



Pastoral Message
of the
Administrative Committee
National Conference of Catholic Bishops

February 13, 1973

Almighty God, the Creator of the world, has imprinted in the heart of man a law which calls him to do good and avoid evil. To obey this law is the dignity of man, according to it he will be judged (cf. *Constitution on the Church in the Modern World* No., 16). In the encyclical letter, *Peace on Earth*, Pope John XXIII spoke of how nations can achieve justice and order by adhering to God's law:

Any human society, if it is to be well-ordered and productive, must lay down as a foundation this principle, namely, that every human being is a person, that is, his nature is endowed with intelligence and free will. By virtue of this, he has rights and duties of his own, flowing directly and simultaneously from his very nature. These rights are therefore universal, inviolable and inalienable (Peace on Earth, no. 9).

. . . Every man has the right to life, to bodily integrity, and to the means which are necessary and suitable for the proper development of life (Peace on Earth, no. 11).

The Supreme Court, in its recent decision striking down the laws of Texas and Georgia regulating abortion, has stated that the unborn child is not a person in the terms of the Fourteenth Amendment. Moreover, the Court held that the right of privacy encompasses a woman's decision to terminate a pregnancy, although the right of privacy is not an absolute right, and is not explicitly mentioned in the Constitution. In effect, the Court is saying that the right of privacy takes precedence over the right to life. This opinion of the Court fails to protect the most basic human right--the right to life. Therefore, we reject this decision of the Court

because, as John XIII says, "If any government does not acknowledge the rights of man or violates them . . . its orders completely lack juridical force." (*Peace on Earth*, no. 61)

The Court has apparently failed to understand the scientific evidence clearly showing that the fetus is an individual human being whose pre-natal development is but the first phase of the long and continuous process of human development that begins at conception and terminates at death. Thus, the seven judge majority went on to declare that the life of the unborn child is not to be considered of any compelling value prior to viability, i.e., during the first six or seven months of pregnancy, and of only questionable value during the remaining months. Ultimately this means that the fetus, that is, the unborn child, belongs to an inferior class of human beings whose God-given rights will no longer be protected under the Constitution of the United States.

We find that this majority opinion of the Court is wrong and is entirely contrary to the fundamental principles of morality. Catholic teaching holds that, regardless of the circumstances of its origin, human life is valuable from conception to death because God is the Creator of each human being, and because mankind has been redeemed by Jesus Christ (cf. *Peace on Earth*, nos. 9 and 10). No court, no legislative body, no leader of government, can legitimately assign less value to some human life. Thus, the laws that conform to the opinion of the Court are immoral laws, in opposition to God's plan of creation and to the Divine Law which prohibits the destruction of human life at any point of its existence. Whenever a conflict arises between the law of God and any human law, we are held to follow God's law.

Furthermore, we believe, with millions of our fellow Americans, that our American law and way of life comprise an obvious and certain recognition of the law of God, and that our legal system is both based in it, and must conform to it. The Declaration of Independence holds that all men are endowed by "their Creator with certain unalienable rights," among which are "life, liberty and the pursuit of happiness." The Preamble to the Constitution establishes as one goal of the people of the United States "to secure the blessing of liberty to ourselves and to our posterity." Without the right to life, no true liberty is possible.

The basic human rights guaranteed by our American laws are, therefore, unalienable because their source is not man-made legislation but the Creator of all mankind, Almighty God. No right is more fundamental than the right to life itself and no innocent human life already begun can be deliberately terminated without

offense to the Author of all life. Thus, there can be no moral acceptance of the recent United States Supreme Court decision which professes to legalize abortion.

In light of these reasons, we reject the opinion of the U.S. Supreme Court as erroneous, unjust, and immoral. Because of our responsibilities as authentic religious leaders and teachers, we make the following pastoral applications:

1. Catholics must oppose abortion as an immoral act. No one is obliged to obey any civil law that may require abortion.
2. Abortion is and has always been considered a serious violation of God's law. Those who obtain an abortion, those who persuade others to have an abortion, and those who perform the abortion procedure are guilty of breaking God's law. Moreover, in order to emphasize the special evil of abortion, under Church law, those who undergo or perform an abortion place themselves in a state of excommunication.
3. As tragic and sweeping as the Supreme Court decision is, it is still possible to create a pro-life atmosphere in which all, and notably physicians and health care personnel, will influence their peers to see a value in all human life, including that of the unborn child during the entire course of pregnancy. We hope that doctors will retain an ethical concern for the welfare of both the mother and the unborn child, and will not succumb to social pressure in performing abortions.
4. We urge the legal profession to articulate and safeguard the rights of fathers of unborn children, rights that have not been upset by this Supreme Court opinion.
5. We praise the efforts of pro-life groups and many other concerned Americans and encourage them to:
 - (a) Offer positive alternatives to abortion for distressed pregnant women;
 - (b) Pursue protection for institutions and individuals to refuse on the basis of conscience to engage in abortion procedures;
 - (c) Combat the general permissiveness legislation can engender;
 - (d) Assure the most restrictive interpretation of the Court's opinion at the state legislative level;

(e) Set in motion the machinery needed to assure legal and constitutional conformity to the basic truth that the unborn child is a "person" in every sense of the term from the time of conception.

Bringing about a reversal of the Supreme Court's decision and achieving respect for unborn human life in our society will require unified and persistent efforts. But we must begin now--in our churches, schools and homes, as well as in the larger civic community--to instill reverence for life at all stages. We take as our mandate the words of the Book of Deuteronomy:

I set before you life or death . . . Choose life, then, that you and your descendents may live. . .

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