

Summer 1985

Abortion: Three Comments

William Rewak
Santa Clara University, wrewak@scu.edu

Follow this and additional works at: <https://scholarcommons.scu.edu/engl>



Part of the [English Language and Literature Commons](#)

Recommended Citation

Rewak, W. (1985). Abortion: Three Comments. *Santa Clara Magazine*. 27(7), 30-31.

This Other is brought to you for free and open access by the College of Arts & Sciences at Scholar Commons. It has been accepted for inclusion in English by an authorized administrator of Scholar Commons. For more information, please contact rscroggin@scu.edu.

ABORTION: THREE COMMENTS

BY WILLIAM J. REWAK, S.J.

One of the most debated issues in modern life, and one that speaks to our deepest understanding of who God is and how life proceeds from God, is the issue of abortion.

Thus the appropriateness of the preceding articles—both of them excellent essays on the subject.

There are, however, three comments I would like to make concerning the argumentation in the articles: one comment on Father Fagothey's article and two on Father Burtchaell's.

I

Father Fagothey writes that "we should have no laws on abortion." He certainly does not want it legalized; and, because of the pluralistic nature of society, he does not think he has a right to impose his philosophical or religious convictions on that society. He opts for a "persuasive program of moral education aimed at building up a respect for life."

I think most people would agree that, ideally, such a program would ultimately be the best solution. People can be beaten over the head and remain unconvinced; but to change the heart is to change society.

Nevertheless, regarding this issue, it is clear at this time that some legal maneuvers are needed. Before Father Fagothey died, he indicated that had he known when he wrote the article what effect the Supreme Court decision would have, his argumentation would have been different.

To jump ahead for a moment: Father Burtchaell says in his article that "about three-fourths of adult Americans, Catholic and non-Catholic, reject legalized abortion on demand, and reject government funding for abortions except to save a mother's life. They reject the justifications given for more than 95 percent of the abortions now performed in the United States." And he has supporting documentation.

Granted this is true, then, Father Fagothey's argument, which depends on the fact that no consensus exists, falls apart. The facts are not now as he then stated them. If, therefore, we agree with him that we must in this matter take the morally safer course and treat the fetus as a human person from the moment of conception, and that the human person has an inalienable right to life, then it follows that the de facto legalization of abortion is misguided and some legal antidote is required.

Indeed, the American bishops have stated unequivocally that "The right to life is the most basic human right, and it demands the protection of law. . . . We support the passage of a constitutional amendment to restore the basic constitutional protection of the right to life for the unborn child." (*Political Responsibility: Choices for the 1980s*)

Aside from that, it seems to me that Father Fagothey is too timid when he indicates that he does not want to "impose" his ethical views on others, in the political process. To say that one's position enjoys no public consensus is no argument for retreating from what one sincerely believes should be, in

this case, the law of the land. After all, any legislative position on abortion is an expression of someone's ethics.

If those who oppose abortion do not try to embody their ethics in the law, they are shortchanging the democratic process as well as compromising their own ethical position. It must be stated strongly, however, that they are required to use the democratic process fairly.

Father Fagothey says he prefers "moral education." But as the Emancipation Proclamation taught us (and historians remind us no consensus existed for that), law can also be educational.

II

Regarding Father Burtchaell's article: I would first like to comment on his treatment of episcopal authority and then on what I consider a significant gap in his argumentation: the dimension of faith.

In his criticism of Archbishop O'Connor's statements, Father Burtchaell does not take into consideration that there are two aspects of the Catholic Church's teaching authority: one is directed toward convincing, encouraging, enlightening—even questioning. And he criticizes Archbishop O'Connor for not adopting that mode. But there is another mode: an apodictic statement made by the church, reflecting the church's awareness of itself and of its obligations to care for humanity.

For example, if continued harrassment of blacks by the Ku Klux Klan occurs in a community, a bishop has the right—and the obligation to stand up and say, "No, that is not acceptable. It is morally wrong. It must stop. And Catholics cannot engage in that type of harrassment."

We should expect him to say that—and not simply with his own personal authority as a convincing teacher, but with the moral authority of a church that understands and seeks to protect the rights of all people. Sometimes we have to be told we are wrong.

And that is the type of authority that is often necessary in times of moral crisis.

To quote from the same document Father Burtchaell uses, the American Bishops' statement, *Political Responsibility: Choices for the 1980s*: "It must not be forgotten that the church has a right and duty not only to safeguard the principles of ethics and religion, but also to intervene authoritatively with her children in the temporal sphere when there is a question of judging the application of these principles to concrete cases." (That is, itself, a quote from Pope John XXIII, who may be forgiven the slightly paternalistic language. But the meaning is clear.)

I agree with Father Burtchaell that such teaching authority may be misused: one should not presume too readily that everything the Catholic Church has taught over the centuries is a matter of defined faith. Definitive proclamations are relatively few. I would submit, however, that in the case of

abortion the church's teaching has been clear and consistent and that it is not out of line for any bishop to declare that teaching in a forthright and authoritative manner.

Again, one always hopes for a change of heart and conscience in moral matters, for a conscience may not change simply because it is told it must change; but having been told, it may look a bit more closely at the issue—especially if it is predisposed, through faith, to do so.

For teaching authority—both the kind that convinces by moral argument and persuasion and the kind that operates through apodictic statement (and ideally these two modes should operate together)—is one of the elements that goes into the change of heart. To deny that is ultimately to deny that the church as a whole, as a human and divine construct composed of lay people, religious and clerics, popes and bishops, has an authority to teach. And within that construct there are different functions. At special moments, it is entirely proper for bishops, and for the Pope, to speak out apodictically and authoritatively on issues that have come to be recognized in the Catholic Church, over the centuries, as authentic expressions of faith. At times, there may not be such widespread recognition, or it may be that those who disagree are particularly vociferous—and that is when trouble occurs.

But the full teaching authority of the bishops is still a proper function within the church and ought to be accepted as part of the dynamic of the ever-growing awareness the church has of itself and of its faith.

There are, after all, two ways of looking at how doctrine develops in the Catholic Church. Some would consider that the Holy Spirit first speaks to the pope; then the pope speaks to the bishops; the bishops tell the parish priests; and then the priests let the lay people in on the secret. That is perhaps a biased oversimplification, but it does represent many Catholics' perception of how we come to know the faith.

Father Burtchaell explains extremely well, and with a carefully nuanced sensitivity, the other perception of the growth of doctrine: from experience. Our consciences develop through our experience of good and evil, and so does our faith. We struggle to learn and incorporate into our lives the moral values we subsequently live by. In the same way, the church, as the people of God, and with the help of the Spirit, learns through the centuries what it is and how it expresses its faith; it prays, studies and investigates, harbors disagreements within its ranks, and sometimes even admits mistakes.

I agree that this experiential growth is the ordinary procedure in the development of both moral and dogmatic doctrine.

But my point is that such corporate learning—and the subsequent communication of the faith—includes everyone. Even bishops. They are a part of the doctrinal development; they do have a role to play, and it is more often than not a leadership role. Their role cannot be restricted simply to a ratification of a consensus.

The role may indeed be misused, it may be imprudently handled, and the communication of authority may be miscalculated—history is filled with examples, and given human error it could hardly be otherwise—but the role itself

"People can be beaten over the head and remain unconvinced; but to change the heart is to change society."

is essential to the process of the growth of our faith. The teaching authority of the church must be part of the equation. And I wish that Father Burtchaell had had time to elaborate that aspect of doctrinal development.

III

The other comment I would like to make is in the nature of an addition, for I don't think Father Burtchaell's argument takes into sufficient account the dimension of faith. He even seems somewhat critical of both Governor Cuomo and Geraldine Ferraro because they do appeal to their faith. (Though he is absolutely correct in implying that Ferraro errs when she asserts that she does not want to establish an inextricable relationship between her faith and her public duties: all our actions, public and private, must follow from our moral beliefs; otherwise, we would live in a morally schizophrenic world.)

We can argue philosophically until doomsday about the issue of abortion, and we can examine our human experience endlessly—and all of that is valuable and absolutely necessary—but it is not final. We can use arguments from natural law and try to work laboriously, often with uneasy compromise, through the political process.

But, finally, we come to faith. Do we believe that human life is a gift? Do we believe that the power of God, the Spirit of God is somehow present in the miracle that springs from the joining of man and woman?

Christ rose from the dead to affirm life. "I have come that you may have life and have it abundantly." Jesus receives his life from God, and he hands it on to us in the mystery of his Resurrection. That Resurrection is the foundation of our faith and necessarily determines the direction of our moral growth. It is Jesus' ultimate statement of love for us; and morality must grow from love—his love for us, and our love for one another.

Jesus taught us that it is the nature of love to lead to life: the creation and protection and enrichment of life—all of life, from conception to death; and conversely, that life's duty must be the sharing of love.

Admittedly, the protection of innocent human life from direct attack is a human imperative, not exclusively a Christian one. But do we not believe that such a human imperative ultimately exists because God loves us and has therefore made life precious?

We believe that we share in the life of the Resurrection; do we not believe that the fetus shares in that life? And who has the authority to decide it does not? ■

William J. Rewak, S.J. is president of the University of Santa Clara.