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[Book Review of] Abortion and Catholicism: The American Debate, edited by Patricia Beattie Jung and Thomas V. Shannon

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would be an essential addition to the text if used for classes in the USA. As mentioned above, there are a few surprises along the way. The "Harvard Criteria" for the determination of death, and the report of the President's Commission — not to mention the practice of physicians and the conviction of many philosophers and theologians — stand in sharp contrast to the opinion of the author regarding death. Also, it may be objected that the author too quickly scuttles reliance on natural law when facing questions of the dignity of human existence and the meaning of human choices. These are by no means insuperable difficulties, and the volume is a very welcome and valuable contribution to the field of applied ethics.

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Abortion and Catholicism: The American Debate

edited by Patricia Beattie Jung and Thomas V. Shannon

New York: Crossroads, 1988. 331 pp. \$14.95. Paper.

The editors of this collection obviously think that the Church's teaching on abortion is erroneous, and that Catholics should be free to hold any position on the subject. They likewise think that their decision to publish a book of this kind is an act of courage, for they have chosen to go ahead with the work despite the fact that by doing so they believe that they are opening themselves to "the possibility of all sorts of vilification" (p. 5).

The essays, all of which save that by Anne E. Patrick are published elsewhere, are grouped around the "moral", "political", and "ecclesial" aspects of the abortion debate. The view that abortion is morally permissible, either in a wide or more narrow range of instances, and that it ought to be legally available is championed by the majority of the essays included.

The authoritative teaching of the Church on abortion is set forth in a somewhat comprehensive manner in the essay by Archbishop John R. Roach and Cardinal Terence Cooke (originally, this paper was presented to the U.S. Senate as testimony in support of the Hatch amendment). This teaching is also reflected, although quite briefly, in a piece by Thomas J. O'Donnell. A public policy rooted in a respect for the rights of unborn children is developed in an essay by Cardinal John O'Connor. Sydney Callahan, in one of the essays written from a feminist perspective, ably criticizes the fallacies of those who try to justify abortion by appealing to the right of women to control their own bodies, the need for autonomy in exercising responsibility, etc. Nonetheless, because she endorses the use of contraceptives, one can hardly view Callahan's article as a strong defense of Catholic teaching. Essays by Cardinal Bernardin on the "consistent ethic" of life, by John Connery on some problems with this approach and on the significance of *innocent* human life as being absolutely inviolable, and by Cardinal Ratzinger on the proper relationship between theologians and bishops are also supportive of Church teaching, although they are somewhat peripheral to the precise issue of abortion. But the majority of the 21 essays included are clearly opposed to the teaching of the Church on abortion. What about these? I shall now try to give something of the "flavor" of the volume.

Of the essays supporting abortion as a morally good choice, only one is by a male, namely Joseph F. Donceel, S.J., whose well-known advocacy of delayed hominization is set forth in

a short essay he had originally contributed to a book published in 1970. Yet there is no indication in this volume that Donceel's views have been sharply and devastatingly criticized by others, for example, by Benedict Ashley, O.P., in his illuminating critique of the delayed hominization view in *An Ethical Examination of Fetal Experimentation*. But what of the essays by female Catholic scholars to justify abortion as a moral choice? I will focus on four of these, namely, those by Carol A. Tauer, Marjorie Maguire, Patricia Beattie Jung, and Anne E. Patrick.

Tauer's defense of abortion is based on her claim that the question concerning the status of fetal life does not entail a factual doubt, but rather a theoretical one. She admits that if this question did involve a doubt of fact, then one would not be able to apply probabilistic moral theory and justify the killing of the unborn. She acknowledges that one should not shoot at an object moving in the bushes unless one is certain that it is *not* a human person. But Tauer thinks that the question, is the unborn a person?, is *not* a factual one since it cannot be resolved by empirical evidence alone. It is rather a theoretical issue whose resolution depends on the acceptance of some basic philosophical assumptions. Since this is so, she argues, then one can adopt the moral system of probabilism. By doing so, one can claim that it is at least probable, particularly during early stages of gestation, that the unborn are not human persons and that, therefore, it is not immoral to kill them if one has a good reason for doing so. I submit that, if Tauer is right, then one might, in accord with some theories of personhood, conclude that anyone is not a person when asleep or unconscious or perhaps under the influence of some drug claim and to be justified in killing this anyone for some alleged good reason. For surely philosophers have raised significant theoretical doubts whether individuals in these conditions are persons in any meaningful sense.

Maguire argues, or better asserts, for no real argument is given, that the unborn "become" persons when their mothers accept them. This obviously makes one's personhood dependent on the choices of others, and this surely cannot be either just or compatible with our common conceptions of persons.

Jung follows the lead of Judith Jarvis Thompson [whose celebrated essay in defense of abortion appeared in *Philosophy and Public Affairs* in 1971 and has been widely reprinted] by using an analogy to justify the choice to abort. Thompson, it may be recalled, compared a pregnant mother to a person involuntarily hooked up to a violinist who needed this person's blood for nine months in order to avoid death and compared the unborn to the violinist. Jung compares the pregnant mother to a donor of a vital organ (e.g., a kidney) and the unborn child to the potential recipient of the organ. Just as it is unjust to compel any person to give a vital organ to another so, Jung claims, it is absolutely immoral to compel a woman to give bodily support to the unborn child. The choice to be an organ donor and the choice to be a mother must both be free and uncoerced. Both are works of supererogation. Ergo, the choice to abort is morally licit. Here, I believe, John Finnis's fine-honed critique of Thompson [which appeared in *Philosophy and Public Affairs* in 1972] could equally be addressed to the "argument" from analogy presented by Professor Jung.

Patrick (currently president of the Catholic Theological Society of America) offers a defense of abortion that is more an attack on the alleged patriarchalism of the Church than anything else. According to her, the paradigm from which the teaching on abortion stemmed was a patriarchalism rooted in a "body-rejecting dualism" and "physicalistic interpretations of the natural law." Patrick also thinks that too many Catholics are still "naive" literalists in giving credence to such mythic aspects of the Christian story as a special creation of human beings by God and a "divine incarnation in the baby Jesus".

The above should help one to grasp the "flavor" of the essays devoted to the morality of abortion. The case for accepting as public policy the views of *Roe v. Wade* (and even more, for the Supreme Court has ruled that public funding of abortion is *not* constitutionally guaranteed) is given by Mario Cuomo in a reprint of his celebrated talk at the University of Notre Dame. In it he argues that although he thinks abortion is immoral, it ought nonetheless to be legally permitted and, indeed, that public funds be made available so that the already disadvantaged will not suffer further injustice. As noted earlier, this section also includes an essay by Cardinal O'Connor on public policy, setting forth a view in accord

with Church teaching. Yet there is no good essay responding to Cuomo's very persuasive and rhetorically powerful presentation — yet several good replies to Cuomo have been made and could have been included in this volume.

The work concludes with three essays on the "ecclesial" aspect of the abortion debate. The one by Cardinal Ratzinger, a very brief piece on the proper relationship between theologians and bishops, has already been noted. The other two are by Charles E. Curran and Rosemary Ruether. Curran holds that Catholics have a right to dissent publicly from all noninfallible Church teaching — and for Curran *no* Church teaching on moral questions is infallible. Ruether's piece is not so much a reasoned argument as a sort of pep rally talk, more or less telling the "authoritative", "institutional", "hierarchical" Church that things will never be the same and that Catholics will continue to contracept and abort and do so rightly in following their own mature consciences.

Such is the nature of this work. It is the sort of book Catholics for a Free Choice will praise and esteem. I fear it is cause for profound sorrow. Catholics for a Free Choice, the editors of this volume, and other Catholic advocates of a women's right to abort in order to control her own body and destiny, are undoubtedly sincere, but they are also dead wrong. Their militant repudiation of magisterial teaching has done great harm to the Church and will continue to do so.

— **William E. May**
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