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ABORTION

Pro-Life Scholars against the Pontifical Academy for Life

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A Response of Pro-Life Scholars to the Pontifical Academy for Life's "Note" on the *Guidelines for the Voluntary Termination of Pregnancy Using Mifepristone and Prostaglandin* issued by the Italian Ministry of Health on12 August 2020.

It is with no little surprise and disappointment that we have read the Pontifical Academy of Life's "Note" of 14 August 2020. This statement comments critically on the new directives of the Italian Minister of Health concerning the administration of chemical abortifacients in a day hospital, in the context of the so-called "pandemia" of COVID-19.1. Although the critical intention is certainly to be welcome, still there are several reasons why those with upright moral standards should be saddened and seriously dissatisfied with this document.

The Holy See has been the See of Truth. The Academy for Life was founded by Pope St. John Paul II through the extraordinary man who was (and still is) the late Dr. Jerome Lejeune. It had been since its inception a bulwark of life and a beacon for perplexed persons of good will amidst the culture of death and all its confusions. For this reason we find unsatisfactory the following aspects of the PAL's statement:

1. The PAL *Note* begins by referring to certain good intentions expressed in Italy's Law 194 of 22 May 1978, which, as the PAL says, concerns “one of the most pressing and painful questions in bioethics”, that of abortion. After stating that at present Law 194 is the legislation that “has to provide the framework for our discussion" of the new guidelines, the PAL recalls that while it legalized “the voluntary interruption of pregnancy” in Italy, this law also “acknowledges the social worth of motherhood and that protects human life from its inception” and could therefore be considered – at least for that part in which it shows the intention of giving women all the necessary support to prevent abortion- as “the common ground for a shared civilization” between pro- and anti-abortionists. The PAL also points out that "Article 2 of the law, speaking of the roleof [government] family counselors, entrusts to them a much broader role than that of mechanically providing information leading to a choice that the *State* simply notes andof which it oversees the ‘safe and effective’ implementation. Under the law, it is the dutyof family counselors to assist in overcoming the causes that could lead women tochoose abortion, and the information they furnish about *rights* and *services* is to havethat purpose as well".

While these references to the mitigating clauses of Law 194, together with the PAL’s complaint that they are often ignored or bypassed, are good in themselves, we find them decidedly insufficient in a document emanating from a Pontifical Academy that was founded by Pope St. John Paul II to carry on faithfully the strong pro-life witness of his magisterium. The fact that Law 194 is the legal framework we have to confront does not excuse the PAL, in its discussion of the new guidelines Ministry of Health, from opportunely reaffirming the Church’s fundamental judgment on Law 194 itself, namely, firm and unequivocal condemnation. After all, this is the law that legalized abortion in Italy – a fact which the PAL now glosses over in a brief subordinate clause with euphemistic words insinuating only mild regret: it describes the law as *pur ammettendo in certe condizioni l’interruzione volontaria della gravidanza, . . .* (“while indeed allowing the voluntary interruption of pregnancy under certain conditions, . . . ”). But this law removed the obstacles for the killing of innumerable innocent unborn babies. So, even supposing this iniquitous statute to be the *legal* “framework” within which “we must all measure ourselves” (*tutti dobbiamo misurarci*) in the present discussion, it is not the measure with which we all are measured, and, therefore, it cannot provide the basis for what the PAL calls “an idea of a shared civilization” (“*un’idea di civiltà condivisa*”). There is a Divine Measure which truly measures us all. And it is a Measure that not only condemns all the crimes allowed by this unjust law, but also rules out the kind of obsequiously mild criticism thereof now offered by the Pontifical Academy. Indeed, far

from criticizing Law 194, the *Note* limits itself to “call for a full respect of its provisions” (“il richiamo alla 194 e al pieno rispetto di quanto in essa previsto”).

2. Regarding the increased risks to women’s health entailed in the Ministry of Health directives, the PAL shows itself less sensitive to these risks than a Catholic who, as reported the Italian Episcopal Conference’s newspaper, *L’Avvenire* (according to *ABC News*), sharply denounced the new directive that from now on women wanting a chemical abortion, after being administered mifepristone and prostaglandine as outpatients, will return home to experience the subsequent expulsion of the fetus and all its side effects. This norm, the female writer complained, will deprive women of “necessary psychological and medical care” and will “make women experience a difficult and dangerous procedure in solitude.” But the PAL *Note* is relatively complacent: after observing that this norm “supersedes” the hospitalization system, which it says “was already substantially superseded in many cases” anyway, the *Note* points out that the Ministry of Health will still allow women suffering “intense pain or complications” to come and receive assistance at emergency rooms to be set up for that purpose.

3. The PAL *Note* thus does recognize there could be some disadvantages for women in having to experience at home the expulsion of their fetus and its side effects; but it remains silent about the greatly increased threat to unborn human life entailed in another new and closely related Ministry of Health directive, namely, that which extends the period in which the medication may be used from the 7th to the 9th week of pregnancy.

The PAL’s criticism of this extension is unduly restrained and incomplete. It says: “The intervention can therefore take place at a more advanced stage of the pregnancy, when the risks and uncertainty can turn out to be greater."

Now, the "risks and uncertainty" for the unborn infant will clearly be neither greater nor lesser. For whether he/she is aborted at age 7 weeks or 9 weeks, death is still the certain outcome! So it is clear that the "risks and uncertainty" referred to here are exclusively those affecting the mother. In other words, the PAL, in evaluating this extension of the time during which abortifacients may be legally used, expresses concern *only* for increased risks to the mother's health while totally failing to condemn, or even mention, the resulting great increase in the number of unborn innocents who will be killed under the new directive. This deafening silence is unworthy of a document coming from an Academy connected to the See of Peter. It is, we believe, the single most scandalous feature of the PAL’s tepid response to these guidelines.

4. In another passage, the PAL gives excessive praise to another aspect of Law 194 which it says has been too much neglected: "We are talking about [the Law's] commitment to truly give the woman, and the couple, all the support possible to prevent the interruption of pregnancy, overcoming those burdensome conditions, including economic hardship, that can make the interruption of a pregnancy an event that is undergone more than chosen because it occurs in adverse circumstances in which the idea of having a child becomes difficult or even unthinkable."

This sophistry excuses deliberate abortion as something that just "happens to" a woman, rather than something she chooses to do, whenever there are "difficulties" or "adverse circumstances" of some sort involved in having the new child. In any case, how often does a woman ever abort a child when her pregnancy does *not* involve any "difficulties" or "adverse circumstances"? Such broad, indulgent and ill-defined criteria could be used to excuse almost any real-life decision to have an abortion.

There seems little difference between the attitude articulated in the PAL *Note* and that which many compromising politicians and, unfortunately, even many ecclesiastics have already been advancing for decades. Unlike those radicals who now go so far as to urge women to "shout your abortion", these "moderates" will admit weakly that ending an unborn life is always something unfortunate that society should not encourage. But they tell us we should seek to reduce the incidence of abortion only by working to eliminate its "root causes" – which they identify as poverty, ill health, inadequate pregnancy support, insufficient counseling, and so on – rather than prohibiting it by law.

Apart from failing to present a robust defense of the unborn, such an approach also forgets that reducing the *number* of abortions is not the only purpose of pro-life legislation. Sending abortionists to prison will indeed reduce the incidence of that crime. But apart from that, laws are also there to send an ethical message. Society must proclaim its basic moral values by making it clear there are certain offences against justice and human dignity that a humane civilization will not only not encourage, but will not tolerate. And such 'zero tolerance' can be shown only by criminalizing such offences. Indeed, this general principle, when applied to many other forms of behavior, will be readily admitted by even the staunchest partisans of legalized abortion. How many of them, for instance, do we see campaigning for the repeal of laws that penalize overt racial discrimination in employment, housing, etc., and insisting that we oppose racism *only* by 'changing hearts and minds' through good example and better education?

One could accept that a very young girl today, if bullied by doctors, psychologists, or

even her boyfriend, into aborting her child without her parents' knowledge, could have a very diminished consent to this crime. But an adult woman is normally responsible for what she does and is never innocent if she consents to killing her own baby. One must remember here the old adage, "rather dying than sinning". To minimize or even deny the woman's and/or the couple's personal responsibility is in effect to discourage these unfortunate human beings from achieving an authentic and much-needed conversion. While the PAL's smooth words may at first sight seem laudably merciful, better discernment reveals them as just a mask for gravely neglecting the value and dignity of human life from its very inception. The authors forget that human beings can, with God's grace, use their will to overcome immense hardships, as was shown at Auschwitz by Maximilian Kolbe – the very saint whose feast was celebrated on August 14th, the date of the PAL's document.

5. Finally, several expressions the PAL uses are inappropriate for a Pontifical Academy, since they adopt the same euphemisms and evasions with which the world wants to mask the grave crime of abortion. Such are, for example:

a. The use of "interruption of pregnancy" instead of abortion.

b. The abortion caused by chemical abortifacients is described by the PAL as "an act of great emotional, social and moral relevance," without mentioning that it is the killing of an innocent baby, a horrible homicide. At a different moment abortion is called "a deed that leaves deep marks in the life-story of a woman." But the grave immorality of such a deed is not even mentioned.

c. The PAL holds that as a society we now face a common task – a task, that is, in which both those who support abortion and those who defend life are called to collaborate in "defending both the life conceived [...] and the family", thereby, hopefully, helping to prevent the onset of a "demographic winter" resulting from plunging birth rates. But this aspiration is totally unrealistic. For it has become clear over recent decades that there is no relevant common ground between those, on the one hand, who acknowledge the dignity of all human lives and recognize every human being as a person from the moment of from true conception until true death, and, on the other hand, those who want the human will of the privileged and powerful to decide which human beings are qualified to be considered as persons endowed with dignity and the right to life.

6. In conclusion, it is worth recalling the tragically illusory character of the grand vision expounded by Jacques Maritain in his seminal work from the 1930s, *Integral Humanism.* This book greatly impressed the future Pope Paul VI, and so contributed significantly to

the sunny optimism of 1960s Catholicism that found expression in key documents of Vatican Council II. Maritain envisaged the replacement of what he called the old "sacral Christendom" by a new "secular Christendom" in which Christians and unbelievers alike would collaborate in a spirit of fraternal and mutually respectful dialogue to build a civilization based on the perennial human values he thought were shared as common ground by all "men of good will". This appears to be the philosophical outlook still motivating today's PAL. But the increasing corruption of Western culture over the last half century has shown that this rose-tinted vision has sadly underestimated the power of original sin and the depths of malice of the 'Prince of this World'. Maritain and the Council Fathers wrote before abortion or euthanasia were legalized in any Western nation, and would have reacted in stunned disbelief to the news that within a few more decades these traditionally Christian societies of Europe and America would not only raise sodomy to the dignity of "marriage" in their laws and even seek to erase the primordial distinction between male and female, but would impose increasingly severe social and legal penalties upon anyone daring to challenge or even question these acts of rebellion against the Author of nature.

It is now more evident than ever that there can be no stable common ground capable of uniting in a "shared civilization" the City of God (*Civitas Dei*) and the Earthly City (*Civitas terrena*). We pray that the PAL will desist from seeking in vain to appease the prevailing culture of death by omitting all reference, in documents dealing with legalized abortion, to the grave sinfulness of this offence against the sacredness of human life, and that it will instead pay more heed to the words of the Apostle: "Do not conform yourself to this age but be transformed by the renewal of your mind, that you may discern what is the will of God" (Romans 12: 2)

28 August 2020
Feast of St. Augustine,
Bishop and Doctor of the Church

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