

Abortion and Catholic Social Teaching¹

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Introduction

WHEN THE 2004 *Compendium of the Social Doctrine of the Church* first fell into my hands some months before its promulgation, one of the pleasant “surprises” was the text’s specific treatment and forthright condemnation of abortion, both in the context of human rights and in that of the family as the sanctuary of life. Pleasant though it was, it was still a surprise. In a letter dated March 2006, Cardinal Renato Martino, president of the Pontifical Council for Justice and Peace, stated bluntly: “The social doctrine of the Church, to date, has not placed due emphasis on the defense of life from conception to its natural end.” This unusually frank admission is actually an understatement. Social doctrine textbooks are virtually silent on the topic of abortion, and rarely do seminary or university courses on social doctrine deal with this issue in any way. The disconcerting fact is that for all intents and purposes the topic of abortion falls outside of Catholic social doctrine as it is presently taught and understood.

The absence of abortion in academic discussions of Catholic social doctrine may come as a shock to some, as it is certainly counter-intuitive. For many in the pro-life movement, for instance, the abortion question stands out as the foremost social-justice issue of our time. Moreover, in his groundbreaking 1995 encyclical on life issues, *Evangelium Vitae*, Pope John Paul II practically declared that Catholic social doctrine should shift its attention toward life issues. On beginning his discussion of the gravity of

¹ An earlier version of this paper was delivered on September 15, 2006 in Rome at the Pontifical Council for Justice and Peace at a symposium entitled “The Defense of Life, the Task of the Social Doctrine of the Church.”

attacks against life in our day, particularly abortion, he explicitly invoked the memory of Leo XIII's encyclical *Rerum Novarum* and compared the life issues of today with the worker question of Leo's time:

Just as a century ago it was the working classes which were oppressed in their fundamental rights, and the Church very courageously came to their defense by proclaiming the sacrosanct rights of the worker as a person, so now, when another category of persons is being oppressed in the fundamental right to life, the Church feels in duty bound to speak out with the same courage on behalf of those who have no voice. Hers is always the evangelical cry in defense of the world's poor, those who are threatened and despised and whose human rights are violated.²

This text, drawn from the beginning of the encyclical letter *Evangelium Vitae*, frames the entire question of abortion specifically in terms of the Church's social teaching. If Leo's 1891 encyclical concentrated its attention on the plight of the working class as the social group most in need of courageous defense at the time, the attention of the social Magisterium should now swing toward the new class of oppressed. John Paul II went on to say: "Today there exists a great multitude of weak and defenseless human beings, unborn children in particular, whose fundamental right to life is being trampled upon."³ If, John Paul reasoned, at the end of the last century the Church could not be silent about the injustices of those times, *still less* can she be silent today. Yet despite John Paul's appeal, abortion is no more present in Catholic social doctrine today than it was twelve years ago. Why is this, and what can be done about it?

In this paper I mean to address four closely related questions. First, I will briefly establish my assertion that *de facto* abortion is excluded presently from the realm of Catholic social teaching. Second, I wish to briefly examine the reasons behind this absence. Third, I will consider why abortion and its related problems fall within the proper competence of Catholic social thought and should be accorded greater attention within this discipline. Fourth, I will explore the singular contribution that Catholic social thought is called to make to the abortion problem and other related life issues.

The Neglect of Abortion in Catholic Social Teaching

Before all else, we must establish that abortion is indeed left out of Catholic social doctrine. To do so, we must first recognize the peculiar nature of this discipline. Unlike other areas of theological study, such as sexual ethics or

² Pope John Paul II, encyclical letter *Evangelium Vitae* (1995), §5.

³ *Ibid.*

Christology, Catholic social teaching is circumscribed by a corpus of magisterial teaching.⁴ Though it makes use of auxiliary texts and materials, the proper *matter* of the discipline and therefore its *content* are determined principally by the content of these papal texts. Being first a “doctrine,” rather than a field of study, it makes sense that these papal documents have a defining character. Thus, university and seminary courses of Catholic social doctrine usually explain and discuss the development and content of this growing corpus of doctrine, often making use of collections of the social encyclicals as their point of reference or textbook.

It was Pope Pius XII who coined the expression “social encyclical” in his radio message of June 1, 1941, referring to Leo XIII’s *Rerum Novarum*.⁵ Pope John XXIII, in his 1961 encyclical *Mater et Magistra*, again employed the term in reference to the same encyclical;⁶ and from there the term found its way into the common vocabulary of the Church’s Magisterium. Later Pope John Paul II would refer to Paul VI’s *Populorum Progressio* as a social encyclical as well in his 1987 commemorative encyclical *Sollicitudo Rei Socialis*.⁷

Though the Magisterium offers no definition of “social encyclical,” one understands that the expression refers to those encyclicals (and related documents, like Paul VI’s apostolic letter *Octogesima Adveniens*) that deal specifically and often exclusively with the just organization of society. Roughly speaking, the collection of social encyclicals makes up the corpus of the social Magisterium of the Church, with the notable exception of Pope Pius XII’s radio message of Pentecost 1941 commemorating the fiftieth anniversary of *Rerum Novarum*. While obviously not an encyclical at all, the text of his address is usually considered part of the

⁴ In 1987 Pope John Paul II wrote that Catholic social doctrine, “beginning with the outstanding contribution of Leo XIII and enriched by the successive contributions of the Magisterium, has now become an updated doctrinal ‘corpus.’” Pope John Paul II, encyclical letter *Sollicitudo Rei Socialis* (1987), §1.

⁵ Pius broadcast his message “to call to the attention of the Catholic world a memory worthy of being written in letters of gold on the Church’s Calendar: the fiftieth anniversary of the publication of the epoch-making social encyclical of Leo XIII, *Rerum Novarum*.” *AAS* 33 (1941): 196.

⁶ “It was at such a time and under pressure of such circumstances as these that Leo XIII wrote his social encyclical, *Rerum Novarum*, based on the needs of human nature itself and animated by the principles and spirit of the Gospel.” Pope John XXIII, encyclical letter *Mater et Magistra* (1961), §15.

⁷ “But first I wish to say a few words about the date of publication; the year 1967. The very fact that Pope Paul VI chose to publish a social Encyclical in that year invites us to consider the document in relationship to the Second Vatican Ecumenical Council, which had ended on December 8, 1965.” Pope John Paul II, *Sollicitudo Rei Socialis*, §5.

body of Catholic social doctrine as well. While elements of social teaching found in other papal texts could also be considered part of Catholic social doctrine, they are rarely included in courses on the subject.

Nearly all the social encyclicals begin by retracing the legacy of social encyclicals that have come before them. These ever longer lists furnish us with an informal “canon” of social encyclicals, though one finds slight discrepancies from list to list, which could also suggest some flexibility.⁸ Most recently Pope Benedict XVI set forth his own catalog of such encyclicals in his first teaching document, *Deus Caritas Est*. There, after enumerating the milestones in the development of the Catholic social Magisterium, Benedict writes: “My great predecessor John Paul II left us a trilogy of social Encyclicals: *Laborem Exercens* (1981), *Sollicitudo Rei Socialis* (1987) and finally *Centesimus Annus* (1991).”⁹ Conspicuous by its absence, of course, is any mention of *Evangelium Vitae* as a social encyclical.

A quick review of the content of the social encyclicals reveals a great silence surrounding the topic of abortion. Of all nine recognized social encyclicals,¹⁰ the word “abortion” appears a scant four times, and none treats it in any depth. *Rerum Novarum*, *Quadragesimo Anno*, *Mater et Magistra*, *Pacem in Terris*, *Populorum Progressio*, and *Laborem Exercens* never cite abortion at all, though in *Mater et Magistra*, John XXIII opposes solutions to population growth that “attack human life at its very source” (§189) and reminds us that “[h]uman life is sacred. . . . From its very inception it reveals the creating hand of God” (§194). In *Octogesima Adveniens* Paul VI mentions abortion in the context of Malthusian solutions to the unemployment problem (§18). Pope John Paul mentions abortion in passing in *Sollicitudo Rei Socialis* as a counterexample to a growing appreciation for life and human dignity (§26), as well as speaking against “systematic campaigns against birth” as a “new form of oppression” (§25). In *Centesimus Annus* he directly adverts to abortion twice, first in reference to widespread anti-childbearing campaigns employed to stem the supposed demographic problem (§39), and second in the context of human rights as the necessary

⁸ For example, in his recent encyclical *Deus Caritas Est* (2005), Pope Benedict offers his own catalog of social encyclicals, omitting both Pius XII’s radio message of 1941 and John XXIII’s encyclical *Pacem in Terris*, while including *Mater et Magistra* (§27). In *Populorum Progressio*, on the other hand, Paul VI includes both Pius’s radio message and *Pacem in Terris* in his list of social encyclicals (§2). In *Laborem Exercens*, Pope John Paul II includes *Pacem in Terris*, and mentions the conciliar document *Gaudium et Spes* as well, but omits Pius’s radio message (§2). In *Sollicitudo Rei Socialis*, John Paul once again includes Pius’s radio message (note 2).

⁹ Pope Benedict XVI, *Deus Caritas Est*, §27.

¹⁰ For simplicity’s sake, I am including Paul VI’s *Octogesima Adveniens* in the list of social encyclicals, though technically it is an apostolic letter rather than an encyclical.

foundation for the democratic system (§47). Further on, the same encyclical mentions “respect for life from the moment of conception until death” amongst the concerns of the Church’s social teaching (§54).

I must hasten to add that the omission of abortion from the social Magisterium in no way implies that the popes have been silent on the topic. On numerous occasions Pope John Paul II spoke out forcefully on the question, and his 1995 encyclical *Evangelium Vitae* addresses the matter of abortion in great length. Yet according to current thinking *Evangelium Vitae* is not a social encyclical. Thus, while the popes have indeed vigorously condemned abortion, they have not chosen to do so in the context of Catholic social doctrine. Why is this? What factors have contributed to the neglect of abortion in the social Magisterium?

Causes for the Silence of Catholic Social Teaching on Abortion

In part, this silence stems from the relatively recent advent of abortion as a large-scale ethical problem. With the development of medicine’s ability to kill as well as to heal, the number of abortions has multiplied exponentially in the past four decades. Therefore the first mention of abortion in the social writings of the Magisterium appears only in 1971, in Paul VI’s apostolic letter *Octogesima Adveniens* (§18). Yet this fact only partly explains the separation of life issues from social doctrine. While it certainly justifies the absence of abortion from early texts, it does not account for the continued exclusion of abortion from the discipline of Catholic social doctrine. By my reckoning, the silence reflects the widespread understanding of social doctrine as primarily *economic* in character, and of abortion as a *bioethical* problem rather than an issue of social justice.

This question can be addressed from different angles. I propose to do so first from a historical perspective, and second from a taxonomic perspective.

The Prototypical Function of Rerum Novarum in Catholic Social Doctrine

Pope Leo XIII’s 1891 encyclical *Rerum Novarum* is the touchstone for all Catholic social doctrine. The vast majority of the social encyclicals make direct reference to *Rerum Novarum* and its content, and have often been promulgated to commemorate important anniversaries of the encyclical.¹¹

¹¹ In his encyclical letter *Centesimus Annus* (1991), Pope John Paul II specifically ties the Church’s social doctrine with Leo’s text and the papal documents that comment on it. “Although the commemoration at hand is meant to honor *Rerum Novarum*, it also honours those Encyclicals and other documents of my Predecessors which have helped to make Pope Leo’s Encyclical present and alive

Taking *Rerum Novarum* as their point of departure, these letters update the ethical analysis of the social question in the light of new realities while generally following the categories set out by Leo's text. Therefore the initial focus on the worker question has endured, and economics have never relinquished center stage in Catholic social thought.¹² Though slowly the Church's understanding of what constitutes her social teaching has broadened, it still remains strongly wedded to *Rerum Novarum*.

The papal Magisterium has referred more than once to *Rerum Novarum* as the "Magna Charta" of Catholic social thought. On the fortieth anniversary of this document, Pope Pius XI wrote that "Leo's Encyclical has proved itself the Magna Charta upon which all Christian activity in the social field ought to be based, as on a foundation."¹³ More recently, Pope John Paul II wrote: "In this way, Pope Leo XIII, in the footsteps of his Predecessors, created a lasting paradigm for the Church."¹⁴

While the importance and originality of *Rerum Novarum* cannot be gainsaid, the conferral of a normative character to a text of this nature could not but have a limiting effect on subsequent expositions of Catholic social ethics. Whereas *Rerum Novarum* ably addressed the worker problem, analyzing the Socialist solution and reaffirming the Catholic belief in a natural right to private property, it did not deal with a host of other essential questions of social justice. Leo had no intention of penning a comprehensive treatise on Christian social ethics. *Rerum Novarum* was a thoughtful response to a pressing pastoral concern, but to expect to find in it the pattern for Church teaching on every social issue is to ask more from the document than it can possibly give.

A case could be made that the ecclesial document truly deserving the title of Magna Charta of Catholic social thought would be the 1965 Conciliar Constitution of the Church in the Modern World, *Gaudium et Spes*. The text is probably the single most important development of Catholic social doctrine in the twentieth century. Whereas *Rerum Novarum* offered a perceptive analysis of the worker problem, *Gaudium et Spes* tack-

in history, thus constituting what would come to be called the Church's 'social doctrine', 'social teaching' or even 'social magisterium'" (§2).

¹² Thus in his 1981 encyclical *Laborem Exercens*, Pope John Paul II wrote: "It is certainly true that work, as a human issue, is at the very center of the 'social question' to which, for almost a hundred years, since the publication of the above-mentioned Encyclical, the Church's teaching and the many undertakings connected with her apostolic mission have been especially directed." Pope John Paul II, *Laborem Exercens*, §2.

¹³ Pope Pius XI, *Quadragesimo Anno* (1931), §39. This title was reiterated by John XXIII (*Mater et Magistra*, §26).

¹⁴ Pope John Paul II, *Centesimus Annus*, §5.

les the whole gamut of social justice issues. In systematic fashion it lays out first the foundations of Catholic social ethics in the dignity and vocation of the human person, and then proceeds to explore the interdependence of person and society, the meaning of man's activity in the world, the social nature of marriage, the importance of culture, economic development, the political community, international relations and the project of peace.

The Taxonomy of Moral Theology

A second cause of the absence of abortion from Catholic social teaching can be found in the taxonomy of moral theology, of which Catholic social doctrine is a branch.¹⁵ Moral theology is traditionally broken down into fundamental and special, with the latter being further subdivided into three subcategories: (a) sexual-marital ethics, (b) life ethics, and (c) social ethics—the area of Catholic social thought. As we saw earlier, Catholic social doctrine is more limited than social ethics in that it refers specifically to the content of the corpus of magisterial teaching contained in the social encyclicals.

These categories determine the structure of theological studies in the moral field, and the differentiation carries out an important pedagogical function. Specific moral questions generally fall into one or another of these categories and, to avoid useless repetition, are not treated over and over in different disciplines. Since at its heart abortion is a sin against the fifth commandment and consists essentially in the taking of an innocent, unborn human life, it pertains in its moral species to the realm of bioethics. To avoid redundancy, since abortion is treated in-depth in courses of life ethics, it is generally excluded from courses on social doctrine.

In What Sense Abortion Properly Falls Within the Realm of Catholic Social Teaching

Does the discipline of Catholic social teaching properly include abortion and other life-related moral issues? More fundamentally perhaps, what are the breadth, proper scope, and limits of Catholic social teaching? It obviously does not intend to embrace the whole of Christian morality and has a specificity all its own. Does this specificity extend to abortion?

The Necessary Overlap among the Areas of Moral Theology

The academic distinctions that articulate moral theology into diverse branches, while very useful for focusing our attention and delineating

¹⁵ In his 1987 encyclical letter *Sollicitudo Rei Socialis*, Pope John Paul II wrote that the Church's social doctrine belongs to the field "of theology and particularly of moral theology" (§41).

disciplines, may also contribute to an unhealthy, modular approach to learning. In his 1998 encyclical *Fides et Ratio*, Pope John Paul II warned against an overspecialization that threatens the unity of knowledge. “The segmentation of knowledge,” he wrote, “with its splintered approach to truth and consequent fragmentation of meaning, keeps people today from coming to an interior unity.”¹⁶ The fact is that the lines drawn between the different branches of moral theology are not nearly as clear and neat as they may first appear. Both sexual ethics and life ethics intersect and overlap with social ethics in significant ways.

In the proper sense, sexual ethics examines the correct use of human freedom in the area of sexual activity, with special emphasis on the virtue of chastity as the right ordering and integration of human sexuality. The nature of the human person as a sexual being, the purpose of the reproductive faculty, the morality of sexual conduct between spouses, between unmarried persons, between persons of the same sex, and with oneself all constitute the proper matter of this area of study.

At the same time, however, sexual and marital ethics also enter into the realm of Catholic social thought. Intrinsic to sexual morality is its public, social dimension. The family as the primordial human community and basic cell of society, the place of the institution of marriage in the social fabric, marriage and divorce laws, the recognition of civil unions between persons of the same sex, and the adoption of children constitute several of the many questions of sexual and marital ethics that properly fall within the competence of Catholic social thought.

A similar analysis can be applied to the second sector of special moral theology, that of life morality or bioethics. While this area specifically explores (1) the morality of human activity touching on the beginning of human life, (2) medical and biological activity aimed at the preservation and betterment of human health, and (3) end-of-life ethics, it also has an important social dimension.

Properly bioethical issues become social questions when they are addressed in a legal or juridical context and insofar as they impinge on the common good and social justice. Healthcare systems with their socio-political dynamics, medical malpractice, publicly funded experimentation on embryos, laws regarding euthanasia, cloning and assisted suicide—to name but a few—all enter into this sphere. Abortion is no exception.

Abortion refers to the deliberate termination of an unborn human being, and therefore by its moral species it belongs to the field of bioethics. Yet in the matter of abortion the job of the bioethicist is rela-

¹⁶ Pope John Paul II, *Fides et Ratio* (1998), §85.

tively simple. For those who accept the status of an unborn child as a human being, the moral judgment involved is eminently straightforward and requires little discussion. Direct abortion is morally repugnant and merits universal condemnation.

The numerous moral issues surrounding abortion at the social and political level, however, are far-ranging and complex, and demand attentive study and careful exposition. The place of the right to life in a broader theory of human rights, the role of natural law in jurisprudence, the moral admissibility of supporting imperfect laws as part of a long-term pro-life strategy, the question of conscientious objection for medical personnel—these questions form but the tip of the iceberg requiring answers from Catholic social thought. Given the nature of the social, juridical, economic, and political debates that swirl around abortion in the world today, I would venture to say that it pertains more to the area of social ethics than to bioethics.

Analysis from the Perspective of Social Justice and the Common Good

Social justice is the central and specific virtue of Catholic social thought and determines the proper scope of this discipline. It extends to a number of areas, generally grouped around the socio-cultural, political, familial, and economic spheres. Whereas the interpersonal nature of justice means that all justice is, in a sense, social, the papal Magisterium has consistently employed the terminology of “social justice” and “social charity” to refer to the right ordering of those structures and institutions that most directly affect the common good. Pope Pius XI, for his part, treated “social justice” and the common good as virtual synonyms.¹⁷ The *Catechism of the Catholic Church* likewise says that “society ensures social justice by providing the conditions that allow associations and individuals to obtain their due” (§1943), a description very similar to that of the common good.

From this perspective, the question becomes, to what degree and in what manner is abortion a question of social justice? Abortion is, in fact, an emblematic and singular socio-ethical problem. To illustrate the uniqueness of abortion, it suffices to exhibit six characteristics that distinguish it from related social phenomena:

1. Abortion deals specifically with the destruction of *innocent* life. This differentiates discussion of abortion from many other related social-justice issues. We are not discussing the killing of enemies, as in war,

¹⁷ See Pope Pius XI, *Quadragesimo Anno*, §§58, 110.

or “guilty life,” as in capital punishment, with all the moral considerations that must be brought to bear on these cases. This is why then-Cardinal Joseph Ratzinger in June 2004 wrote: “There may be a legitimate diversity of opinion even among Catholics about waging war and applying the death penalty, but not however with regard to abortion and euthanasia.”¹⁸ Though all life is precious, moral theology has always differentiated the destruction of “innocent life” as particularly heinous and always and everywhere worthy of condemnation.¹⁹ No one can “in any circumstance, claim for himself the right to destroy directly an innocent human being.”²⁰ No one is more innocent and defenseless than an unborn child.

2. A further distinguishing factor of abortion as a social phenomenon is the sheer *magnitude of the problem*. Though completely reliable statistics are unavailable, conservative estimates place the number of legal abortions performed worldwide each year at 25–30 million, a figure that alone makes abortion a social problem of staggering proportions. “Humanity today offers us a truly alarming spectacle,” wrote Pope John Paul, “if we consider not only how extensively attacks on life are spreading but also their unheard-of numerical proportion.”²¹ An isolated murder would be a social problem, but one of reduced proportions. A serial killer would pose a more serious social problem still. But yearly killings in the millions cry out for immediate and decisive action. The volume of abortions underscores the social nature of the problem, and makes abortion one of the most serious social-justice issues not only of the present day, but of all time.
3. Unlike other instances of massive killing of human life, like terrorism or serial killing, which stand clearly outside of the law, abortion enjoys *legal sanction*. Abortion involves the systematic, hygienic, legal

¹⁸ This memorandum was sent in June 2004 by then Cardinal Joseph Ratzinger to Cardinal Theodore McCarrick and made public on July 3, 2004. The memo bears the title “Worthiness to Receive Communion: General Principles.” See www.catholicnews.com/data/stories/cns/0403830.htm and chiesa.espresso.repubblica.it/articolo/7055?eng=y.

¹⁹ The *Catechism of the Catholic Church* (1992) maintains this distinction, carefully including the adjective “innocent” in its sweeping prohibition: “The deliberate murder of an innocent person is gravely contrary to the dignity of the human being, to the golden rule, and to the holiness of the Creator” (§2261, emphasis added).

²⁰ Congregation for the Doctrine of the Faith, Instruction on Respect for Human Life in its Origin and on the Dignity of Procreation, *Donum Vitae* (1987), intro., §5: AAS 80 (1988): 76–77 (emphasis added).

²¹ Pope John Paul II, *Evangelium Vitae*, §17 (emphasis in the original).

elimination of human life. Pope John Paul II wrote of the novelty of this menace, due to its internal nature. “They are not only threats coming from the outside,” he wrote, “from the forces of nature or the ‘Cains’ who kill the ‘Abels’; no, they are *scientifically and systematically programmed threats.*”²²

Later, he remarked on the peculiarity of abortion as a legal right. After listing a series of terrible threats to human life, such as poverty, malnutrition, war, and the arms trade, he then contrasted them with a new class of threats on life. Not only are these attacks on life no longer considered as crimes, he wrote, “paradoxically they assume the nature of ‘rights,’ to the point that the State is called upon to give them *legal recognition and to make them available through the free services of health-care personnel.*”²³

4. A fourth distinguishing aspect of abortion is its arbitrary division of human beings into those worthy of life and those unworthy. Abortion deals not with the random killing of unrelated individuals, but the *circumscription of an entire class* of human beings (the unborn) as non-citizens and non-persons, excluded from the basic rights and protections accorded to all other human beings. In this way abortion mimics the great historical tragedies of all time, which always began with the denigration of an entire class of people as unworthy of life or freedom.

Historically the greatest social evils perpetrated on humanity—genocide, racism, abortion, anti-Semitism, sexism, slavery—have always violated the principle of equality, relegating an entire sector of the human family to an inferior status, with a dignity lower than the rest. Since human rights flow from human dignity, once dignity is called into question, equal rights cannot but share in the same fate. If human dignity depends on anything other than simple membership in the human race—be it intelligence, athletic ability, social status, race, age, or health—we immediately find ourselves in the situation of having to distinguish between persons.

5. Abortion even distinguishes itself from related bioethical questions such as euthanasia and assisted suicide because of the absence of the possibility of *informed consent*. The status of the unborn as voiceless and most vulnerable adds a further dimension to the discussion of the morality and gravity of abortion. Here the bioethical category of “autonomy” cannot be applied, since unborn children have no way of speaking for themselves.

²² Ibid., (emphasis in the original).

²³ Ibid., §11, (emphasis in the original).

6. Finally, abortion differs from other major social ills such as unemployment and divorce because of its relative *invisibility*. Not only are the victims themselves voiceless, those who perpetrate abortion have no interest in speaking publicly about it, and neither do the women and girls who abort. It takes place behind closed doors and relies on persons and institutions uninvolved in the process to speak out. Yet even legislators are squeamish about frank discussions of the phenomenon of abortion, and pro-life advertising is banned from most network television. Abortion takes place behind closed doors, and is hushed in public. As in the case of slavery, the social injustice of abortion relies on the courage of persons and institutions uninvolved in the process to speak out.

Catholic Social Teaching's Specific Contribution to the Abortion Question

The fourth and final question to be treated could read like this: If the scope of Catholic social teaching ought indeed to embrace the abortion problem, what is its distinct contribution to the debate? What does it bring to the table that was not there already?

Catholic social thought furnishes two distinctive elements to the abortion debate. First, it lays a bridge between moral theology and public discourse. In its long experience dealing with social questions, the Church has sought not only to set forth the Christian truth in all its richness, but to influence Christians and all people of good will in building a civilization of justice and love. To this end, Catholic social teaching often employs a natural-law vocabulary friendly to all persons of good will, and frames its arguments using accessible concepts and constructions that can be brought to bear on moral discourse in a non-confessional environment.

Second, perhaps more than any institution in the world, the Church in its social teaching has developed a series of principles to address the complex moral questions in the social order. As new situations have arisen as a result of the rapidly changing socio-political landscape, the Church has shown admirable elasticity in accommodating new states of affairs while ever defending the essential dignity of the person and the family.

It is this second contribution—at the level of content—that I would like briefly to comment on now.

The Common Good

A key element of the patrimony of Catholic social doctrine is the concept of the common good, not only as a general principle, but also in its specific content. *Gaudium et Spes* defined the common good as “the sum of those

conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfillment.”²⁴ The Catechism separates these “conditions of social life” into three groups, the first of which comprises respect for the human person, and consequently respect for his “fundamental and inalienable rights.”²⁵

Pope John Paul developed this point still further by stating: “It is impossible to further the common good without acknowledging and defending the right to life, upon which all the other inalienable rights of individuals are founded and from which they develop.”²⁶ In other words, not only is the right to life included in the notion of the common good—which is the finality of the social order—it constitutes a foundational pillar of that order. Therefore John Paul could add: “Disregard for the right to life, precisely because it leads to the killing of the person whom society exists to serve, is what most directly conflicts with the possibility of achieving the common good.”²⁷

The Principle of Equality

The democratic system as it is understood today is based on the principle of equality—the radical ontological and civic equality of all citizens. The doctrine of universal human equality comes down to our generation as a specifically Christian contribution to political science. The idea that every human being is a child of God, created in his image, called to divine sonship and eternal beatitude grounds the understanding that all human beings are brothers and sisters and share an equal human dignity. Even those who reject the Church and Christianity itself—such as the architects of the French Revolution—owe an enormous debt to Christianity, without which the motto *Liberté, Égalité, Fraternité* would have never materialized. In a democratic system, even non-citizens merit the same human treatment and possess the same human rights, even if they do not enjoy all the civil rights (work, vote, participation in the public life, etc.) of citizenship.

Historically the greatest social evils perpetrated on humanity—genocide, racism, abortion, anti-Semitism, sexism, slavery—have always violated the principle of equality, relegating an entire sector of the human family to an inferior status, with a dignity lower than the rest. Since human rights flow from human dignity, once the latter is called into question equal rights cannot but share in the same fate. If dignity depends on anything other

²⁴ Second Vatican Council, “Pastoral Constitution on the Church in the Modern World,” *Gaudium et Spes* (1965), §26.

²⁵ *Catechism of the Catholic Church*, §1907.

²⁶ Pope John Paul II, *Evangelium Vitae*, §101.

²⁷ *Ibid.*, §72.

than simple membership in the human race—be it intelligence, athletic ability, social status, race, age, or health—we immediately find ourselves in the situation of having to distinguish between persons. Each person would possess a slightly lower or higher dignity, and thus different rights.

Equality of persons corresponds to the impartiality of justice. Portrayals of the goddess Justice as of the sixteenth century depict her blindfolded, with a balance in her left hand and a sword in her right. The blindfold represents impartiality, the indistinct and equitable treatment given to all, without discrimination of persons. What is important is not who I have before me, but the simple fact that I have someone before me. As John Paul wrote: “How is it still possible to speak of the dignity of every human person when the killing of the weakest and most innocent is permitted? In the name of what justice is the most unjust of discriminations practised: some individuals are held to be deserving of defence and others are denied that dignity?”²⁸

The Preferential Option for the Poor

The Church’s preferential option for the poor, an evangelical principle, refers to a deliberate emphasis on and attention to those most in need. Pope John Paul II called it “a special form of primacy in the exercise of Christian charity” that should affect the life of every Christian.²⁹ On numerous occasions the Magisterium has clarified that the “poor” in question does not refer to a social class, or merely to those who suffer material need, but to the entire sphere of human misery and indigence. “This misery,” we read in the Catechism, “elicited the compassion of Christ the Savior, who willingly took it upon himself and identified himself with the least of his brethren.”³⁰

Just as a mother or father dedicates a disproportionate amount of time and energy to a child who is sick, without for that reason loving the other children any less, Christians are called to focus their efforts preferentially toward the most defenseless among us. Applying this principle to contemporary society, the social injustice that most cries out to Christian conscience, for the reasons we saw earlier, is the deliberate and massive attack on the most vulnerable members of society, the unborn.

The Church’s Teaching on the Rule of Law

Catholic social doctrine reaffirms the Pauline doctrine of respect for and obedience to civil law.³¹ Yet it also insists that to be legitimate, human law

²⁸ Ibid., §20.

²⁹ Pope John Paul II, *Sollicitudo Rei Socialis*, §42.

³⁰ *Catechism of the Catholic Church*, §2448.

³¹ See Rom 13:1–3; Tit 3:1.

must mirror God's eternal law. Citing Saint Thomas Aquinas, the Catechism states: "A human law has the character of law to the extent that it accords with right reason, and thus derives from the eternal law. Insofar as it falls short of right reason it is said to be an unjust law, and thus has not so much the nature of law as of a kind of violence."³²

The Church's understanding of the scope and limits of human law sheds light on the contemporary situation where abortion is given legal protection in most countries. It also leads to a series of questions, to which it furnishes the necessary principles to derive answers:

- What does it mean for society to grant legal approval to the systematic elimination of unborn children?
- What is the proper response to an unjust law in a democratic polity?
- Since law has a pedagogical function in forming the moral consciences of citizenry, especially given the modern tendency to conflate the legal and moral spheres, how can the deforming influence of unjust abortion laws be deflected and redressed?
- What is the proper role of civil law in the protection of life?
- When are civil disobedience and conscientious objection permitted or even required and what form should they take?
- If a given law permits evil without imposing it, how does the moral obligation of citizens change as a result?
- What is the essential difference between imposing religious doctrine and defending the common good that coincides with religiously informed moral judgment?

These questions—just a selection from the many possibilities—reveal the importance of Catholic social doctrine in dealing with the immense social fallout of abortion in the legal realm.

Church Teaching on Politics in General and the Role of Catholic Legislators in Particular

As in the case of human laws, the Church has amassed a body of social teaching regarding the nature and role of public authority. Central to this teaching is the understanding that public authority exists for the sole

³² *Catechism of the Catholic Church*, §1902, citing St. Thomas Aquinas, *ST I-II*, q. 93, a. 3, ad 2.

purpose of achieving and protecting the common good.³³ When politicians fail in their duty to the common good, they lose their reason for being.

As in the closely related case of abortion as unjust law, the situation of politicians who support abortion legislation gives rise to numerous questions for Catholic social teaching. Given the number of such questions, I will limit myself to offering a representative sample, rather than attempting to be exhaustive or to expound the corresponding teaching to answer each query.

- In what way does a pro-abortion politician “formally cooperate” with evil?
- Since a legislator has the power to make something licit or illicit, at least in a conventional sense, is this worse than actually performing abortions?
- In what cases is so-called “single-issue politics” legitimate or obligatory? Can and should one issue trump the rest, and under what conditions? Does abortion constitute one of those cases?
- How is a Catholic politician’s relationship with the Church affected by his promotion of abortion legislation? Are there circumstances under which he should be refused Holy Communion?
- What moral legitimacy does the “seamless garment” approach to life issues hold?
- Is it morally permissible to be “personally opposed but publicly favorable” to abortion, as Catholic Governor Mario Cuomo articulated his position?
- In what way do the distinct and complementary roles of the legislature and the judiciary effect a proper response to the abortion problem?
- What are the conditions and limits of the democratic process? Is everything up for debate and subject to the fluid will of the majority?

Once again, while not exhaustive, this brief list of questions effectively illustrates the complexity of the socio-ethical problems engendered by the abortion issue and the importance of the contribution of Catholic social teaching in providing guidance for their resolution.

³³ “The attainment of the common good is the sole reason for the existence of civil authorities.” Pope John XXIII, encyclical letter *Pacem in Terris* (1963), §54.

Conclusions: Paths to a Solution

If, as has been argued, the teaching furnished by the Catholic social Magisterium is essential for a thoroughgoing response to the abortion problem, and ought to be formally included in our understanding of its scope, what can be done to bring this about? I see two possible courses of action.

The first would be to induct *Evangelium Vitae* into the club of social encyclicals. As we have seen, Pope John Paul, in that same encyclical, offered a good justification for doing just that. *Evangelium Vitae* expounds a series of principles undergirding the just society, which are not treated with equal depth elsewhere in the Church's social Magisterium. In *Evangelium Vitae* John Paul examined the role and purpose of the rule of law, as well as its limitations. He spoke about cooperation in evil, elucidating the moral nuances relating to life issues. He analyzed the democratic system and the importance of moral truth as an enduring point of reference for the attainment of the common good. Much more of the encyclical, in fact, deals with the social and juridical ramifications of life issues than with the straightforward moral principles at their base.

A second approach would be to extend our understanding of what constitutes the corpus of Catholic social teaching beyond the monographic social encyclicals, to include all magisterial teaching on social matters. This would require much more work on the part of those who teach this discipline, since it involves parsing magisterial texts and glean- ing the teachings offered on issues of social justice.

Thankfully, an important step has already been taken in this direction with the promulgation of the *Compendium of the Social Doctrine of the Church*. This important text has advanced the development of the discipline of Catholic social doctrine in two significant ways. First, it draws not only from the canon of social encyclicals but also from other magisterial texts that touch on social justice issues. In citing everything from Leo XIII's *Immortale Dei* (1885) to Pius XI's *Casti Connubii* (1930) to John Paul II's *Dives in Misericordia* (1980), the *Compendium* underscores the breadth of the Catholic social Magisterium far beyond the confines of the so-called social encyclicals. It should be noted that the *Compendium* also references *Evangelium Vitae* in numerous instances. Second, in adopting an organic structure more similar to *Gaudium et Spes* than to *Rerum Novarum*, the *Compendium* systematically lays out the foundational principles of Catholic social thought and draws from them their practical applications in the social, political, cultural, and economic realms. This methodological option encourages thinking of Catholic social doctrine in a more thematic way, relativizing the place of the economy in the whole of social ethics, and making room for other central social-justice issues—such as life issues.

These changes will take place gradually and are already in motion. At a minimum, teachers and students of Catholic social doctrine should begin by taking Pope John Paul's words at face value and treating abortion as the social problem that it is. "Just as a century ago it was the working classes which were oppressed in their fundamental rights . . . so now . . . another category of persons is being oppressed in the fundamental right to life."³⁴ For those truly concerned with justice and peace in the world, there is no better place to start. **N.V**

³⁴ Pope John Paul II, *Evangelium Vitae*, §5.