

## How robust is the Catholic case against abortion and embryo experimentation?



There is growing pressure from the scientific community in Britain for the law to be relaxed regarding

experimentation on human embryos.

This follows the news that scientists have successfully kept alive a fertilised embryo in the laboratory up to the 14-day limit British law allows. Some would like the research to be taken a stage further. Some emphatically would not.

Among the voices we can expect to hear will be that of the Catholic Church. This is a good moment to ask, therefore, how robust is the Catholic case, not only against embryo experimentation but in the whole field of abortion? If it has not been thought through clearly enough, its chances of winning the public debate are virtually nil.

Take the human status of the early embryo. The Church declares that human life begins at the moment of conception; hence the Commandment "Thou shalt not kill" applies from that time onwards. But the definitive Catholic position emerged only relatively recently, in Pope John Paul II's papal encyclical *Evangelium Vitae* in 1995.

Before that, there were reputable Catholic theologians who argued that the full status of a human being could not be attributed to an early embryo at least until it had gained a unique identity – once it was no longer capable of dividing into two, creating identical twins – or until the so-called primitive streak has emerged and the first features of a developing human body can be discerned. Yes, its DNA already has a unique identity; and yes, it will gradually take on human form and appearance until it has the shape of a small baby. For some that is enough. But not everyone.

Even if we assume that John Paul II resolved the issue for Catholics, it does not follow that that judgement ought to be binding on non-Catholics. The principle of religious freedom affirmed in the Second Vatican Council forbids forcing people to conform to religious doctrine that they do not freely accept. So non-Catholics who do not believe life begins at the moment of conception must have the right, surely, to act accordingly.

Indeed, the principle behind the British abortion law at present is that an embryo cannot be said to be fully human – and hence has a right to the full protection of the law – until it is at least

theoretically viable outside the womb. A non-Catholic may honestly think so. And may honestly think that that is a question for the women concerned, alone.

She may believe that until the point at which we may start to speak of "rights" for the foetus, the state and the community at large has no standing in the matter. After all, it is her body. I say this not because I personally agree with it but because it is the case the Church has to answer. Can its doctrine bind those who do not accept its authority? Or isn't this the coercive use of religious power imposed against the consciences of other people, which the Church has said it no longer believes in?

All over the world, wherever the issue arises, the Catholic Church routinely insists that all abortion should be illegal. When Donald Trump said in the course of his campaign for the Republican nomination that women who had abortions should be "punished", he was saying no more than what the Catholic Church has always said. Catholic women who have abortions are, under canon law, automatically excommunicated.

Trump quickly backed off, when even various pro-life groups denounced him. But he had a point.

There are further questions. The state may have a duty to save human life, but punishing a woman and her doctors and nurses after a pregnancy termination is not going to save the foetus concerned. The only reason is to deter others. So the punishment is exemplary and instrumental. In which case, it is fair to ask – does it work? Or does it do more harm than good?

So is this a prudential judgement based on evidence, or is it within the competence of the Catholic Church to say definitively and authoritatively that punishing those involved, in every case, is an obligatory function of the criminal law? Or is one entitled to say that while abortion is always wrong – even from the first moment of conception – it does not logically follow that it must always be criminalised?

There are other wrongful acts – lying and adultery, for instance – which the criminal law does not regard as a crime. In the public square, such questions cannot simply be answered by an ecclesiastical dictat. There have to be persuasive arguments.

