An Exposition of the Morality of Abortion
(A Catholic Church Position)

- Stanislaus Ikenna Njoku -
Master’s Thesis in Applied Ethics
Centre for Applied Ethics
Linköpings universitet
Presented May 2005

Supervisor: Prof. Göran Collste, Linköpings universitet
AN EXPOSITION OF THE MORALITY OF ABORTION (A CATHOLIC CHURCH POSITION).

In this modern period, societal and religious groups are strongly divided regarding the acceptability of abortion. Despite so many attempts by various groups to find a middle ground, the debate on abortion still remains largely polarized, at its most dramatic point with the extreme conservatives claiming abortion to be the moral equivalent of murder and the extreme liberals see it as devoid of moral import. And this polarization is due to the legal battle that continues to shadow moral discussions. An acceptance of an ethical nuance will here play as a concession on the deeply contested question of whether abortion should be a legally protected option for a woman, and to an extent blame for the continued crudeness which can be laid at the doorstep of a moral theory itself. Apparently, the ethical literature on abortion has focused almost exclusively on the tiniest moral assessment on whether and when abortion is morally permissible. This question is a crucial one indeed and its answer is desperately sought in this thesis by exposing the position of the Catholic Church.

Nyckelord
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ABORTION, CATHOLIC CHURCH, FOETUS, HUMAN DIGNITY, PRINCIPLE OF DOUBLE EFFECT.
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DEDICATION

I affectionately dedicate this master’s thesis to my intimate friend who taught me that there is more credit in making right enemies than making wrong friends.
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Really, I cannot but express my profound gratitude to all whom in one way or the other directly or indirectly contributed to the success of this thesis. My unalloyed gratitude goes to my supervisor, Professor Göran Collste, for the pains he took in moderating this thesis in spite of his commitments in and outside of the university.

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ABSTRACT

In this modern period, societal and religious groups are strongly divided regarding the acceptability of abortion. Despite so many attempts by various groups to find a middle ground, the debate on abortion still remains largely polarized, at its most dramatic point with the extreme conservatives claiming abortion to be the moral equivalent of murder and the extreme liberals see it as devoid of moral import. And this polarization is due to the legal battle that continues to shadow moral discussions. An acceptance of an ethical nuance will here play as a concession on the deeply contested question of whether abortion should be a legally protected option for a woman, and to an extent blame for the continued crudeness which can be laid at the doorstep of a moral theory itself.

Apparently, the ethical literature on abortion has focused almost exclusively on the tiniest moral assessment on whether and when abortion is morally permissible. This question is a crucial one indeed and its answer is desperately sought in this thesis by exposing the position of the Catholic Church.
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CHAPTER ONE.

HISTORICAL EXCURSES OF ABORTION

1.0 INTRODUCTION.

Abortion is one of the topics in Applied Ethics that creates a great deal of public debate. It is an area where religion, law and individual autonomy are seen as being on a collision. The issue of abortion in our society today is largely monopolised by a polarised views of feminism and on the other hand the conservative whose position is spearheaded mostly by the religious leaders. The former fights for the rights of women while the later speaks for the rights of the foetus. In the ethical debates, abortion is understood as a deliberate choice to terminate a pregnancy through an action which either destroys a foetus or leads to its expulsion from the uterus before viability.

More so, moral views of abortion are closely entwined with social concerns about sexuality, gender, and family, and the relative influence of these social factors in shaping evaluations of abortion has varied historically as well as culturally. The historical variation no less characterises Christian approaches to abortion just until recently that the Christian churches has always condemned abortion which they did with different reasons, in different degrees and theological opinions have been offered in support of different exceptions to the general prohibition.

However, it is therefore considered important to address in this thesis, the several questions that arise in the controversy about the abortion debate. Some of these questions pattern primarily to public policy, for instance whether abortion should be illegal, or whether any abortion should be sponsored by the government. But these questions are distinct from, but obviously related to the primary moral, question: Is the choice to perform abortion or to help someone perform abortion morally justified? Or is it ethically wrong to kill a human life at any stage of its development.

1.1 AIM OF THE THESIS

Consequent to the fact that the aim of this thesis deals with the special focus on the morality of abortion, my main thrust here in this thesis will be then to expose the answers of the above analytical questions which i will do by taking the Catholic Church position. The method I will adopt will consist of an analysis of the arguments of the Catholic Church documents of which the aim of this will give a comprehensive discussion on why the Catholic Church have chosen to take such a position in the abortion debate. I will also
discuss and analyse the reactions of both moral theologians and secular thinkers on the position the Catholic Church has taken. And finally, I will come to a conclusion of evaluating the arguments that were put forward by the Catholic Church.

1.2 MATERIALS USED IN THE THESIS

Factually, the materials I have used in this thesis reflect a variety of views about the morality of abortion. But my primary source comes from some influential Papal encyclicals of 1930-1939 and that of 1958-1981, the catechisms of the Catholic Church, Gaudium et Spes-the pastoral constitution on the Church in the modern world of which is the main document from the Vatican 11, and then some texts of some moral philosophers like Ronald Dworkin, Justin Ekennia, the text of an ethicist Göran Collste and the texts of Helga Kuhse and Peter Singer. Finally, I made use of some journals and some internet sources.

1.3 DIFFERENT CONTEXTS OF ABORTION

The following are the contexts that surround the ethical dilemmas of abortion.

1. Historical context
2. Legal contexts
3. Scientific contexts

1. HISTORICAL CONTEXT

During the time of the Persian Empire, abortifacients were accessible and people who performed abortion were given a severe punishment. At the time of Roman era and Old Greece, some people resorted to abortion without scruple. Aristotle in line with Plato sees abortion as a means to reduce excess population. Neither the Greek nor Roman law afforded protection to the unborn foetus. It should be noted that the religions practiced in these cultures did not ban abortion. Also, philosophers, religious pastors and physicians debated the morality of performing abortions. As a result of this, the Hippocratic Oath erupted and took a position against abortion.

However, the specific Christian teaching on abortion developed from the Christian valuation of life which is grounded in the Old Testament command to love your neighbour as yourself (Lev 19:8). The basis for this fulfilment of this commandment also found in the New
Testament, emphasised the sacrificed of means life for another (John15:13) embodied in the self-sacrifice of Jesus Christ. Christ commanded his disciples to love one another as He has love them(John15:32). So, from this commandment of love, the Christian valuation of life evolved\(^1\). The Catholic Church position on abortion has been reaffirmed by different recent popes as well as other religious leaders. They believe that the embryo becomes a human being with a soul from the moment of conception. But some of the Catholic Church’s scholar including Thomas Aquinas didn’t consider it possible for an unformed embryo to have a soul and he then placed ensoulment at about three months after conception, that’s is when the foetus must have a recognizable human shape. Theologians disagree during the first millennium about whether the soul pre-existed the body, as Plato had held, was transmitted by the parents; or was infused by God into the body at a certain time. Gradually, many, although not all, drew a distinction between unformed and formed nascent human life. This distinction was based on whether or not such life could be recognising as having a human soul that formed and animated it. The soul was thought of as the form of the body, as contrasted with the unformed matter of the body; the soul gave the body its particular contours and unique characteristics. It formed the body at a certain point in its development and at that point, a human being came into existence. It is arguable that this distinction between unformed and formed life was derived from Aristotle, who is of the opinion that the foetus undergoes a progressive ensoulment form the vegetable soul through an animal soul to a human soul. It is believed that many early church fathers welcome the distinction between the unformed and formed life including Cyril of Alexandria, Gregory of Nyssa, Jerome, Augustine, Ambrose and Theodoret\(^2\). On the other hand other church fathers including Clement of Alexandria, Tertullian questioned the distinction made between formed and unformed life and which they considered seriously wrong to terminate the nascent life at any particular stage. Tertullian, in his own opinion, argued that the embryo has a soul after conception and it is a man when it attains its final form\(^3\).

However, the destruction of the formed but not unformed life was regarded as homicide or the killing of a human being\(^4\). An this is a position St Augustine adopted, thus he did not


maintain that destroying an unformed embryo was wrong because it involved killing a living soul or human being, but it frustrated the primary purpose of marital intercourse. On the other hand, towards the late middle ages, most Christian theologians had to maintain that the early embryo was not an individual human being and that abortion of the unformed life was different and lesser sin than abortion of formed life. The latter was looked upon as anticipated homicide or interpreted homicide, or homicide in intent and this is because it involved the destruction of a future man. It was always closely related to homicide. Consequently, as time went on, Christian theologians abandoned all these theories. And they adopted the notion of immediate rational human ensoulment at conception. In any case, the official position of the Catholic Church today involves the concept of ensoulment which defines the foetus from conception as a human being.

2. LEGAL CONTEXT

In the post-civil war years, legislation began to replace the common law and was lenient with abortion done before quickening, and dealt severely with some people that perform abortion after quickening. But during the middle and late nineteenth century, the quickening distinction disappeared from the statutory law and penalties for some that performs abortion increased. A typical example is such country like United States which approximately for hundred years outlawed practically all abortions. But some states within United States made slight changes in their abortion laws before 1959.

However, following the Supreme Court decision of 1973 which declared both an original statute as unconstitutional, ruled that a state could not interfere in an abortion decision between a woman and her doctor during the first trimester of pregnancy. But in the second trimester, when abortion becomes more hazardous, the states interest in the woman’s health permits the enactment of regulation so as to protect maternal health. Beyond these procedural requirements, the abortion decision still rests on the woman and her doctor, but after the foetus reaches viability, approximately in the last trimester of the pregnancy, the state can then exercise its interest in promoting potential human life. At this stage, the state can prohibit abortion except when the necessity aries to preserve the life or health of the mother.

Furthermore, the U.S. Supreme Court in two separate decisions (Roe vs. Wade and Doe

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5 John, C; p 306
6 Noonan; An Almost Absolute Value in History P 38.
vs. Bolton), ruled that any state abortion law in the future would have to meet the following guidelines.

**First Trimester:** During the first three months of pregnancy, the state must leave the abortion decision entirely to a woman and her physician.

**Second Trimester:** During the second three months, the state may only enact laws which regulate abortions in ways "reasonably related to maternal health." This simply means that a state may determine who is qualified to perform the abortion and where such an operation may take place. The state may not, however, enact laws which safeguard the lives of the unborn.

**Third Trimester:** After the woman's sixth or seventh month of pregnancy, the law may forbid her to have an abortion that is not determined to be necessary to preserve her "life or health." The court went on to define the word "health" in such broad terms i.e., social well-being as to make it virtually impossible for a state to protect the unborn child even after the sixth or seventh month of pregnancy. In effect, the court decision did not support that a woman has an absolute right to abortion regardless of circumstance, however, the position it took made legal abortion potentially more available than any time in the United States during the twentieth century.

3. **SCIENTIFIC CONTEXT**

Unlike Christian religion, science has found it difficult in arriving to one conclusion on when human life begins. Below is an analysis of some perspectives on when human life begins which has raised some doubts among scientist in the abortion debate. They are:

A. Metabolic Perspective

B. Genetic perspective

C. Embryological perspective.

A. **METABOLIC PERSPECTIVE**

The metabolic perspective adopts that a single development that marks the beginning of human life is not in existence, that both the egg of the woman and the sperm of a man should

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7Supreme court decisions on abortion since 1973 at www.rtl.org/html/Abortion/court_decisions.html
8When does human life begin at www.devbio.com/article.php?id=162.
individually be considered to be units of life in the same respect as any other single or multi-
cellular organism. So, neither the union of two gamete nor any developmental point thereafter
should be designated as the beginning of a new life. Another similar position approves that
the argument over when a new life starts is irrelevant in that the development of a baby is a
smooth continuous process. According to this perspective, discrete marking points like the
14 days dividing line between a zygote and an embryo are entirely artificial construction of
biologists and medical professionals in order to better categorize development for pure
academic purpose and this position is strongly supported by recent research which has unfold
that fertilization itself is not even as instantaneous event but rather a process which takes 20 to
22 hours between the time the sperm of a man enters the outermost layers of the egg the
woman and the formation of a diploid cell.

B. GENETIC PERSPECTIVE
This genetic perspective states that the creation of a genetically unique individual is the
particular moment at which human life begins and this event is often described as taking
place at fertilization, thus fertilization marks the beginning of human life. During this
developmental event, the genes originating from two sources come to form something new:
A cell which carries the genetic characteristics of both parents and at the same time establishes
many characteristics of a new human being. Giving time and proper environment, this new
cell passes constant changes, yet continuous development which marked by the terms:
Embryo, Foetus, Infant, Child, Adolescent and finally Adult. If the fertilized ovum, already
lining of the mother’s womb, a bag of water will begin to form in which the embryo will float
freely within the womb. It is believed that around 14 days after the fertilization period, this
new cell may mysteriously segment or twin into two or more individuals with identical
inheritances and after this happens, the individuality of the new life or lives is strongly
established.

However, the rate and magnitude of change and development which follow are very
astonishing. After about three and half weeks, the heart begins to beat, the backbones, spinal
column, nervous system, kidneys, liver and the digestive track starts to develop. At about
four weeks old, the embryo takes the size of an apple seed and with this both the head and the
body are distinguishable. Also, from the end of six to eight weeks of gestational development,
electrical activity from the developing brain can be observed and by the end of two months of
development, the limbs including the fingers and the toes have begun to appear and the unborn child now technically called a foetus can now hear, respond to touch and make his first movements, though the mother may not feel such a movement for some months. Lastly, towards the end of the first trimester of the pregnancy, the baby is fully formed and can change position, respond to light, noise, pain and even experience an attack of hiccups and in possession of his own set of fingerprints, the child now need only to continue to develop both in size and strength until he is born.

Apparently, it is obvious that the opinion that life begins at fertilization is the most popular view among the public but man scientists no longer support this position just because an increasing number of scientists discoveries seem to contradict it. One of such discovery is that research has shown that there is no moment of fertilization. Some scientists now prefer to view fertilization as a process which occurs over a period of 12 to 24 hours. After the sperm are released, the must remain in the female reproductive tract for about seven hours before they are capable of fertilizing the egg. Approximately, ten hours are required for the sperm to travel up to the fallopian tube where it finds egg. The meeting of the egg and the sperm according to some scientists is not even an instantaneous process but rather a couple of biochemical interaction through which the sperm ultimately reaches the inner portion of the egg.

More so, the most popular argument against the idea which says that human life begins at the moment of fertilization has been dubbed the twining argument. The crux of this argument is that although a zygote is genetically unique from its parent, from the particular moment a diploid organism is formed, that there is a great possibility for that zygote to divide into two or more zygote until 14 or 15 days after fertilization. The argument that human life begins at the moment that chromosomes of the sperm meet the chromosome of the egg to form a genetically unique individual is also endangered by the twining argument in that genetic uniqueness is the requirement for an individual human life. This genetic uniqueness can however be shared among multiple individual especially among identical twins. In addition, there are also other issues which confound the idea of the moments of conception. Just as it is possible for a zygote to form two or even more individuals before it is implanted into the uterus so also there is a possibility for it not to develop at any level but rather just to become part of the placenta. It is however estimated that about more than half of the fertilized female egg abort spontaneously and never become children or on the other hand the zygote spilt into
multiple zygote and it is possible for these to recombine before implantation. So, all these possibilities are typical examples of the ways in which individuation of the zygote is incomplete until it has been implanted into the uterus.

C. EMBRYOLOGICAL PERSPECTIVE

This perspective takes a contrast position against the genetic view on when does human life begins. The embryological perspective states that a human life does not originate at fertilization but rather at gastrulating. Here, it is believed that the human embryo are capable of splitting into identical twins as late as 12 days after fertilization which result in the development of separate individuals with unique personalities. In this case, the properties that governs individuality are not set until after gastrulating.

Gastrulating starts at the beginning of the third week of pregnancy, that is when the zygote now known as an embryo is implanted into the uterus of the mother. Here, the cells are differentiated into categories which will give rise to the different types of body tissues. Some who support this position argue that there exists a difference between a human individual and a human person. For them a zygote is both human and numerically single and thus, a human individual. And just because individuality is not certain until implantation is complete and because individuality is a necessary condition of personhood, the zygote is not yet a human person.

1:4 DEFINITION OF ABORTION

The term abortion is derived from the Latin infinitive aboriri, meaning to perish, but literally, it means the loss of foetal life. Abortion, in its most common usage, refers to the voluntary or induced termination, generally through the use of surgical procedures or drugs and as a result of that, birth does not take part.

In continuation, Justin Ekennia says that abortion is the intentional destruction of the foetus in the womb, or any untimely delivery brought about with the intent to cause the death of the foetus. Here, Justin makes an important clarification by letting one to understand that the term foetus is a living organism right from conception to birth, but in a strict sense, it is a zygote when

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9 Ibid  
10 Definition of Abortion at encyclopedia.laborlawtalk.com/abortion  
fertilization has taken place and an embryo until the eight week. However, there are two main types of abortion:

A. Unintended Abortion (Miscarriage)

B. Intended Abortion

Unintended Abortion is the type of abortion that occurs when the mother’s body expels the foetus and this can happen because of many reasons. It may result due to the foetus is not developing properly or because of drugs that is taken. While in the case of Intended abortion, it is deliberately done so as to end the pregnancy with the use of drugs or instrument. Here in the intended abortion, an abortion can also be therapeutic; examples of therapeutic abortion include the case of a woman with certain kidney problems, such that the pregnancy could lead to death from uremic poising. An abortion for this woman could be seen as therapeutic, with one life pitted against another. In other cases, the pregnancy might not lead to death but could threaten serious and permanent impairment of the woman’s health, like a woman with diabetes might lose her sight if she carries the foetus to term and the best alternative for her will be engage in abortion. Those who do not grant a serious, although relative ,right to life have no interest in the nature of the reasons given above for therapeutic abortion ,since for them, there is no conflict between the right of the mother and the less significant right of the foetus.

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12 Garette T.M at al;Health Care Ethics: principles and Problems, New Jersey, Pretice Hall, 2001 p211
CHAPTER TWO
ANALYSIS OF ETHICAL PROBLEMS OF ABORTION

My pre-occupation in this chapter is to analyse the ethical problems which are involved in the abortion debate which ranges from the right of the foetus, the right of the woman and her obligation, the right of the society and its obligation and finally I will elaborate the problems that face the medical professionals in performing an abortion.

2:0 THE ETHICAL PROBLEMS IN ABORTION

The Ethical problems which are involved in the abortion debate can be limited to three, for the purpose of this discussion. They are as follows:
A. The foetus Right
B. The woman’s Right and her obligations
C. The society’s Right and its obligations

A. THE FOETUS RIGHT

In presenting the Roe vs. Wade case before the United States Supreme Court, the lawyer argues that under the law, the foetus is not a person. But one important dimension of this ethical dilemma is to seek a definite meaning of what human life is all about and some determinations of when one can recognise its presence so that one can place a value on it and then weigh it against other values. However, in a state of biological ignorance and philosophical pluralism, the issue that the foetus is a person can neither be proved nor disproved to the satisfaction of all. In line with this, Robert Cook says that no one can assert the superior moral sensitivity over opponents, and neither moral claim can rightfully eliminate the other from the political arena.\(^{13}\)

Consequent to all these, if someone grant that from conception, that a foetus possess humanity, and then we must accord it the right to life. As Pope John Paul II would say that the right to life means the right to be born and then continue to live until ones natural end. As long as I live, I have the right to live.\(^{14}\)

\(^{14}\) John Paul II; Crossing the Threshold of Hope, Ibadan: Spectrum Publishers, 1995 p205.
So, for John Paul, it is wrong to forfeit the foetus its right to life. 

Moreso, Boks moral reasoning questions if life of the foetus should get the same protection as other lives and she then basically asks if killing the foetus by whatever means and reason to be thought of as killing a human being? Responding to this, she draws a line between abortion done early in pregnancy and those done later and she then develops a moral position that early abortions do not violate the principles of life. 

Karl Barth, in arguing on the right of the fetus, he is of the view that the foetus or the embryo has its own autonomy, saying that it has its own brain, nervous system and even its own blood circulation. That it can have its own illness without the mother being sick and it may be healthy when the mother is critically ill. It may also die as the mother still live or live and could be rescued through surgical operation after the mother’s death. For him, it is a human being in its own right. 

On the other hand, Joseph Fletcher argues that a foetus has no moral standing since it does not have any trait of a person. He goes on to say that those who are of the view that a foetus is a person is just comparing an acorn with a oak. Therefore, for him, abortion is not a moral problem since the implication of the above view is that there are no moral restrictions to what someone can do with the foetus, but the only thing that matters is the outcome for the person that is affected of the act.

B THE WOMAN’S RIGHT AND HER OBLIGATIONS

The moral principle autonomy in health care ethics leads to the position that a woman must be able to make decisions regarding her care and have her wishes respect by the health care professional. Some writers are of the view that autonomy here, is a matter of having the capacity to reflectively control and identify with one’s basic (first order) desire or preferences through higher level (second order) desire or preferences. Beauchamp and Childress therefore sides such with an example of an alcoholic who may have the desire to drink but also have a higher order to stop drinking. An autonomous woman in this illustration now is a woman who is able to rationally accept, identify with, or repudiate a lower order desire independently of others manipulation of that desire. Such acceptance or repudiation of first order desires at a higher level constitutes autonomy. In their analysis, they see autonomous action in terms of

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15 Bok S; Ethical Problems of Abortion, New York:Hastng Cent, 1974 p33-52
normal chooser who acts intentionally, with understanding and also without controlling influences that determine their action.

Furthermore, Bok in arguing on the woman’s right and her obligation raises the question as to whether anyone before or after birth, child or adult has the right to continue dependency upon the bodily processes of another against the person does will\textsuperscript{18}. But Thompson cogently answers that a woman that is pregnant as a result of rape or in spite of every precaution has no obligation to continue the pregnancy. In this thought now, he equates abortion with cessation of continued support and not with unjust killing. An involuntary pregnant woman can cease her support to life to the foetus without moral infringement of its right to life\textsuperscript{19}. Even those who support this argument under the circumstances specified might have difficulty using it in the situation of pregnancies entered voluntarily. But in this later situation, the obligation of the pregnant woman to the foetus will be defined differently and abortion might be considered less of a viable moral choice.

However, the exception to the overriding obligation of the foetus argument in the case voluntary pregnancies may be at least for some people, the case that involves an abnormal foetus, and this raises the issue of quality of life not only for the yet unborn but also for the parents and for other children born in the family. In another development, in the pregnant patient’s bill of right, it offers health care personnel’s opportunities to protect and assist in exercising the rights of both the woman and the unborn child. The followings are the pregnant patient’s bill of rights:

(1) The pregnant woman has the right to be informed, prior to the administration of any procedure, whether that procedure is being administered to her or her baby’s benefit (medically indicated) or as an elective procedure (for convince or teaching purposes).

(2) The pregnant woman has the right to be accompanied during the stress of labour and birth by someone she cares for, and to whom she looks for emotional comfort and encouragement.

(3) The pregnant patient has the right, prior to the administration of any drug or procedure, to be informed by the health professional caring for her of any potential direct or indirect effects, risks or hazards to herself or her unborn child which may

\textsuperscript{18} Bok, S. Ethical problems of Abortion, New York: Hestings Century 1974, p.34.

result from the use of a drug or procedure that is prescribed for or administered to her during pregnancy, labour or during lactation.

(4) The pregnant woman has the right, prior to the proposed therapy, to be informed, not only of the benefit, risks, and hazards of the proposed therapy, but also of known alternative therapy such as available childbirth education classes which could help to prepare the pregnant woman physically and mentally so as to cope with the discomfort or stress of pregnancy and the experience of childbirth, thereby eliminating or even reducing her need for drugs and obstetric intervention.

(5) The pregnant woman has the right, prior to the administration of any drug or procedure, to be informed if there is no properly controlled follow up research which has established the safety of the drug or procedure with regard to its direct or indirect effects on the physiological, mental and neurological development of the baby exposed through the mother, to the drug or procedure during the pregnancy, labour, birth or even lactation.

(6) The pregnant woman also has the right, prior to the administration of any drug, to be informed of the brand name and generic name of the drug in order that she may advise the health professional of any past adverse reaction to the drug.

(7) The pregnant woman has the right to determine for herself, without pressure from her attendant, if she will accept the risks inherent in the proposed therapy or refuse a drug or procedure.

(8) The pregnant woman has the right to know the name and qualifications of the individual that is administering a medication or procedure to her during labour.

However, while this bill of right focuses on one population; many of these rights that are listed above are appropriate considerations for other patients who are vulnerable. The pregnant woman is not a passive object to be acted upon in a paternalistic manner. Often; this is a situation in existing authoritarian health care structures.²⁰

C. THE SOCIETY’S RIGHT AND ITS OBLIGATIONS

One of the factors for any society in balancing values is the question of where to draw the line in certain issues. When it is applied to abortion situation that means, under what

conditions and considering the importance of what variables will any society determine its abortion policy. If a society develops a fairly restrictive policy, then the arguments could be made that some women would be threatened by the continuation of pregnancy, the child would place a great economic and psycho logical burdens on the family, the mode of existence and the career of some women would be seriously disrupted and physical or mentally damaged infants would be born. On the other hand, if legal policy of a particular society makes abortion available, will this lead that society to diminish its reverence for life and possibly to a lessening of the citizens collective instinct for protecting the helpless. No data from countries with liberal abortion laws such as France, Belgium, Luxemberg, England, Wales, Sweden, Japan etc support this argument

As the abortion issue becomes more hotly debated, many countries allow abortion laws where it is found most important to preserve the physical health of the women, and in general, physical health is broadly defined. But in the majority of these cases, the law does not specify the aspects of health that are concerned, but merely states that abortion is permitted when it averts a risk of injury to the pregnant woman’s health. In such countries like Spain and Portugal, this definition is narrower in that it is only applied where there is a risk of serious and lasting damage to the woman’s health. Many countries abortion laws also approve abortion on mental health grounds. Her, mental health is generally interpreted quite broadly and can include distress that comes from carrying a foetus where an ante-natal diagnosis suggests a congenital impairment. It can also include distress which arises from social factors like income, career, number and spacing of existing children or even other domestic or personal circumstances.

However, it should be noted that when applying these abortion laws, it can be more liberal than the legislation itself might suggest and this is mostly seen when the indications involve a risk to the health of the woman. Like the Swiss penal code prohibits abortion except during therapeutic termination of pregnancy on medical grounds, that’s in order to avoid a danger of severe injury to the woman’s life or in the case of a serious, otherwise unavoidable danger of severe injury to her health. Moreso, there are some other countries that permit abortion under certain social or economic conditions. In France and Belgium, the inclusion of social and economic grounds may be inferred, in that abortion is allowed when a woman is in a state of distress because of her situation. So abortion that is done in such a situation is permitted up

21 Brody B; Abortion and the Sanctity of Life, Cambridge: Mit Press, 1975 p 120
till ten weeks in France and during the first trimester in Belgium. But in other countries, social
conditions are closely related to mental health. The law in Luxembourg refers to the living
conditions that may result from the birth of the child and considers them as grounds for
abortion during the first twelve weeks when they are likely to endanger the physical or mental
health of the pregnant woman. In Italy also, the law stipulates that the economic, social and
family situation must be taken into considerations in determining if continuation of any
pregnancy would seriously endanger the physical or mental health of the pregnant woman.

Consequent upon these, different countries have different arrangements in this regard, as
most of them provide for a procedure whereby the woman is informed of the risk that are
attached to the procedure and the alternatives to abortion, take for instance, in Belgium, a
woman is the sole judge of whether she is in distress or not. Also, in France, in addition to the
consultation with the doctor, the woman must consult with the social worker or family
counsellor about the abortion and if she still wishes to go on with her decisions, she must
renew her request in writing, not sooner than one week from the time of her first request.23

Moreover, Eurocat report goes on to argue that there are some other countries that make
abortion law based on foetal impairment. Foetal impairment is sometimes referred to
specifically for example in England and Wales where there is a substantial risk that if a child
were born, it would would suffer from physical or mental abnormalities as to be seriously
handicapped. Terminations where a congenital abnormality is suspected are usually done
before twenty weeks gestation with a number of exceptions usually twenty-four weeks.
Authorisation of abortions on these grounds is usually given by one or a panel of doctors. In
Belgium and France, after the first trimester, two doctors must agree that the foetus is
believed to be seriously impaired. In Denmark, authorisation is made by a committee that is
comprising of social worker and two doctors, while in Finland, an abortion that is done based
on foetal impairment must be authorised by the state medical board. But in England and
Wales, in common with the other statutory grounds under which the abortion law is available,
the abortion must be certified as justifiable by two registered medical practitioners. While in
Spain, authorisation involves two specialists of an approved public or private health centre
neither of whom is the doctor that is performing the abortion or under whose direction the
abortion is to be performed.

MEDICAL PROFESSIONALS AND ABORTION

Interruption of pregnancy poses the most difficult dilemma for the physician, as it appears to run counter to the medical obligation to treat disease and preserve life. Many doctors find it difficult to allow any exception to this rule, while others would accept termination of pregnancy for foetal abnormality in early pregnancy but not later. However, the medical professionals encounter three sets of problems in this issue, the first one is all about the way he or she follows the morality of abortion, the second involves how the health care institutional policies affect the personnel, while the third is on questions of professional ethics, which exists even for those who have no personal ethical problem with either issue, and these set of problems involves such matters like forced abortion, forced medical treatment, and professional involvement in non-therapeutic abortions. In solving these problems, the medical professionals must decide whether performing that abortion is ethical and in that process decide if he will co-operate with his patient. But if he has approved that that particular abortion will be unethical, he should ordinarily withdraw from doing that abortion. Some times, the matter of co-operation is not all that simple here. One must pay attention to these two questions which: must a nurse withdraw who occasionally tends women in the recovery room after an abortion? Or can a physician continue to practice in a hospital that performs many abortions that the physician considers unethical? It is arguable here that the classical principles of co-operation can be applied in situations like these. In any case, since a medical professional should not engage or directly participate in an abortion that he sees to be unethical, there may be proportionate reasons for taking care of a patient who is under treatment as a result of doing an abortion. On the other hand, there may be even good reasons for continuing working in a hospital that performs a large number of abortion that the medical professionals see to be unethical. Those who see nothing wrong with abortion here will have no problem of conscience in this area while those who see abortion as a murder will feel compelled to fight against abortion in every circumstance and holders of both positions must face the problem of institutional policy and its relation to the conscience who disagree with it.

Moreso, strong feelings which are associated with abortion can in one way or the other lead some individuals to promote institutional policies that ban who disagree with them. Catholic

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hospitals for example, might be tempted to ban not only physicians who perform abortions, but those who do not publicly condemn abortion. Hospital boards which see the provision of abortion as a mandatory service to women who desire them may be tempted to deny privileges or employments to health care professionals who are either against abortion or who see the need for deciding each case on its merit. As individuals, members of the institutional boards must follow their consciences and need to consider the following four points. Firstly, the institution should have a written public policy, and in this case, there should be no blackmailing against potential employees and physicians who desire staff privileges. Secondly, the policy should be voted in the public stated and carefully articulated philosophy of that institution. Thirdly, the policy made, should be consistent with the philosophy of the institution and respect the conscience of the medical professionals that it employs. Fourthly, the policy should also be in accord with the societal laws which protect the conscience of the medical professionals.

Furthermore, as the principle of informed consent applies in abortion debate, the medical professionals should probably apply more stringently not only because such high goods are at stake but because there are several temptations to abuse the freedom of the pregnant woman. The situations are such that both those who are conservative and those who are liberal in abortion debate are concerned about them. The situation that calls for special attention is such case in which parents are pressurising their young daughters to have or not to have abortion. Such a family is usually in a highly emotional state since it sees disgrace and the frustration of their dreams if their daughter has a baby before she is able to take care of her new baby. The family’s feelings may be similar even when the case involves not a young female but also an adult. And this feeling can lead to an intense pressure for an abortion. The young daughter is then threatened without love and banishment from the family if she refuses to engage in abortion. The pressure can become so great when the competence of this child becomes doubtful. So, the medical professional should be very careful that the informed consent is fully given.

On the other hand, those families who oppose abortion absolutely and see abortion as a murder can also create equally great pressure against performing an abortion. When these families threaten banishment or loss of love if any abortion is performed, then, one is faced with the issue of coercion. Here, the medical profession whose conscience permits abortion

should attempt to reduce the pressure and to have the decision made at a time when feelings have settled down and when there is relatively calmness, the patient should be honestly informed of the procedures, her alternatives, her risks and costs. But if the medical professional attempts to do more than all these, he may become another force that reduces the woman’s freedom. On the other way round, those whose conscience forbids co-operation must withdraw if the woman wants abortion. In any case, before the woman makes her decision, the medical profession should try and increase the competence of the woman and give her the proper medical information that is required for informed consent.

Conclusively, all these arguments in this chapter combined together, forms the controversial points that should be put into considerations in analysing the morality of abortion at any level.
CHAPTER THREE

CATHOLIC CHURCH POSITION ON ABORTION

Coming to this chapter, the natural law theory is discussed and used to usher in the arguments which the Catholic Church posited in arguing against abortion which ranges from the dignity of man, protection of the innocent life and sacredness and inviolability of human life. Finally, I will discuss the principle of double effect of which the Catholic Church finds only two types of abortive procedures as morally accepted.

3.0 NATURAL LAW AND ABORTION.

According to the Oxford Dictionary of the Christian Church, natural law is the law that is implanted in nature by the creator which rational creatures can discern by natural reasons. Some people like Thomas Aquinas, also see it as a law that carries an expression of God’s will and his plan for the things he created. Some aspects of this law can be derived by the observation of creation and through the use of man’s unaided reason in relation to what he has observed. In line with this, John Marshal asserts:

Law thus derived is referred to as the natural law and is discerned without divine revelation. Its basic principles can be discovered by any human being of average intelligence who has his powers of observation and reason. Thus, if one man kills another because of blood-lust, the ordinary reasoning human being recognises this as wrong, for it is unjust infringement of the person’s right to life. Likewise, to destroy the life of the unborn child solely because the mother does not desire the inconvenience of the pregnancy is recognisable as the unjust destruction of human life 26.

Accordingly, it suffices here to say that natural law is instituted by God as a plan for the right order of conduct of making that binds all at all times. It is not arbitrary code which

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applied to one religious denomination or to one era of human history. It is an integral part of creation, being as it were built into its structure as John Marshal would say. Thomas Aquinas in his opinion argues that

Natural law is nothing other than the light of understanding placed in us by God, through it we know what we must do and what we must avoid, God has given this light or law at creation\textsuperscript{27}.

However, in the medical moral theology, the principle of the sanctity of life has been affirmed not only because it is compatible with biblical anthropologies, but because it is part of the natural moral law. As, such it shows a universal ethical obligation that is know to all men and women. This natural law has given rise to two primary expressions of which one is positive and the other negative. First, one may consider the negative prohibition of the violation or destruction of life, patterned on Thomas Aquinas argument against murder. Also, it is always asserted that it is always wrong directly to kill an innocent human being\textsuperscript{28}. And this has been one of the basis of the Catholic Church position against abortion and euthanasia. While in the second expression, there is a positive affirmation of respect for the integrity of human personhood which is also rooted in Thomas Aquinas and it is called the principle of totality. This affirmation of the value of life has given a framework within which to justify the surgical mutilation of the body of a human being so as to continue his or her well being. The intention of the principle of totality is to respect and safeguard the integrity and welfare of every human being. Also, it should be observed that the fullest meaning of the above principle as it was actually used by some Catholic theologians includes the subordination of the physical aspect of man to the whole person which also includes his spiritual aspect.

More so, Austin Fagothey, a moral philosopher in his own argument is of the view that there are three determinants of the human action which determines its rightness or wrongness and all these determinants must be good in order or an action to be considered good\textsuperscript{29}. In

\textsuperscript{27} The catechism of The Catholic Church, Paulines/St.Pauls, 1994, no.1955, p.466.
\textsuperscript{28} Kelly,G;Medio-Moral Problems,St Louis:Oak Books1988pp62&117
\textsuperscript{29} Fagothey, A, Right and Reason (2nd ed.), St. Louis, C.V. Mosby, 1963, p.112.
commenting on these three determinants, which are the act itself, the intention and the circumstance, Fagothey argues that it is critical to understand that action which is evil in itself (by its nature) cannot be made good or indifferent by an intention, goal or circumstance no matter how good or praiseworthy per se they are. On the other hand, also an action which is good in itself (by its nature) can be morally ruined by any gravely bad intention or circumstance.

Consequent to all these, one is bound to say that Natural law operates with the principle of doing good and avoiding evil. Therefore, the preservation of individual lives given to us by God is a known fact through the Natural law. Thus Samuel Stump says:

No one ought to harm another in his life, health, liberty or possessions. The natural law is not simply egoistical law of self-preservation of each man's value as a person by virtue of his Status as a creature of God\(^\text{30}\)

3:1 THE ARGUMENTS OF THE CATHOLIC CHURCH POSITION ON ABORTION

According to the Catholic Church teachings, it holds that abortion is one of the serious and deplorable crime that can be committed against life. Thus, the second Vatican council define abortion as an unspeakable crime\(^\text{31}\). Although, the Holy Scripture does not give us a clear-cut doctrine on all the issues concerning abortion, but it teaches the basic values on which the Catholic Church base their argument which are: dignity of man, protection of the innocent life and sacredness and inviolability of the human life.

Man in the Catholic Church teachings is a complete image of God and has the permission to be the master of all creatures on earth. When it comes to the fundamental value, men are equal and the reason for this is that each human being is equipped with a rational soul which is created in the image of God. Also, each individual man is truly a person with a nature which is endowed with freewill and intelligence and this forms the basis of the natural aspect of the dignity of man.

Furthermore, the Catholic Church approves that human life deserves some respect and dignity no matter how it is generated. The human life is equipped with an extraordinary


\(^{31}\) Second Vatican Ecumenical Council, Pastoral Constitution In The Modern World, Gaudium Et Spes 51
dignity which is superior to their creatures. One of the most eloquent expressions that human life is superior among other creatures is clearly seen in one of the papal encyclicals of 1937 (Divinis Redemptoris). Thus Pope Pius XI writes:

Man has a spiritual and immortal soul. He is a person, marvellously endowed his creator with gifts of body and mind. He is a microcosm as the ancient said, a world in miniature, with a value for that of the vast inanimate cosmos. God alone is his last end, in this life and the next.\(^{32}\)

Obviously, as the Catholic Church goes on to teach that human life is sacred and inviolable; it then makes sense to reject anything that violates it, starting with the direct destruction of innocent human life. This sacredness of the human life takes it its affinity to God, through the becoming of human and of Christ, is also another strong source of the Catholic Church condemnation of abortion. In view of that the Church says:

From the moment of conception, the life of every human being is to be respected in an absolute way, because man is the only creature on earth that God has wished for himself and the spiritual soul of each man is immediately created by God, his whole being bears the image of the creator. Human life is sacred because from its beginning, it involves the creative action of God and remains forever in a special relationship with the creator who is its sole end. God alone is the Lord of life from the beginning until its end no one can in any circumstance claim for himself the right to destroy directly an innocent human being.\(^{33}\)

Moreso, contrary to Thomas Aquinas opinion which holds that the ensoulment is a continuous process, the Catholic Church now teaches in the declaration on procured abortion (1974) which is issued by the sacred congregation for the doctrine faith, that it is something

\(^{32}\) Pius XI, Divinis Redemptoris (1937) in the papal encyclicals, 1903-1939, Pieran Press 1981, p542

\(^{33}\) Sacred Congregation for the Doctrine of Faith; Instruction On the respect for human life in its origin and on the dignity of procreation, no 5.
which happens immediately at the moment of conception. According to Pope John Paul II position in the Evangelium vitae, he is of the opinion that the above view is strengthened by the findings of genetics. He goes on to assert that genetics make it clear that the individual foetus from the moment of conception has within it a full genetic blueprint which will start to develop all the latent potentialities of a maturing human person without any radical discontinuity.

3:2 THE CATHOLIC CHURCH AND THE PRINCIPLE OF DOUBLE EFFECT

The Catholic Church uses the principle of double effect to determine the only conditions by which abortion may be found acceptable. The principle of double effect is a careful reasoned, precise argument which enables one to judge in situations where one action will have both good and bad effects if committing the action constitutes a sin. According to the catholic teachings, abortions which are unintended, such as miscarriage are not sinful. In order to guarantee that the evil consequence of a particular action is unintended, the Catholic Church moralists suggest that we must be able to explain the act without using the term abortion or any substitution for that term. That is an abortion is only unintended if it can be defined as something other than abortion. There is little agreement about the origins of the principle of double effect. Joseph Mangan traces this principle to Aquinas, though he asserts that it is not entirely clear that Aquinas himself enunciates this principle. He then argues that Aquinas implies this principle in his treatise on self-defense. But regardless of when the principle was first articulated, it has gained widespread adherence over so many years.

Moreso, the Catholic Church finds only two types of abortive procedures as morally accepted under the dictates of the principle of double effect: the case of the pregnant mother with a cancerous uterus (here the foetus is then removed along with the mothers uterus) while the second procedure is the case of ectopic pregnancy, in which the foetus is lodged in a fallopian tube, here also, the fallopian tube is entirely removed. So, the unintended nature of these two exceptions is verified by the following four conditions of the principle of double effect.

1. The act under consideration, independent of its context must be good or indifferent.

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2. The moral agent must directly intend only the good effect of the action; the evil effect is only indirectly intended.
3. The good effect is not produced by the bad effect.
4. There must be a proportionately grave reason for permitting the evil.

1. THE ACT UNDER CONSIDERATION, INDEPENDENT OF ITS CONTEXT MUST BE GOOD OR INDIFFERENT.

According to the Catholic Church teachings, it is unacceptable under this condition to perform an evil so as to achieve a good result. Here, if the description of an act signifies evil, nothing can make that act morally good or indifferent. An illustration of such goes like this: one cannot kill Anderson in order to stop him from killing Johnson, because killing, in itself is an evil. But if Anderson unjustly attacks Johnson, it might be argued that the act under investigation is defensive; that is, the action that kills Anderson can be defined instead as defending Johnson. Thus, in this view the evil which is derived as killing drops out and the good action of defending takes its place. So, in this case now, this semantic distinction ensures that any evil performed are wholly unintended.

2. THE MORAL AGENT MUST DIRECTLY INTEND ONLY THE GOOD EFFECT OF THE ACTION; THE EVIL EFFECT IS ONLY INDIRECTLY INTENDED.

What the Catholic Church teaches here is that the intended effect which is the one that is directly intended must be morally good, but only the unintended act which is the one that is permitted may be evil. Like in the analogy of Anderson and Johnson, the good of defending Johnson must be the only one intended; killing Anderson must be understood as simply permitted. This condition now contains the logic that the whole principle of double effect is formulated to achieve; the other three conditions designed to guarantee its smooth operation.

3. THE GOOD EFFECT IS NOT PRODUCED BY THE BAD EFFECT.

In this condition, one must be able to explain the actions under such consideration that the good effect happens before or simultaneously with the bad. If the good effect follows from the bad in a subsequent manner, the action could be understood as the commission of evil so
as to achieve a good. Thus, if there were any other way of defending Johnson, or any contravening measures that would ensure his safety, the killing of Anderson could not be understood as indirect.

4. THERE MUST BE A PROPORTIONATELY GRAVE REASON FOR PERMITTING THE EVIL.

Here in this condition, the Catholic Church teaches that the effect of the good act must be evaluated against the effect of the bad and found comparative greater. A typical example would be that it is morally wrong to kill Anderson, in that he was about cheating during an academic examination. For the moral evil of killing would be proportionately greater than the moral good of saving him from cheating.

Furthermore, in the licit cases of ectopic pregnancy and cancerous uterus, the criteria of double effect are met because of the following reasons:

A. The removal of pregnant cancerous or pathological fallopian tubes is a good, or at least morally neutral, act.
B. The intention is to remove the disease, and hence the abortion is not an end in itself.
C. The removal of the defective organs can be called something other than abortion.
D. The abortion is proportionately permitted because it saves the life of the mother, which would have been otherwise lost along with the fetal life. So, any abortion done outside the above two instances is considered by the Catholic Church as illicit.

Having exhausted all these arguments in this chapter, it is obvious then to conclude by acknowledging the fact that the Catholic Church places more emphasis on human life right from conception, no matter how it is generated.
CHAPTER FOUR

CRITICAL VIEWS ON ABORTION

In this chapter, I am going to expose the different arguments which were put forward by some theologians and secular thinkers in reaction to the Catholic Church position on abortion. I will start by analysing the arguments of a moral theologian (John Mahoney) who questions the status of the foetus, then I will unfold the arguments that were posited by a moral philosopher (Richard McCormick) who also questions the principle of double effect. Also, an exposition on another moral philosophers view (Ronald Dworkin) on his argument for the intrinsic value of life is made. Along the line I will also briefly outline the characteristics which Joseph Fletchers argues to be the indicators of humanhood. Finally, I will present a critical discussion of the Catholic Church position on the sanctity of life of which a moral philosopher (Jonathan Glover) and ethicist (Helga Kulhse) arguments were the main focus in the discussions.

4.0 CONTEMPORARY THEOLOGICAL AND SECULAR DISCUSSIONS ON ABORTION

Many thinkers question and reformulate the foundations on which Catholic Church position on abortion interdicts were built. John Mahoney a moral theologian is critical of the Catholic Church view that abortion means a risk to kill an ensouled human being and for the one that is not yet ensouled, that the human life as a potential of becoming an ensouled person should not be violated. He is of the opinion that the factual basis of this argument is hypothetical. For him, a better way to argue about this, is that we can not be sure if the foetus is ensouled or not, so therefore, we should be very cautious. Also, in responding to the Catholic Church view that the human being who is not yet ensouled is inviolable, Mahoney takes a position saying that it is untenable, in that the ensouled human being is in itself nothing more or less than a human tissue. But on the other hand, he approves that the unensouled foetus is a promise of becoming a mature human being. For him, the death of the foetus at the most early stage of development is a great loss but only severe reasons like genetic abnormality or the life and welfare of others like in the case of where a mother is not capable to go on with the pregnancy or a pregnancy due to rape may justify this loss.
Although, the principle of double effect remains the only official method for determining licit abortions, many contemporary scholars have spoken and written in favour of a different methodology. Some of them propose proportionalism in the debate of abortion as a less rigid alternative to the principle of double effect in that it allows abortion in many more cases. Proportionalism is derived from the idea that evil must be weighed against each other and must be evaluated. It is believed that a formal critique of the idea of intent that is associated with the principle of double effect was introduced by Richard McCormick. He articulates dissatisfaction with the narrow behaviour or physical understanding of a human activity that underlies the traditional interpretation of the two words direct and indirect. McCormick alternative construct, forcefully interrogates the philosophical naiveté which is associated with intent while it simultaneously reflects different ideologies. He therefore registers his differences with the principle of double effect in his own voice saying:

The rule of double effect is a vehicle for dealing with conflict situations where only two courses are available: to act or not to act, to speak or remain silent, to resist or not to resist. The concomitant of this kind, the rule of Christian reason is to choose the lesser of the two evils. This general statement is, it would seem, beyond debate; for the only alternative is that in conflict situations we should choose the greater evil, which is patently absurd. This means that all concrete rules and distinctions are subsidiary to this and hence valid to the extent that they actually convey to us what is factually the lesser evil. Thus, the basic category for conflict situations is the lesser evil or proportionate reasons.  

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However, McCormick took Charles Curran’s practical application which is an application of proportional reasoning and then develops it into a moral methodology that as he claims was self-evident even for all Christians. So, by rejecting intent as a measure of morality and relying only upon the consequences of an act to determine the acts acceptability, McCormick launches his popular discussion of proportionalism.

With these inquiries, Curan and McCormick proposed such major revisions to the structures and application of double effect which a new methodology for ethical decision making began to emerge. They are of the opinion that if an evil act produced good results which proportionately outweighed the evil results, that the act should be considered licit; thereby advocating the use of the fourth condition of the principle of double effect which is: THERE MUST BE A PROPORTIONATELY REASON FOR PERMITTING THE EVIL, and on the other hand, rejects the other conditions as fertile attempts to establish intentionality.

Proporionalists measure an act in terms of good and bad effects; if the good is comparably greater, the evil produced in the act is acceptable. Thus, the Catholic church dictate (to do good and avoid intentional evil) is abandoned in favour of a methodology which emphasises to place the moral weight on the comparative outcome. The most significant methodological difference between the principle of double effect and proportionalism can be viewed in a case where a therapeutic abortion is the only means of saving a woman’s life which is also known as life against life dilemmas. In such situations, proportionists are of the view that one death is better than two deaths. In any case, abortion done under these conditions is clearly according to the catholic church but proportionist see certain abortion as not necessarily sinful if they are formulated to be less evil than the other choice. Although, significant developments in medicine more especially caesarean section have rendered most of these life against life situations obsolete, so the methodological difference between these two ways of configuring moral behaviour remains remarkable.

In continuation with McCormick argument, he goes on to propose that in order to reach to a well founded solution on the apparent difficult decisions about life and death, one ought to balance different values (balance burden and benefit), thus Goran Collste quotes McCormick saying:

This applies to decisions on abortion, medical decisions to treat or let die a decisions whether defective infants should be saved in the catholic tradition, this kind of balancing has
applied on for instance, just war and capital punishment.37

For him also, the value of life is not to be preserved for the purpose of its own sake, but on
the other hand, as a condition for other values in so far as others still remain attainable. He
therefore cites some examples that in some cases in abortion and as well as in passive
infanticide may be best justified just because the expected life of the foetus or the infant has
no value but only suffering.

4:1 ARGUMENT FOR THE INTRINSIC VALUE OF LIFE

Ronald Dworkin, a moral philosopher, in his own contribution in the abortion debate is of
the view that people agree intuitively that the life of any human organism has value in any
form it takes and even in the extremely undeveloped form of every just implanted embryo.
Thus he writes:

I say at least intuitively because many people
have not related their views about abortion or
euthanasia to the idea that human life has intrinsic
value. For them, that idea is the undiscovered planet
that explains otherwise inexplicable convictions38.

For Dworkin, he tries to overcome an objection which denies the possibility that anything has
an intrinsic value. Crucially, he makes a distinction between two categories of intrinsically
valuable things which are: those that are incrementally valuable and those that are not
incrementally valuable but are valuable in a different way (sacred or inviolable) Dworkin, in
throwing more light to the later, distinguishes between two ways by which something
becomes sacred for a given culture or person. The first is by association or by designation

37 Collste, G; Is human Life Special? Religious and philosophical Perspective On The Principle Of Human
38 Dworkin R; Life Dominion: An Argument About Abortion And Euthanasia, Harper Collins Publishers,
1993p69.
while the second is through history. The combination of nature and art which are the two traditions of the sacred supports the claim that each individual human life is also inviolable, because each individual life on its own can be understood as the product of both creative traditions.

Moreso, the role of the other tradition of the sacred in supporting the sanctity of life is somehow less evident and on the other hand crucial in that each developed human being is the product not just of natural creation but also of the kind of deliberate human creative force which we honour in honouring art. So, therefore, the idea that each individual life is inviolable is rooted, like our own concern for the survival of our species as a whole in two combined and interesting bases of the sacred which are natural and human creation. Thus Dworkin asserts:

Any human creature, including the most immature embryo is a triumph or evolutionary creation which produces a complex, reasoning being from, as it were, nothing, and also of what we often call the miracle of human reproduction this makes each new human being both different from and yet a continuation of the human beings who created it.\(^{39}\)

Apparently, for Dworkin, this natural miracle starts much earlier than birth; it starts from the genetic identity of an embryo. In analysing the second form of sacred creation, he makes it clear that the human being distinct from the natural investment is also immediate when pregnancy is planed, in that there is a deliberate decision of a male and a female to bear a child is a creative one. This child is then shaped in character and capacity by the decisions of his or her parents and by the cultural background of the society he or she lives. So, as the child matures in all but pathological cases, his creative choices progressively determine his thoughts, personality, ambitions, emotions, achievements and then creates life as much as an

\(^{39}\) Ibid p83.
artist creates a poem. Here, Dworkin does not suggest that a human life is literally a work of art but means leading a life as itself, a kind of creative activity which at least we have reason to honour as artistic creation, therefore he says:

The life of the single human organism commands respect and protection, then, no matter in what form or shape, because of the complex creative investment it represents and because of our wonder at the…….. The horror we feel in the wilful destruction of human life reflects our shared inarticulate sense of the intrinsic importance of each of these dimensions of investment

However, as individual opinion differs in the abortion debate, most religious and secular thinkers have elaborated at least three main arguments in proposing that the early embryos have the moral status of an individual human being. These thinkers in proposing such give much shading to these arguments. The followings are the arguments:

1. The fixed point argument
2. The development argument.
3. The agnostic argument.

1. THE FIXED POINT IN DEVELOPMENT ARGUMENT

This argument holds that an individual human entity is present at a certain biological point in the development of an embryo. When this embryo reaches this particular threshold, those who take this approach believe that it has the moral status of either an actual or a potential human being. By calling it a potential human being, they mean an entity, in the normal course of its development will in time to come become an actual human being unless an agent or force unexpected prevents it. Here, there is a defence in opinion about which point in

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the biological development of nascent human life marks the beginning of an actual or potential human being. It is observed that some among these thinkers hold that an actual human being exists at conception, when egg and sperm come together and the unique genotype of the individual human being is established. In this thought, Noonan asserts:

At conception, the new being receives the genetic code
it is this information which determines his characteristics
this is the biological carrier of the possibility of human
this makes him a self-evolving being. A being with genetic code is a man⁴¹.

Consequently, those who are of this view base their arguments on the genetic completeness of the conceptus. They believe that the rest of its growth involves working out and developing what has been established genetically at conception. They are also of the view that recent research supports the opinion which holds that a fertilized egg directs a subsequent development of the cells which spring from it. Experiment and studies in animals have shown that axes form in the initial fertilized cell before cleavage and that this cell preferentially contributes to the inner cell mass from which the foetus later arises. Based on this, this research has motivated some commentators to maintain that a genome of a zygote directs its cleavage into several cells and the differentiation of its tissues begins at a fourteenth day, thereby holding that the zygote must be an individual human being and must be owed the same respect as children or adults.

(2) THE DEVELOPMENTAL ARGUMENT.

According to the developmental argument, it does not maintain that nascent life attains human moral status at a particular point along with the spectrum of development. It should be observed that those who adopt this approach find no obvious threshold point on the basis of which to draw a traditional distinction between formed and unformed embryo. In

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⁴¹ Noonan JT; An Almost Absolute Value In History In the Morality Of Abortion, Cambridge: Harvard University Press, 1972 pp57.
this case, they maintain that slowly and gradually in a continuous process, the nascent human life grows into a discrete individual human being and as a human organism develops various biological, psychological and even social threats, and thereby gains an increased moral status.

However, Hessel Pouma III and his counterparts, in their own opinion, state that human zygotes are not beings that already have human capabilities but they are a kind of being which will acquire such capabilities in the normal course of their developments. They go on to argue against fixing on a particular stage the human development that which the life of the human decisively starts. Rather, they propose a potentiality position, saying:

We believe that attending to the implications of a developing human being’s potential is a less problematic way of accounting on its moral and theological status…some point before birth (or even after birth) when it becomes a person. We accept the following potentiality principle: if, in the normal course of its development, a being will become an imager of God, then by virtue of this potential it already deserves some of the reverence due imagers of God\textsuperscript{42}.

Accordingly, as the potential of a nascent human life to become an actual individual being increases, so also does their moral status increase. So, those who adopt this approach maintain that the early embryo needs to be respected in that in the normal course of its development, it will become an actual human being.

\textsuperscript{42} Hessel, B et al., Christian Faith, Health and Medical Practice, Michigan, Eerdmans, 1989, p.45.
(3) THE AGNOSTIC ARGUMENT.

According to this argument, some people have not been able to ascertain when an individual entity with the moral status of a human being is present at nascent human life develops, but lack of certain knowledge about this has an ethical consequence. It is noted that one version of this agnostic position was initiated in the declaration of the Catholic Church which states: This declaration deliberately leaves aside at what moment in time the spiritual soul is infused. On this matter, tradition is not unanimous as writers differ. However, it goes on to argue that from a moral point of view that this is certain but even if a doubt existed concerning if the fruit of conception is already a human person, it is objectively a grave to dare to risk murder. Consequent to this, Germain Grisez explains that if one does not know with certainty if an entity is not a human being and is willing to destroy an embryo, that it is exactly the same thing as being willing to kill a human being. According to him, any reasonable doubt about the moral status of the zygote or any embryo must count in favour of that zygote or that embryo. And since there is a reasonable doubt about if the early embryo is a human being, we should treat it as a human being, a view which is known as tutiorism. This view however, maintains that if the life of an entity which might be a human being is at issue, that one should not resolve doubt about it on the basis of a degree of probability of being right. But if there is any probability that it is a human being, no matter how tiny it is, it will be wrong to end its life. Thus, tutiorism holds that it will be wrong to proceed with an action which might involve a destruction of an early embryo since absolute certainty about whether it is human has not been attained.

Furthermore, Grisez adopts a formalistic strategy to the effect that all unborn human individuals should be counted as a moral person at least on a prima facie basis. And this is because; the full moral value of a normal adult who is a moral person is implicit in the living genetic mechanism of all members of the human species. It is observed that Griszes opponents do not agree with this opinion, arguing that the human genetic package is not a sufficiently substantial basis to account for, or even to show the full moral value of an adult moral person. But on the other hand, they suggest that its relative value should be determined

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43 Sacred Congregation for the Doctrine of Faith, Instruction on respect for Human Life in its Origin and on the Dignity of Procreation, No.16.
44 Cox P;On An argument against abortion:Germain Grisez at www.leaderu.com/isot/docs/abortion.html
by analogy to the value of a designer’s blueprints relative to the full value of the completed structure. In response to the above suggestion, Grisez replies that the suggested analogy is not instructive in this instance in that the objects being compared are disanalogous in essential features. And the blueprint is a dormant sheet, so also that the structure is a dormant artefact which in no analogous sense embodies the design until its completion. Thus he says that the living human individual bully embodies its design from its conception, as the inherent living genetic mechanism from which all its adult qualities unfold in due course.

Apparently, the above reply by Grisez leads to an additional objection. It would be theoretically easier to attribute a lesser value and moral status to the unborn, on the basis of their immaturity and consequent deficiency in the fully developed qualities and capabilities of adult human persons, such as rational awareness. If the moral value of adult were accounted for, on the basis of specific qualities or capacities, then it would follow that the value of immature or potential, adults would increase proportionately to their growth and development of the valued qualities and capabilities.

Factually, it is well noted that Grisezs strategy is not vulnerable to its objection in that he bases his argument that moral value is accounted for, on the basis of nature, itself and of the individual rather than on the value of specific characteristics on their account. In this case, valuation on the basis of individual qualities and capabilities which is on their own account is vulnerable to criticism as inherently subjective and relative, thereby providing a reasonable basis to exclude not only mature foetus but neonates and individuals who are temporarily comatose or severely senile. By turning to the notion of the human species as a natural kind, the nature or essence of which is constituted by the living genetic mechanism common to its members. Grisez here acquires a conceptual point to argue for an identity of being and the moral status between all human individuals from conception until they die.

However, Grisezs argument that the full moral value of adult human beings is implicit in the living embryos and foetuses would be strengthened normatively and conceptually, if this argument for a single biogenetic nature or essence for all members of the human species were justifiable. Therefore, in linking his perspective premise to a justifiable notion of fundamental kind, Grisez admits the normative advantages of relatively objectivity and

[45] Ibid.
certainty and this could be supported by explicit reference to Aristotle’s account of the relationship of potential being to actual being. It is of credit to note that Aristotle’s unifying formula that potential rational beings and actual beings adds further clarity and theoretical justification to Grisezs contention that the very meaning of the potentiality of a living thing is that it is already a kind of being which will develop in accordance with its proper kind. On the other hand, it also follows that potential human persons and actual human persons are different in general to the degree of actualization of their potential for growth and development. That is, until the last stage of growth and development or the last matter has been achieved, they are on the way to becoming substances in Aristotle’s third sense of being as composite. So, since this growth and development presupposes and proceeds from the primary actualization of the composite as a being of that kind, this being on the way therefore, does not, itself imply a deficiency of identity. This Aristotelian argument for an entity of being strengthens the conceptual basis for Grisez to argue for an equivalence of moral value and status between human embryos and foetuses as potential rational beings and human adults as actual rational beings. Therefore, given some reasonable basis to justify the premise, that moral value is linked to fundamental kind or sort of being, Grisez argues that the full value of the adult is implicit in the unborn because they are different modes or senses of the same fundamental kind or sort of being. And this ontological identity is presupposed by Grisez argument that the fullness of human life is implicit in its living genetic mechanism as an integral and necessary part or its biography and complete meaning. In this way he approves that the human individual is properly described and valued as a rational being from its conception to its death irrespective of its growth and development of the physical or self, which is ultimately required for rational awareness.

4:2 CRITICAL DISCUSSION OF THE CATHOLIC CHURCH POSITION ON THE SANCTITY OF LIFE

The moral philosopher, Jonathan Glover is one of those who are of the view that human life is not inviolable, thereby opposing the sanctity of life principle. In his view, this principle has no bases which he thereby propounded some critical arguments against it. He goes on to make a distinction between merely conscious and a higher form of consciousness. Merely
conscious according to him means just having experiences which can be of numerous kinds and of many degrees. Consequent to this, human beings are not all that different from animals and some even have higher degrees of consciousness than human beings. Therefore, for Glover, the issue of mere consciousness will not in any way be the basis for the principle which stipulates that eliminating human life is intrinsically wrong. Since the principle of sanctity of life in Glovers understanding will be either imply being alive, is intrinsically valuable or being alive and conscious, is also intrinsically valuable, he thereby suggests an alternative to this principle, arguing that the reason for not killing a human being is that the life of an individual being is worthwhile. Therefore, what can be extracted from the principle of sanctity of life according to Glover is that one should refrain from killing someone who lives a life that is worth living. For Glover, worth living are those lives that are valued by a person or those lives that one has reasons to accept that they have value and the same time valuable.

However, Glover in applying this principle in abortion debate takes a more liberal view. Thus, Collste captures:

> The foetus and infants are not in the position to value their own life. If the foetus is disabled or abnormal, it is morally right to kill it. The same goes for the infant. They can be replaced by a healthy individual who will have the opportunity to live a worthwhile life. It is not even morally wrong to kill a healthy foetus or infant as long as it is possible to replace the foetus or the infant by another healthy individual.

In another development, Helga Kuhse argues that in saying that the human being is of unique moral significance, that the proponents of the sanctity of life principle are of the opinion that the life of a human being is in itself apart, far more momentous than taking the

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life of some other type of beings like cat or dog. This principle serves to distinguish humans from non-humans and carve out human life for a special attention. Kuhse, therefore, questions what could in a way justify the distinction in the moral significance between the taking of a human life and that of the non-human life. Joseph Fletcher suggested a relevant difference by listing out such characteristics like: self-awareness, self-control, sense of the future, sense of the past, the capacity to relate to others, communication and curiosity as indicators of human hood.

On the other way, Kuhse says that there are some infants who are humans in the biological sense but do not and will never have any of the above indicators of the human hood cited by Fletcher. She gives examples with children that are born with most of their brain missing and those who are suffering from massive brain haemorrhages. In her opinion, pigs, cows and even chickens have higher capacity to relate to others, better ability and curiosity than these retarded infants. Also, there are some beings like gorillas and chimpanzee that have these distinctive characteristics but are not members of the species of Homo sapiens. Thus she asserts:

> Just as some members of the species of homo sapiens do not possess the characteristics usually regarded as distinctive of our species, so there are some beings who are not members of our species who do appear to possess, at least to some degree, these characteristics. If we were simply to compare the characteristic of different individuals irrespective of species, it is clear that we would have to go much further down the evolutionary scale before we reach a point at which nonhuman animals had capacities as limited as limited as most severely retarded humans.\(^{47}\)

Furthermore, Kuhse argues that there are two fundamental tenants that are consistent with the principle of sanctity of life: the inviolability of life and the equal value that is in all life.

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She puts a dividing line between their two interpretations of this principle as far as it is applied in health care ethics. The first, being the absolute version and the second is the qualified version. The absolute version according to Kuhse is of the opinion that it is absolutely prohibited either killing intentionally a sick person or even letting intentionally a sick one to die and to base a decision on shorting or extending of any human life on bearing in mind of its kind or even quality. While the qualified version holds that it is absolutely prohibited either killing intentionally a sick person or even letting intentionally a sick one to die and to base a decision on shortening or extending of any human life on bearing in mind of its quality or kind; it is however sometimes permissible to refrain from preventing death. Here, one should observe that an alternative is made at this later version.

Moreso, Kuhse welcomes the interpretation of the ideas of both principles as something which is untenable but her most objection is evident in the qualified version of the principle of sanctity of life when she says that it is a muddled principle which has unacceptable practical consequences. Kuhse, in arguing about the hard cases in health care ethics, that is when it is difficult to apply the principle of sanctity of life, she is of the opinion that those who supports this principle apply it in different ways that will enable them to alleviate their cases. And one of the ways of them doing such is by drawing a line between allowing dying which is not always wrong and killing which is always wrong, she is therefore against this view. Kuhse, thereby gives an example of a baby that is born with spinal bifida and at the same time suffering from pneumonia. After the whole debate about if the baby should or shouldn’t be treated, Kuhse there and then draws a conclusion that the principle of sanctity of life is not consistent in the sense that it creates room for a policy of intentionally allow someone to die.

Accordingly, another way to combine the principle of sanctity of life with a limited duty of life preservation is to argue for the truth of the principle of double effect. This principle of double effect holds that a morally relevant difference exists between what someone intents and what someone merely foresees, just as a non-intended consequence of ones actions or omissions. Here, the death of a human life is not intended but a merely foreseen effect. Like, the principle of double effect permits the killing of the fetus, if it is the only way

to save the life of the mother. So, an implication of this principle is that it will allow all those killings where death is not the intended aim of the agent. So therefore, this makes the principle of double effect to become a meaningless principle as Kuhse would say.

Consequent to all these, Kuhse sees the wrongness of the principle of sanctity of life in that those who hold it invariably take human life in the strictly biological sense. Also, they include within it the scope of this principle to only those who belong to the family of Homo sapiens and no other member of any species, in order words, it is speciesist. She also testifies that that the principle of sanctity of life is completely wrong in that it gives great weight to something that is morally irreverent.

In conclusion, it is very important to unfold the salient points in this chapter. Among the views so far discussed, some are critical while some are defending. Mahoney, in questioning the status of the foetus, reached a conclusion of saying that the ensouled human being is in itself nothing more or less than a human tissue, therefore it is only a promise of becoming a mature human being. Dworkin, on the other hand, argues that the intrinsic value of human life is based on it being a product of creative traditions. While Kulse and Glover in their own views argue that valuable experiences make a life valuable. In effect, they are of the view that value of life is the same thing as value in life.
CHAPTER FIVE

5:0 CONCLUSIONS

Having reached the final chapter of this thesis, my pre-occupation here will be summarising the salient arguments of the Catholic Church and those who were critical of their arguments and after which I will make a conclusive summary of all the whole chapters of this thesis.

5:1 SUMMARISING THE SALIENT ARGUMENTS

Based on the discussions I have made so far on the morality of abortion for which I exposed the Catholic Church position, it is pertinent for me to start by unfolding the salient points of the Catholic Church arguments. Man, as the image of God is unique among other created beings. There are two different interpretations of this of which reflect two different views of the basis of the principle of human dignity. The first interpretation is that man is an image of God in that he is rational. Here; the rationality makes up the essential similarity with God. Through man’s rationality, he can apprehend the world, make moral choices and be morally responsible. All these human qualities, depending on his rationality have implications for the dignity of man and this dignity can be seen to be supervening on his rationality. St Thomas Aquinas, being one representative of this view argues that the human soul as it is distinct from vegetative and animal souls distinguishes man from other animals. In any case, there comes to be an intimate connection between the concept of the human soul and the concept of human rationality. So, the idea that man is created in the image of God implies that there is a difference between man and the rest of other creations. Based on this argument, I argue against those who are critical against the principle of sanctity of life in that this difference between man and the rest other creatures is not accidental but one in kind. This distinction made, is that man in contrast to other creatures is capable of valuing from an impartial point of view and this valuing should not be done from the point of view of all God’s creation. In this case, I am in agreement with the Catholic Church argument that man is a moral agent in that this view is the basis for his dignity of which this quality makes it possible for man to
free himself from partiality and see and judge things from a universal point of view. It should be observed here that this agency means that human beings, as Gods commissioner, are the source of values and this commission presupposes that all living beings shall prosper.

With the Catholic Church argument, human dignity is related to the ensoulment which takes place immediately at the moment of conception and this view is a basis for the position that in spite of their lack of human qualities even the foetus has intrinsic value. In any case, this argument on ensoulment were questioned in this thesis by a moral theologian John Mahoney, in that he sees it to be hypothetical and suggested that one should be cautious in arguing that. In the proceedings of these arguments, I also observe a great difference on how the Catholic Church and the moral theologian McCormick approached the sanctity of life principle to the decisions regarding abortion. For the Catholic Church, when a human life including the foetus is at stake, this fact takes precedence over all moral considerations, but in McCormick’s view, this principle is taken to be as a prima facie principle. For him, the value of life is not to be preserved for its own sake but instead as a condition for other values in so far as these other values remain attainable, like in some cases in abortion and infanticide may be justified in that the expected life of the foetus or the child has no value but only suffering. Also, in his argument against vitalism, he makes an analogy to the question of brain death, saying that when the brain is dead, the human being dies equally. Similar to this, he related this analogy with an anencephalic foetus, arguing that it is not a potential human being and an interruption of such pregnancy is not an abortion in a moral sense.

Subsequently, common to those that are critical and those that defends the principle of sanctity of life is that they have developed some criteria for the distinction between a being that possesses a moral standing and one that does not. Those who are critical have given different opinions, though they do not accept if only human beings fulfil the proposed criteria. The moral philosopher John Glover and an ethicist Helga Kulse were of the opinion that valuable experiences make life valuable and that the value of life is equivalent to the value in life. In any case, they did not accept any borderline but on the other way round, they assume that it is probable that the experiences of rational beings are more valuable than the ones of non rational beings. I also observe that there is a related disagreement about how to draw a line between those beings who are morally considerable and those who are not. Sequel to this, those who are critical of the Catholic Church argument on the sanctity of life, maintain the boundary between human beings and other living beings is arbitrary, here they question
one component of the principle of human dignity—that there is a morally relevant difference
between the class of human beings and the class of other living beings. In their own argument,
suggests for a basic equality between all living beings. From a moral point of view, they also
argue that there should be a basic equality between all individual that belongs to a particular
class of living beings especially mammals. While on the other hand, those who defend or
takes the Catholic Church approach argue that any other boundary is rather based on arbitrary
criteria in that the idea that man is created in the image of God presupposes that there is a
difference between man and the rest of other creatures and man in this respect is unique, in
the sense that rationality enables him to attribute worth. Also, in further analyses, I come to
understand that another way of approaching these different views is by questioning the moral
outcome of these different positions. Those who are critical see it as being speciesism in
nature and invariably take human life in the strict biological sense. They argue that this has
been used as a justification for the maltreatment of animals. They also argue that this idea that
human beings are special and superior shows that animals have been reduced to means and
thereby leading to disrespect for animals and to the exploitation of animals in the modern
food industries. Also, in line with the utilitarians, they are of the view that the principle of the
sanctity of life impedes beneficial measures in health care ethics like in such cases of genetic
engineering, infanticide and abortion while the defenders of the principle of sanctity of life
argue that this principle is a necessary moral barrier for a weak human life, just like the new
born and the mentally challenged individuals. Obviously, it is relevant enough to argue that
Dworkin here seems to depart from this conflict in that for him, the implications of this
principle of sanctity of life for practical ethics are not clear. He then argues that when two
people are defending this principle, that it is very possible to reach a different positions in
practical ethics due to different views that concerns other matters.

Pertinently, it is worthy here to acknowledge the consequences of the principle of sanctity
of life when it is applied to medical ethics. It is arguable to say that when it is interpreted as
an absolute principle that is as a principle with unconditional application in contrast to a
prima facie principle it has often resulted to vitalism—a view which holds that all lives must be
saved or prolonged equally regardless of if such measures will be of harm or benefit a person.
And it is evident that the application of this principle to medical ethics made by the Catholic Church comes closer to this position in some cases. In applying this principle of human dignity to a specific moral issue like abortion or even euthanasia, it has to be balanced against other important principles and values and among them is the quality of human life. It is arguable here to say that there are some practical implications of the fact that the human dignity may be frustrated in different ways. Like in the case where someone who is confronted with a decision for abortion, the only available alternative can be between the different ways of frustrating the intrinsic value of a human being. In such a situation, the person has to choose between deliberately killing or by non-acting, indirectly contribute towards the frustration of human life. So, it is not obvious which alternative is more in line with respect for human dignity and which one is less. Therefore, it is arguable to say that such decisions are difficult and the same time demanding.

However, since the principle of the sanctity of life is central in the argument of the Catholic Church, I conclude by arguing that this principle of sanctity of life is not an easy way out from a difficult moral decision making. The reason being that both the principle itself can be interpreted and applied in different ways and that it has to be balanced against other relevant moral principles in order to come at any specific decisions.

SUMMARISING THE WHOLE CHAPTERS

In this thesis, I started by making a clarification of the concept abortion which came from the Latin infinitive ABORIRI which means to perish. Though different ethicists or moralists have given so many definitions on the concept abortion but I made use of the definition which was given by a moral philosopher Justin Ekennia. He defines abortion as the intentional destruction of the foetus in the womb, or any untimely delivery brought about with the intent to cause the death of the foetus. Going further, I made a contra-distinction between the two main types of abortion which are: unintended abortion, which is when abortion is not wilfully planned and that is the type which is popularly known as miscarriage. While in the intended abortion, the destruction of the foetus is deliberately done.

However, in carrying out intended abortion, there arise some ethical problems which have become the major issue in the controversy on the abortion debate and these ranges from the
foetus right, the woman’s right and her obligation, the society’s right and its obligations and finally the problems which are faced by the medical professionals in taking decisions in performing abortion. All these were critically analysed for the benefit of those who wish to dwell on it.

Apparently, the chapter three of this thesis comes to be the heart of the entire chapters of this work. There, I made a full exposition of the Catholic Church position on the morality of abortion, the natural law theory was used to usher in the main argument of the Catholic Church which are based on the dignity of man, protection of the innocent life and the sacredness and inviolability of the human life. As these arguments begin to unfold, the Catholic Church finds only two types of abortive procedures as morally accepted under the dictates of the principles of double effect: the case of the pregnant woman with a cancerous uterus, here, the foetus is then removed along with the woman’s uterus while the second procedure is the case of ectopic pregnancy, in which the foetus is lodged in a fallopian tube and it is entirely removed.

In continuation, critical views from both theological and secular thinkers against the Catholic Church position were exposed, ranging from the moral theologian John Mahoney who questions the status of the foetus and Richard McCormick who also was critical on the principle of double effect. Ronald Dworkin was not left alone in exposing his own contribution towards the argument for the intrinsic value of life.

Consequent to all these, what comes last in this thesis is a review of a critical discussion of the Catholic Church position on the sanctity of life of which the moral philosopher Jonathan Glover is of the view that human life is not inviolable, thereby opposing the sanctity of life principle and in applying his view on the morality of abortion, he takes a more liberal position. It should be observed that some other people like Helga Kuhse criticized the Catholic Church position on the sanctity of life principle. So ,Kuhse in her opinion, sees the wrongness of this principle in that those who hold it invariably take human life in the strict biological sense and include within it the scope of this principle to only those who Homo Sapiens.

In any case, all these form part and parcel of the entire work of this thesis.
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