



Title:Intrinsically complicated.(From the Editors)(morality and political responsibility)

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As we go to press, the U.S. Conference of Catholic Bishops is meeting in Baltimore. At the top of the bishops' agenda is ratification of a statement instructing Catholics on the relationship between morality and political responsibility.

The statement, issued every four years to coincide with presidential elections and designed to encourage political participation, has long been titled "Faithful Citizenship." In the new draft of the document now being debated by the bishops, the title has been changed to "Forming Consciences for Faithful Citizenship." The new title reflects a shift in emphasis in the bishops' approach to the debate about the fraught relationship between the church's moral teaching and the legal and political status of issues such as abortion and same-sex marriage. While not abandoning the "consistent ethic of life" language that previously linked the bishops' rejection of legalized abortion with concerns about poverty, the death penalty, war, immigration, and the environment, the new statement nevertheless puts abortion conspicuously at the top of every list of pressing threats to human dignity.

This shift in emphasis is further characterized by repeated references to the "intrinsically evil" nature of abortion, euthanasia, the destruction of human embryos, and human cloning. Some conservative Catholics add same-sex marriage to this list and call these issues "nonnegotiable," a stance that rests uneasily with the inevitably contested and provisional nature of political decision making in a pluralistic democracy. As the draft argues, any "legal system that violates the right to life on the grounds of choice is fundamentally flawed." Complicating this analysis, of course, is the fact that for those who would not outlaw abortion in all instances, it is not simply innocent life that is at stake, but the life and health of the mother as well. Whether antiabortion laws are enforceable, or whether they would be quickly reversed and produce an even more prochoice consensus, are also concerns.

It remains unclear exactly how fundamentally flawed the bishops judge the American legal system to be, since they are nevertheless committed to working within that system to achieve a just outcome. Consequently, the bishops are careful to note that an incremental approach to restoring legal protection to the unborn is necessary and morally appropriate, and that Catholics are free, after weighing the relative urgency of competing political claims, to vote for prochoice politicians. "We bishops do not intend to tell Catholics for whom or against whom to vote," the draft states.

Given this recognition of the limited reach of politics and the law, how persuasive as a public argument is the bishops' language regarding "intrinsic evil"? Since the vast majority of Americans, including Catholics, continues to support legal, if limited, access to abortion, it is doubtful that the resort to this somewhat technical use of natural-law terminology--which casts all those who refuse to criminalize abortion as directly implicated in the gravest evil--will help move the nation beyond the current social and legal impasse. Nor does the language of intrinsic evil pay sufficient attention to the distinction Catholic moral teaching has traditionally made, and the bishops elsewhere acknowledge, between what morality demands and what the law can reasonably require, especially law in a religiously pluralistic state.

Politics, as the bishops concede, is the art of the possible. Sadly, when assessing what is politically possible,

the compelling logic of the prolife argument that a life deserving protection begins at conception is only part of the solution. The widespread intuition that questions whether an embryo no bigger than the period at the end of this sentence is in fact a "human being" in the same sense that a child, or even a developing, recognizably human fetus is, remains a decisive factor for many people. Thus, reducing the number of abortions or halting the largely unexamined rush to embryonic stem-cell research will not be achieved merely by invoking rigorously abstract arguments or by imposing draconian legal restrictions. The high rates of abortion in countries where the procedure is outlawed remind us of the relative ineffectiveness of these approaches.

Are the bishops right about the evil of abortion and right to insist on legal protection for the unborn, including appropriate penalties for abortion providers? Yes. There is a powerful pedagogical dimension to the law, and current U.S. abortion law, among the least restrictive in the world, sends the unmistakable message that fetal life is of no independent value. That state of affairs will not change, however, if the political rhetoric of the bishops alienates people of good will by focusing, in what will be perceived as a disproportionate way, on only one of the grave moral challenges voters face.

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