology, which is both unproductive and offensive, should be avoided. Fighting vigorously for principle need not be inconsistent with love for our neighbors.

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The Evangelization Station

Hudson, Florida, USA

E-mail: evangelization@earthlink.net

www.evangelizationstation.com

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Catholic View on Abortion

The present problem of abortion is not unique to our society. Rather, abortion has always been an issue evoking controversy and conflict – stemming from the **absolute** vulnerability of nascent human life and competing values and attitudes towards it in a suffering and often selfish world.

A historical study of the Catholic Church and its position on abortion demonstrates clearly two facts:

1. Even though in earlier centuries, lacking the data derived from modern science, there was at times uncertainty as to the precise point in human development that a new human life came into existence, the Catholic Church has, from its beginnings, always resolutely opposed the practice of abortion.
2. In its 2,000 year history, the Church has been in conflict with laws and societies which have sanctioned abortion and infanticide.

Christianity, as a new religion, began within the context of Greco-Roman society – a society whose attitudes towards the value of human life were demonstrated by its widespread acceptance not only of abortion and infanticide, but also of slavery, torture, arena combat, and such inhuman punishments as crucifixion and impalement.

To the early Christians, steeped in the reverence for life permeating the Scriptures of their Jewish heritage, life was perceived as a gift of the Creator. From this heritage and through the Gospel message, the gift of life received an additional value that anticipated birth and transcended death.

Although abortion is not specifically condemned in the Gospels of the New Testament, there is ample demonstration of the sanctity of intrauterine life in Luke, Chapter 1, which details the story of the unborn Christ and the unborn John the Baptist during the visitation of Mary to her cousin Elizabeth. This passage of the Scriptures undoubtedly had tremendous influence on the early Christians' attitude towards the unborn.

Abortion was first explicitly condemned by the Christian community in an important first century book, the *Didache* (80 A.D.), the oldest source of Ecclesiastical law.

Since that time, throughout the history of the Church, this explicit forbidding of the practice of abortion has been persistent, even though in some of the early writings, the exact time of the beginning of life and the nature of the penalty to be imposed on offenders has varied.

The most authoritative recent statement of the Catholic Church on abortion is contained in *The Church in the Modern World*, 1965 Pastoral Constitution from Vatican II. The fundamental principle of reverence for the human person is underscored by the Council in these words: "Everyone must consider his neighbor without exception as another self, taking into account first of all his life and the means necessary to living it with dignity."

The two following passages deal with abortion specifically:

"Furthermore whatever is opposed to life itself, such as any type of murder, genocide, abortion, euthanasia, or willful self-destruction... all these things and others of their life are infamies indeed. They poison human society, but they do more harm to those who practice them than those who suffer

from the injury. Moreover, they are a supreme dishonor to the Creator... For God, the Lord of Life, has conferred on men the surpassing mystery of safeguarding life – a ministry which must be fulfilled in a manner which is worthy of man. Therefore, from the moment of its conception, life must be guarded with the greatest care, while abortion and infanticide are unspeakable crimes."

An ethical judgment that abortion is morally wrong can result from a process of reasoning which is now bolstered by knowledge and facts unavailable to our forebears. The modern sciences of genetics and embryology demonstrate that a unique, living human entity comes into existence at conception, which will grow and develop at an amazing rate until its humanity is visibly apparent in greatly enlarged pictures of embryonic life and in actually aborted fetuses. At the moment of conception, when the egg and sperm unite, the new being is everything genetically it will ever be; the sex, the color of the skin, hair and eyes, and the entire genetic inheritance from the mother and the father are once and for all fixed. Just thirty days later the heart-beat (the traditional test of life when death is eminent) is functional and regular, and at forty-three days, brain-waves (the more recent indicator of life) have been recorded. This is a human being from the beginning. That characteristic of human beings which sets them apart and immeasurably above all other forms of earthly existence, and distinguishes the most humble of human beings in this world, is contained in the term "person". This quality of personhood is not just a legal technicality; it is a reflection of reality, perceived in the knowledge that human beings are in a special way the image of God. The

term "person" is used inevitably to denote the possession of rights. Of all rights, the most basic is the right to life, because when this right is denied all other rights fall with it. Where basic rights are concerned, we cannot distinguish among persons nor assume that any person is more valuable than another. We lack the vision and the insight for such an evaluation, which must be left to the wisdom of God. We can, however, distinguish between the rights when they conflict with one another. Therefore, we must treat the small, newly conceived human life as a person, and must protect its right to life in the same way as we protect the right to life of any other person. An abortion is a deliberate deprivation of the right to life of the most innocent of persons.

Moreover, even if we should be uncertain as to the precise moment when a new human life comes into existence and personhood attaches, if there is any reasonable doubt as to the nature of the unborn entity, so that there is a substantial chance that it truly is a person, we could not take that life in the face of such doubt. A mistake as to the true significance of abortion would be an appalling mistake, ultimately fatal to countless millions of human beings.

The abortion decision of the United States Supreme Court on January 22, 1975, in **Roe v. Wade** was far more radical than most Americans realized. The Court ruled that until birth a human being is not a person as that term is used in the Equal Protection and Due Process clauses of the Constitution, and moreover, prohibited that states from treating this being even as a human life at any time before actual birth. After finding that a woman's right to privacy includes the right to have an abortion, and is therefore a right