The Online Newsletter of the University Faculty for Life with links to additional online information vital for prolife scholarship

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➢ 2018 Life and Learning Conference will take place at the University of Dallas on June 8 - 10. The overall theme will be “Building a Culture Respectful of Human Life.”

➢ 2017 Life and Learning Conference at the University of St. Thomas’s Law School in Minneapolis was a huge success, with over 80 participants and forty-three presentations, including three plenary papers and the 2017 Smith Award Lecture by Fr. Robert Spitzer, S.J. The wonderful program can be found here.

➢ The Board of Directors welcomed two new members: Janet Smith, Ph.D. (the Father Michael J. McGivney Chair of Life Ethics at Sacred Heart Major Seminary in Detroit) and Peter Casarella, Ph.D. (associate professor of Theology at the University of Notre Dame and Director of LANACC, Latin American North American Church Concerns). Other board members include Rose “Mary” Lemmons, Ph.D. (president) Richard Myers, J.D. (vice-president), Fr. Joseph Koterski, S.J., Ph.D. (Secretary), Kevin Miller, Ph.D. (Treasurer), Barbara Freres, Ph.D. (Program Chair), Keith Cassidy, Ph.D. Peter Colosi, Ph.D., Kathleen Schmainda, Ph.D., Bernadette Waterman Ward, Ph.D., Richard Fehring, Ph.D. R.N.

➢ 2017 Scholarly Achievement Award Winners. The judges of this year’s University Faculty for Life Scholarly Achievement Award in Creative Writing, Literary Criticism, or Research announce three honorable mentions:
➢ Kathleen Goerke, a candidate for the Doctorate of Law and Master of Arts in Catholic Studies at the University of St. Thomas School of Law, for her research essay “Life v. Liberty: The Quadrant of Prenatal Rights”

➢ Charlotte Marcotte-Toale, a junior research scientist in the Department of Oral & Maxillofacial Pathology, Radiology, and Medicine, New York University College of Dentistry, for her research essay “No Experience, No Relief: The Falsity of Relief-Based Arguments for Assisted Death”

➢ Brianna Velasco, a student at St. Joseph’s College in Rensselaer, Indiana, for her short story “Upside-Down.”

➢ **Lifetime membership.** UFL is now offering Lifetime Membership. Five hundred dollars will enable you to support our mission more easily throughout your golden years. More details are posted on our website.

➢ **Life and Learning Proceedings.** Those who made presentations at UFL’s 2017 meeting in Minneapolis are encouraged to send in their papers to Fr. Joseph Koterski by August 15, 2017 to be considered for this year’s proceedings. He also reports progress on getting the back issues of the proceedings into print. Volumes 23, 24, 25, and 26 have already been mailed to UFL members. Volume 20, 21, and 22 may be expected shortly. If you have not received copies, or if you need extra copies to recruit new UFL members, please contact him directly at koterski@fordham.edu.

➢ **Dues Reminder** Be sure to pay your 2017 dues and update your mailing address using the membership renewal form. We will be using the updated list to mail out paper copies of our proceedings, *Life and Learning*. Dues can be sent to Fr. Joseph Koterski, S.J., University Faculty for Life, Dept. of Philosophy, Fordham University, Bronx, NY 10458.

➢ **Social Media** Don’t forget, UFL is on Facebook, Twitter, and LinkedIn. On Facebook, you can “like” the “University Faculty for Life” page. On Twitter follow “Faculty4Life”. Our blog can be found at [www.ufl.org/blog/](http://www.ufl.org/blog/). There is also an active “University Faculty for Life” subgroup of the “Pro-life Professionals” group on LinkedIn.

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**Letter from the President**

**Rose Mary Hayden Lemmons, Ph.D., President of UFL, Associate Professor of Philosophy, University of St. Thomas, St. Paul, MN.**

Thanks to the generosity of Our Sunday Visitor Institute, Most Reverend Bernard Hebda (the Archbishop of St. Paul and Minneapolis), Dr. Matthews Grant (chair of the philosophy department at the University of St. Thomas) and Dean Rob Vischer of UST School of Law, the 2017 conference was a huge success with over 80 participants and forty-three provocative and interesting presentations. More importantly, the conference highlighted the special need for further work in several areas: genetic manipulation, embryo rights, brain death, personal identity, prolife jurisprudence, the relationship of faith and bioethics, and the sustainability of the prolife movement. All of these issues plus those concerned more directly with euthanasia and abortion will be the focus of our 2018 conference at the University of Dallas on “Building a Culture Respectful of Human Life.” So, it is not too early to start planning your 2018 presentation. The Call for Abstracts will be forthcoming as more information becomes available.

This summer Charlie Gard lost his battle to live, not because his parents failed to advocate for him, but because his life was controlled by British and European Courts. They refused to allow him to travel out of the country to receive treatment for his rare mitochondrial DNA depletion syndrome even though his parents had raised more than sufficient funds to do so.

Prolifers should take note that this sequence of events shows the paltry respect given to parental
rights in British law and the unwillingness of the British court to permit extraordinary treatments that could have saved his life.

In this respect, the case of Charlie Gard was like the 2014 case of Ashya King—except that Alysa’s parents were able to flee the British Isles with him so that he could receive proton beam treatment for his cancer. They got as far as Spain before a European Arrest Warrant jailed his parents and Ashya was declared a ward of the court. Fortunately, international publicity encouraged the quick-thinking Justice Baker of the British High Court to follow his better lights and free the parents by withdrawing Britain’s extradition request, while also restoring parental rights and granting permission for Ashya to receive the treatment in Prague. Ashya is now cancer free. A different judge may not have so ruled.

The cases of Charlie and Ashya raise questions about the ability of a government controlled health care system to properly care for patients, to recognize that the right to life includes the right to pursue treatment that harms none, and to develop life-saving treatments. A health care system designed to contain costs is not one open to developing treatment options.

These cases especially illustrate the extreme vulnerability of patients in Britain without the financial resources and the international publicity garnered by activist and internet savvy parents. These patients would not be so vulnerable, if totalitarian attitudes were not ineluctably inculcated in medical practitioners able to exercise total control over the care of patients in the British single payer healthcare system. Absolute power corrupts not only politicians but medical professionals and judges!

Member News & Publications

In which we highlight the activities of our organization, members, and chapters, including publications, talks, and consultations.

Note: all names in bold are members of UFL.

➢ Fr. Thomas Berg, Ph.D. (Theology, St. Joseph’s Seminary) published “A Revised Analysis of the ‘Phoenix Abortion Case’ and a Critique of New Natural Law Intentionality,” which is a retraction of his 2011 UFL paper, in Nova et Veters, 15.2 (Spring 2017): 365 – 396.


➢ Dr. Peter Colosi (Philosophy, Salve Regina University) delivered two lectures at the 5th annual Medical Student & Resident Boot Camp, June 19 – 24, 2017, held at St. Charles Borromeo Seminary in Philadelphia: “Metaphysics of the Person and Medical Ethics” and “Foundational Bioethical Principles and How to Apply Them.”

➢ Prof. Colosi was also a guest on the Rich Zeoli show which was hosted that day by Christine Flowers on 1210AM CBS Philly on July 3 to talk about the Charlie Gard case. The podcast is here.

Jeff Koloze, Ph.D. (English, Walsh University, School for Professional Studies) presented “Academic Freedom and the Life Issues: Assistance for Pro-Life Students Facing a Hostile College or University Environment” at the National Right to Life convention in Milwaukee on Friday, 30 June. The workshop addresses various assaults on free speech rights of pro-life students in higher education and, more importantly, suggests ways that pro-life students can work within the academy to advance the interests of the pro-life movement.


Richard Stith, J.D., Ph.D. (Law, Valparaiso University) was interviewed by Prof. Jose Perez Adan for the Free International University of the Americas in April 2016. The video can be viewed here, using the password entrestith_2020.

Prof. Stith presented “La personalidad del embrión: la filosofía ante los límites de la imaginación” at the annual congress of the Asociación Española de Personalismo, Madrid, Spain, in May 2016. An expanded version of that essay has been published in Persona y Bioética, 21.1 (March 2017): 161 – 166.

In October 2016, Prof. Stith spent eight days as a visiting professor at the law school of the Universidad de los Andes, Santiago, Chile, during which time he gave classroom and public lectures, and had an interview published in the legal section of El Mercurio (Chile’s most important newspaper).

At the invitation of the Supreme Court of Paraguay, in October 2016, Prof. Stith delivered two lectures. The first, “La construcción contra el desarrollo: dos maneras distintas de entender la gestación humana”, had an audience of some 200 judges, and the second, “Rechazos fundamentales de la doctrina de Roe v. Wade”, about 250 judges. The first lecture has now been converted into a Power Point presentation by the head of the Supreme Court's legal research institute. She has been presenting it around the country this year.

Prof. Stith gave an invited lecture at Ave Maria School of Law entitled “Mercy and Justice in and after Roe v. Wade” in November 2016. The lecture is expected to be published in a collection of essays on mercy and justice.

Upcoming scholarly opportunities

➢ The 2017 Annual Educational Conference of the Catholic Medical Association will meet in Denver on September 7 – 9, 2017. The theme will be, “Medicine at the Service of Marriage and Family: Transforming the Culture with Love and Truth.”

➢ The 2017 LifeTech Conference will take place at Cedarville University, Cedarville, OH, on September 16, 2017. Registration information can be found here.

➢ The annual national meeting and conference of the Society of Catholic Social Scientists will be held at the Franciscan University of Steubenville on October 27 – 28, 2017. The call for papers can be found here.

➢ The Research Association for Interdisciplinary Studies is hosting Human Development – A Multidisciplinary Research at Johns Hopkins University, Montgomery County Campus, Rockville, MD, from November 6 – 7, 2017. The call for papers is here.

➢ The 2018 Life and Learning Conference will take place at the University of Dallas on June 8-10 with the overarching theme “Building a Prolife Culture.” More information will be published on the website.

On Campus

➢ Our Lady Seat of Wisdom College in Barry’s Bay, Ontario, whose students are actively engaged in pro-life activities and whose president, Keith Cassidy is a UFL Board member, received accreditation from the Ontario Ministry of Education and Skills Development to grant a Bachelor of Catholic Studies.

➢ The theme for the 2018 Cardinal O’Connor Conference on Life is “(Ir) Religiously Pro-Life: The Future of the Movement in a Secular World.” The conference, which is co-sponsored by the University Faculty for Life, will take place at Georgetown University on January 20, 2018. Registration information is here.

➢ Applications for the Rev. Thomas King, SJ Award, which awards $1,000 to a collegiate pro-life group in recognition of its excellent work, are due by January 14, 2018. Application information is here.

➢ Students for Life of America will host their national conferences in Upper Marlboro, MD on January 20, 2018, and in San Francisco, CA on January 28, 2018.

➢ The Students for Human Life Club at the University of St. Thomas developed a pamphlet detailing local and campus resources for pregnant women, parents, and those seeking post-abortion counseling. The pamphlet is included at the end of this newsletter in the hopes that it may be a helpful model for other college pro-life organizations.

Book Reviews

UFL Members are invited to submit book reviews for consideration for publication. Please email the editor at provita.editor@gmail.com for more information and to submit a review.


Reviewed by Joseph Koterski, S.J., Ph.D.
(Philosophy, Fordham University)

At the core of Payne’s argument is the Thomistic insight that personhood involves possession of a rational nature. By contrast, in many current schools of philosophy, personhood is thought to be attributed
to an individual only when certain functional abilities can be detected to be operating. For Aquinas, the relevant functions (e.g., meaningful language use) are only possible because of the powers of one’s nature (e.g., the abilities that make possible such language use), but an individual whose powers are only at a nascent level of development (or even blocked from development because of a biological impairment) is still a member of the species of human persons. This distinction – sadly so often ignored in debates over abortion or human cloning – makes all the difference.


Reviewed by **Joseph Koterski, S.J., Ph.D.**
(Psychology, Fordham University)

The thesis of the book is that it is possible – in fact, all but required – to be “pro-choice on abortion and fully committed to animal rights.” Written by two professors from Cornell University School of Law, the strategy here involves a kind of semantic gymnastics by using misleading terminology to hide the reality and by using their prestige as professors to lend authority to immoral practices.


Reviewed by **R. Mary Hayden Lemmon, Ph.D.**
(Philosophy, University of St. Thomas, MN)

Natural law has long claimed to be a universal ethic. This collection of essays places the version of natural law proposed by the Vatican’s International Theological Commission in 2009 on the docket, examines it from diverse traditions of natural law (Islamic, Judaic, Protestant, and alternative Catholic versions), and argues that it can successfully counter key objections arising not only from modern and contemporary philosophy but also from the need for Christian revelation and faith. These essays are especially recommended for those interested in establishing a cross-cultural prolife culture.

**Legal realities**

**Richard S. Myers, J.D.** *(Professor of Law at Ave Maria University School of Law, UFL Vice-President)* provides a brief overview of significant legal developments since the last issue of ProVita.

In the last newsletter, I reported on recent actions in the states to legalize physician assisted suicide. I noted that Colorado and DC had recently joined the jurisdictions that now permit physician assisted suicide. Some observers portray the increasing legalization of physician assisted suicide as inevitable. Yet, some states have strengthened their laws banning assisted suicide and other states have rejected legalization efforts. In the last few months, several states have rejected legalization efforts. Examples include Hawaii, and Maine.

Montana is one of the states that permits physician assisted suicide. Assisted suicide is technically prohibited in Montana, but a decision by the Montana Supreme Court in 2009 held that a doctor who assisted in the death of a terminally ill, mentally competent patient would be immune from a homicide prosecution; the Court did not address the broader state constitutional issue of whether there is a constitutional right to die with dignity. The Montana legislature recently tried to change this by explicitly prohibiting assisted suicide. It appeared that the measure was going to pass but a legislator changed her vote and opposed the measure. Apparently, she had intended to vote in favor of the ban on assisted suicide. Her mistake in voting prevented the passage of the law.

For the most part, US courts have not been receptive to constitutional challenges to laws banning assisted suicide. In the summer of 2016, the New Mexico Supreme Court rejected a constitutional challenge to New Mexico’s prohibition on assisted suicide. In May 2016, in Myers v. Schneiderman, an intermediate appellate court in New York also rejected a constitutional challenge to New York’s ban on assisted suicide. The case was appealed to New York’s highest court.
and oral argument was held before the New York Court of Appeals on May 30, 2017. It would be a surprise if the New York court held the law unconstitutional. The decision should be rendered before the end of calendar year.

After the US Supreme Court’s 2016 decision in Whole Woman’s Health v. Hellerstedt, it seemed that court challenges to state regulations of abortion would increase and that such challenges would be more likely to succeed. That has proven to be the case. In March 2017, a federal court in Mississippi enjoined a Mississippi law requiring that doctors who perform abortions have admitting privileges at a local hospital. The judge relied on Whole Woman’s Health v. Hellerstedt, the 2016 Supreme Court decision invalidating a similar Texas law.

Some states, though, have continued to pass laws restricting abortion. One such example was the passage of a law in Arkansas prohibiting sex-selection abortions.

There has been a great deal of litigation over state and local laws that burden the speech of pro-life resource centers. In October 2016, the US Court of Appeals for the Ninth Circuit upheld California’s law, which forces pro-life crisis pregnancy centers to promote abortion, although other courts around the country have invalidated such laws. Most observers think that the US Supreme Court will agree to hear this issue in the near future. The California case, National Institute of Family and Life Advocates v. Becerra, is before the US Supreme Court. The Court will consider whether to hear the case at its conference on June 22, 2017. If it does so, the case wouldn’t be argued until the Supreme Court’s 2017-2018 Term.

On April 7, 2017, Neil Gorsuch was confirmed by the US Senate to a seat on the US Supreme Court. Most observers believe that Justice Gorsuch, who replaced Justice Scalia, will be inclined to uphold laws restricting abortion and assisted suicide.

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**Scholarship Analysis**

**Christopher Kaczor, Ph.D.** (Professor of Philosophy at Loyola Marymount University at Los Angeles, Consultant to the United States Conference of Catholic Bishops) engages recent scholarship on life issues. This article is reprinted by permission from the National Catholic Bioethics Quarterly.

Alberto Giubilini, co-author of the well-known defense of infanticide titled “After-birth Abortion: Why Should the Baby Live?,” has written an article challenging conscientious objection to abortion. In “Objection to Conscience: An Argument against Conscience Exemptions in Healthcare,” Giubilini maintains that it is not consistent to allow conscientious objection to some procedures (procuring abortions) but not other procedures (prescribing antibiotics): “Think of a doctor who has a conscientious objection to administering antibiotics because she conscientiously believes that bacteria have significant moral status, and actually a moral status comparable to that of a foetus. I take it that most, perhaps all of us would say that this kind of objection should not be granted.”

If no conscience protection should be given to those who object to antibiotics, then there must be some important difference between the antibiotic objector and the abortion objector. Giubilini argues that there is, in fact, no important ethical difference between them. So, since we would not allow the antibiotic objector to not prescribe antibiotics, we should also not allow the abortion objector to not perform abortions: “Defenders of conscientious objection *qua conscientious* need to say the no-harm principle constrains the right to object to antibiotics but not the right to object to abortion.” However, Giubilini provides no arguments why they must hold this view.

One way to respond to Giubilini is to say that both the Abortion Objector and the Antibiotic objector may decline to provide the requested procedures: why not say that a doctor who has a

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3Ibid., 404.
conscientious objection to antibiotics does not need to prescribe antibiotics? This stance would have absolutely no practical consequences for any patients or doctors and removes the inconsistency objection. Giubilini accepts that health care providers may conscientiously object to some procedures but only if the objection is based on medical principles such as non-maleficence:

I have also argued that objections by [Health Care Professionals] are sometimes justified. They are justified—which means that objections should be respected and that good doctors should put them forward—only when the practice to which doctors object violates principles and values of the profession. I have provided two examples of such justified objections, namely objection to providing medical assistance in death penalty and objection to releasing refugees back to refugee camps when this would be detrimental to their health. What justifies the objections in such cases is some substantial value and principle informing the profession, and not values or principles related to the formal notion of conscience such as moral integrity, dignity, or freedom of conscience.

Giubilini’s view on this point is inconsistent with his earlier criticism of the antibiotic objector who appeals to the principle of non-maleficence when declining to kill bacteria. Giubilini should either allow physicians to withhold antibiotics and not participate in the death penalty, since both violate the principle of non-maleficence, or he should not allow them to refuse either.

Another reply to Giubilini’s challenge is that there are significant differences between bacteria and human beings. The Declaration of Independence holds as a self-evident truth that “all men are created equal” and “endowed … with certain inalienable rights.” It is hardly a self-evident truth that all bacteria are created equal and endowed with inalienable rights. Giubilini seeks to dispel this concern: “One might argue that one value of medicine that could justify opposition to abortion is the special value attributed to human life, which would yield an ethical principle that prescribes to preserve human life whenever possible.” Giubilini points out that the medical profession does not require that all human life be preserved regardless of the consequences.

Unfortunately, Giubilini distorts the relevant ethical principle. The claim that human beings have special value and should not be intentionally killed is not the same as the claim that doctors must preserve human life whenever possible. Arguably, the claim that all human beings have equal basic value and should be accorded basic rights is a fundamental principle of Western civilization. Giubilini misconstrues the inviolability of life (innocent human beings deserve protection in law from being intentionally killed) as a form of vitalism (all human lives must always be extended as much as possible regardless of the burdens and benefits of treatment). The claim that no innocent life should be taken is not the claim that everything possible must be done to extend everyone’s life in every circumstance.

Giubilini’s case for abolishing conscience protections continues, “Doctors who refuse to provide an abortion to a woman who requests it are typically refusing to provide a medical service that is safe, beneficial, and autonomously requested by the woman; therefore, they are acting against the ethical standards of beneficence and respect for patient autonomy which are commonly accepted in contemporary Western medical ethics and medical deontological codes.” Is it true that not performing an abortion violates patient autonomy? Does refusing to perform an abortion violate a patient’s autonomy simply because the patient requests one? Doctors not only may but must deny some autonomous requests, for example, when a patient wants oxycodone for recreational use.

The beneficence of abortion is equally questionable. It never benefits the prenatal human being, and doctors who object to abortion typically do not agree that it is safe for women. Even

\[4^\text{Ibid., 408.}\]
\[5^\text{Ibid., 404.}\]
\[6^\text{On vitalism, the inviolability of life, and the quality of life, see John Keown, The Law and Ethics of Medicine: Essays}\]
\[7^\text{Giubilini, “Objection to Conscience,” 404.}\]
\[8^\text{On the question of the safety of abortion, see Christopher Kaczor, The Ethics of Abortion: Women’s Rights,}\]
Giubilini implicitly acknowledges that late-term abortions carry significant physical and psychological risks: “Abortions at an early stage are the best option, for both psychological and physical reasons.”9 Is early abortion safe? Abortions cause an increase rate of ectopic pregnancy, which is a leading cause of death among pregnant women.10 Even if it were the case that abortions are safe, beneficial, and autonomously requested, Giubilini’s defense of forcing health care workers to perform them makes inconsistent appeals to authority:

In fact, abortion is a procedure that is permitted by many medical associations and that can be performed, as the American Medical Association prescribes, in accordance with good medical practice; it is also commonly taught in medical schools in many countries. How could the institution of medicine condone something like abortion if the prescription to try to save all forms of human life was a core principle of the profession? An absolute prohibition to kill a fetus is not consistent with principles of contemporary medicine and is not itself a principle of contemporary medicine.11

Giubilini is correct that the contemporary medical establishment permits abortion. However, these same institutions as well as the law in the United States also permit conscientious objection to abortion:

Most states have “conscience clauses,” which describe a right of refusal for physicians, and in some cases for other providers and for health care organizations such as religious hospitals. Most of these state laws, as well as similar conscience clauses in federal statutes, professional codes of ethics, and institutional policies, were enacted after the passage of Roe v. Wade in 1973 to permit physicians to opt out of performing or participating in legalized abortions. Today, most medical students opt out of learning how to perform abortions, as they are permitted to do under the American Medical Association’s code of ethics.12

So an absolute prohibition of conscientious objection to abortion is neither consistent with nor included among the principles of contemporary medicine. The authorities to which Giubilini appeals to argue that abortion is permissible also allow conscientious objection to abortion. So Giubilini incorrectly claims that “as far as consistency with professional values is concerned, opposition to abortion is no different from opposition to antibiotics on grounds of moral status.”13 No federal statutes, professional codes of ethics, or institutional policies protect antibiotic objectors. No medical students refuse in conscience to learn how to prescribe antibiotics. Giubilini’s argument inconsistently appeals to contemporary practices. Western medical ethics does not require conscientiously objecting physicians to perform abortions as an expression of beneficence and respect for patient autonomy. Doctors also retain a rightful autonomy, including the freedom not to violate their consciences by performing abortions.

Let us return to the heart of Giubilini’s case, that prenatal human beings and bacteria are in relevant ways alike:

Consider the following description of a patient’s condition. Suppose there is a woman who has a parasitic organism in her body—call this organism x. The organism is causing her a lot of distress and is affecting and probably will affect her mental and physical health and her plans in the short and/or in the long term. The woman needs and wants to get rid of x so as to restore her good health. This

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description fits both the case of a woman asking for abortion and that of a woman with some bacterial infection. In one case x is a foetus, in the other it is a bacterium.¹⁴

According to this way of thinking, both the antibiotic objector and the abortion objector refuse to eliminate a parasitic organism that is causing distress.

Let us set aside the dehumanizing and degrading rhetoric in which a prenatal human being is called a parasite. To depend on another person for continued existence, as do newborns and also some kinds of conjoined twins, is not to lack human dignity. While it is true that a prenatal human being and a bacterium are both organisms that depend on the body of another, they are different in important, widely recognized ways. Countless medical professionals, such as those specializing in maternal–fetal medicine, dedicate their time and talent to healing and preserving the lives of prenatal human beings. By contrast, there are no neonatal intensive care units for bacteria or ultrasound photos of growing bacteria put on refrigerators, and I have never heard of anyone suffering depression after miscarrying their bacteria. Indeed, in circumstances other than abortion, for example, a car accident in which a pregnant woman is injured, doctors work to save not only the woman but also the prenatal patient. In circumstances other than abortion, the law in the United States protects human beings in utero.¹⁵ For example, the law treats the murder of a pregnant woman as a double homicide. None of this is true of bacteria.

There is another significant difference between prenatal human beings and bacteria. It is not a sign of health but rather a lack of health when a woman’s body cannot successfully sustain a pregnancy. Conversely, it is a sign of health when a woman of reproductive age can become pregnant. A pregnant woman does not suffer from a disease, and the son or daughter in utero is not a parasite working against the well-being of her body. If a woman is healthy, her body is working, successfully functioning to sustain her progeny. It is abortion that introduces a pathology by interrupting the healthy functioning of the woman’s body in sustaining the pregnancy. In contrast, by killing bacteria, antibiotics restore healthy functioning and aid the body in doing what is often does unaided: destroy bacteria.

Is objection to abortion more reasonable than objection to antibiotics? Giubilini thinks not:

Using coherence with empirical data as criterion for reasonableness would yield the same response, since we have no evidence at all in support of claims about souls in foetuses. Unless we can explain what makes certain religious views based on unproven metaphysical assumptions more reasonable, i.e. more coherent with empirical data, than other religious or metaphysical views to which we are simply less accustomed, we don’t have a principle we can use to discriminate between different cases of conscientious objection.¹⁶

Giubilini introduces two different standards of reasonableness. To be supported by empirical data is not the same as to be coherent with it, that is, not contradictory to it. Each claim is problematic but for different reasons.

To claim that a view is unreasonable if not supported by empirical data is self-defeating, because this account of reasonableness is not supported by empirical data. No experiment establishes the philosophical belief that reasonableness means being supported by experiments. No scientific study proves that scientific reasoning is the only legitimate form of inference. “Science alone provides the truth” is a statement that science alone does not make. These self-defeating statements of scientism are no more self-referentially coherent than the statement “This sentence is not written in English and is exactly three words long.” So even if it were true that there is no scientific evidence for the soul of a fetus—or a newborn or a teenager—this lack of empirical evidence does not make the view unreasonable.

A second and very different understanding of reasonableness appealed to by Giubilini is coherency

¹⁴Ibid., 405.
with empirical data. However, he does not cite a single study or finding of the empirical sciences that conflicts with the belief that an individual human being has a soul. The empirical data about fetal development is entirely compatible with belief in a soul. No known biological, psychological, or physiological fact contradicts this belief. If the soul is immaterial, it cannot be directly studied by empirical science. If we define the soul as immaterial, we could argue—philosophically not scientifically—that souls do not exist by presupposing a philosophical premise that only material things exist or that nothing beyond nature exists. It may be that Giubilini presupposes materialism and naturalism to be true, but he surely must know that many reasonable people deny these philosophies, as Alvin Plantinga makes clear in his book Where the Conflict Really Lies.  

Finally, even if Giubilini were right that belief in souls is unreasonable, the soul does not need to be invoked and typically is not invoked to justify opposition to abortion. To give one example, Don Marquis, an atheist, defends the future-like-ours argument against abortion, which relies on the premise that killing you or me is wrong because it deprives us of our valuable future. If someone kills us now, we are deprived of the friendships and family times, meals and movies we would have enjoyed for the rest of our lives. If allowed to live, the human fetus and the human newborn also have a future like ours, so killing them is wrong for the same reason killing you or me is wrong. This argument does not invoke the soul, and it does not apply to bacteria, which do not have a future like ours. Indeed, virtually no contemporary philosophical critique of abortion presupposes belief in the soul, so it is hard to see why Giubilini makes critique of belief in souls so central to his case for taking away health care workers’ right to not perform abortions. In doing so, Giubilini attacks a straw man.  

Finally, it is worth recalling that Giubilini holds that abortion and infanticide are ethically similar insofar as neither the prenatal human being nor the newborn human being is a person with a right to life. In his view, “the same reasons which justify abortion should also justify the killing of the potential person when it is at the stage of a newborn.” So if his analysis of conscience protections is correct, doctors who conscientiously oppose infanticide should nevertheless be forced to kill healthy newborn infants. If the reasons justifying abortion are also compelling for infanticide and if conscience protections do not exempt doctors from performing abortions, then conscience protections do not exempt doctors from performing infanticides. Is it reasonable to force an unwilling doctor who conscientiously rejects infanticide to kill a healthy baby after she is born? If it is not reasonable, then we should reject Giubilini’s views on conscience, his views on abortion and infanticide, or his views on both.  

Opposing Views  

In which we draw attention to scholarly journal and online articles and resources regarding abortion, infanticide, and euthanasia representing opposing sides of the issue.  

➢ Texas Law Review published a substantial article called “Abortion: A Woman’s Private Choice,” written by Erwin Chemerinsky and Michele Goodwin. The article is motivated by concern for the preservation of abortion considered as a right, which the authors fear is endangered by the Trump presidency. They conclude that abortion should be considered a


private choice for each woman. 95. 6 (May 2017): 1189 – 1247.

➢ “How California Prepared for Implementation of Physician Assisted Death: A Primer,” which offers recommendations to health care providers on the best ways to respond to patients who request “physician assisted death” based on recent experiences in California, was published by the American Journal of Public Health, 107. 6 (June 2017): 883 – 888.

➢ *Life’s Work: A Moral Argument for Choice* is the memoir of Dr. Willie Parker, who left obstetric work in 2009 in order to work exclusively as an abortion provider, which he did based on his understanding of Christian compassion. New York: Atria, 2017

➢ Another memoir, this one by Derek Humphries, the founder of the Hemlock Society and a prominent proponent of euthanasia, was published as *Good Life, Good Death: The Memoir of a Right to Die Pioneer*. New York: Carrell Books, 2017.

Please begin to think about items for next issue, which will come out in November. We need

- Notices of member’s publications, presentations and other activities,
- Calls for papers and notices of upcoming conferences.
- Citations of relevant significant research in any discipline, whether from a pro-life perspective, neutral, or the opposing perspective.
- Useful online and print resources.
- Reviews of promising prolife publications.

Please submit all contributions for the Fall issue by Oct. 15th. Any contributions should be sent to provita.editor@gmail.com.
Sample Pamphlet, Students for Life Club, University of St. Thomas, MN

On-Campus Support

Counseling and Psychosocial Services
St. Thomas offers its students free professional counseling. Contact the Psychological Services office hours are Monday-Friday, 8am-5pm. They are located in Murray Hixon, 390-13. You can make an appointment in person or by calling (612) 966-6700.

Health Services
St. Thomas Health Services can provide pregnancy testing information. For more information, please call the SFLC, and they have resources for on and off-campus at the Clinical Health Center.

On-Campus Pregnancy Resources

On and Near Campus

You Are Not Alone!

Pregnancy Resources

On and Near Campus

Off-Campus Support Continued

Adoption Agencies
There are multiple adoption agencies that can provide you information and help if you choose to make an adoption plan. You will lose the option to choose your baby's adoptive family. As a birth parent, the process will begin with a visit to you. You will see the child in the agency, then submit an adoption plan or a potential adoptive family. Some local agencies are:

On-Campus Support

Office for Campus Ministry
The Office for Campus Ministry offers a safe, nonjudgmental environment for students to talk with someone one on one while expressing their spiritual needs. They can also assist you in finding other St. Thomas resources and support. They are located in the Anderson Center, 307. You can be contacted at (651) 962-6500 or by email at campusministry@stthomas.edu.

Public Safety
Public safety is available 24 hours a day. They provide services in these areas to students, faculty, and staff.

Students for Human Life (SFLC)
Students for Human Life is a pro-life club that focuses on the promotion of human dignity at all stages of life. They provide support during and after your pregnancy and can assist you in your journey. The Student Ministry team at the Catholic Student Ministry Center, 832-4472, can be reached at the same email.

Pregnancy Resource Centers (PRCs)

Free Local Assistance and FAQ About Pregnancy Resource Centers

PRCs are located at St. Thomas.

Alpha Pregnancy Resource Center
2200 University Ave W Suite 140, St. Paul, MN 55114 (651) 682-6011

Pro-Life of Minnesota
1858 University Ave., Suite 230 St. Paul, MN 55105 (651) 626-4370

Other Information regarding private care, financial assistance, and housing can be found at http://www.prolifeofminnesota.org.

Rachel's Vineyard
Rachel's Vineyard is a non-profit organization that provides services related to pregnancy, child birth, and parenting. They provide counseling, training, and support to parents. They can be contacted at 763-532-7413, email info@rachelsvineyard.org, or visit www.rachelsvineyard.org.

Child Development Center
The Child Development Center is located in Great Falls. They provide child care for children from 3 weeks old to 6 years old. They are open from 7:30am to 5:30pm. The Center provides child care for children from 1 year old and up.

Nursing and Lactation Rooms
A list of St. Thomas lactation rooms can be found at http://www.prolifeofminnesota.org.

Shelter
St. Thomas provides the Catholic shelter for birth mothers. Contact the Financial Aid Office for more information.
# Web Resources for research and education

**Life and Learning**  
*The Journal of the University Faculty for Life*  
http://uffl.org/pastproceedings.html

**UFL Blog**  
http://www.uffl.org/blog/

## Member web pages and blogs

Please forward any other member’s web pages to provitanews@yahoo.com.

<table>
<thead>
<tr>
<th>Name</th>
<th>URL</th>
</tr>
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<tbody>
<tr>
<td>Beckwith, Francis</td>
<td><a href="http://www.patheos.com/blogs/returntorome/">http://www.patheos.com/blogs/returntorome/</a></td>
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<tr>
<td>Colosi, Peter</td>
<td><a href="http://peterjcolosi.com/">http://peterjcolosi.com/</a></td>
</tr>
<tr>
<td>Lemmons, Rose Mary Hayden</td>
<td><a href="http://courseweb.stthomas.edu/rmlemmons/">http://courseweb.stthomas.edu/rmlemmons/</a></td>
</tr>
<tr>
<td>Smith, Janet E.</td>
<td><a href="http://www.janetesmith.org/">http://www.janetesmith.org/</a></td>
</tr>
<tr>
<td>Bachiochi, Erika</td>
<td><a href="http://bachiochi.com/erika/">http://bachiochi.com/erika/</a></td>
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## Conferences

<table>
<thead>
<tr>
<th>Conference</th>
<th>URL</th>
<th>Details</th>
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<tbody>
<tr>
<td>Notre Dame Center for Ethics and Culture Fall Conference</td>
<td><a href="http://ethicscenter.nd.edu/programs/fall-conference-videos">http://ethicscenter.nd.edu/programs/fall-conference-videos</a></td>
<td>Held in November</td>
</tr>
<tr>
<td>Prolife World Congress</td>
<td><a href="http://www.prolifeworldcongress.org/">http://www.prolifeworldcongress.org/</a></td>
<td>The most recent Congress took place in Guatemala in October 2016. The site is in Spanish.</td>
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## Online resources

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<tr>
<th>Resource</th>
<th>URL</th>
<th>Description</th>
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<tbody>
<tr>
<td>Academia.edu</td>
<td><a href="https://www.academia.edu/">https://www.academia.edu/</a></td>
<td>A place to share research.</td>
</tr>
<tr>
<td>Before Roe v. Wade: Voices that Shaped the Abortion Debate Before the Supreme Court’s Ruling (2d edition, 2012)</td>
<td><a href="http://documents.law.yale.edu/before-ro">http://documents.law.yale.edu/before-ro</a></td>
<td>“In this ground-breaking book, Linda Greenhouse, a Pulitzer Prize-winning journalist who covered the Supreme Court for 30 years for The New York Times, and Reva Siegel, a renowned professor at Yale Law School, collect documents illustrating cultural, political, and legal forces that helped shape the Supreme Court’s decision and the meanings it would come to have over time.”</td>
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<tr>
<td>Culture of Life Foundation</td>
<td><a href="http://www.cultureoflife.org/">http://www.cultureoflife.org/</a></td>
<td>Complex moral issues made simple</td>
</tr>
<tr>
<td>Global Health and Human Rights Database</td>
<td><a href="http://www.globalhealthrights.org/">http://www.globalhealthrights.org/</a></td>
<td>“The Global Health and Human Rights Database is a free online database of law from around the world relating to health and human rights. Developed by Lawyers Collective and the O’Neill Institute for National and Global Health Law at Georgetown University, in collaboration with a worldwide network of civil society partners, the database offers an interactive, searchable, and fully indexed website of case law, national constitutions and international instruments.”</td>
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<tr>
<td>Human Life International Truth and Charity</td>
<td><a href="http://www.truthandcharityforum.org/">http://www.truthandcharityforum.org/</a></td>
<td>“The Truth and Charity Forum is an online publication of Human Life International (HLI), dedicated exclusively to the sacredness and gift of all human life, the mission and vocation of the family, and the right to live in accord with our Catholic faith.”</td>
</tr>
<tr>
<td>Mirror of Justice</td>
<td><a href="http://mirrorofjustice.blogs.com/">http://mirrorofjustice.blogs.com/</a></td>
<td>A blog dedicated to the development of Catholic legal theory.</td>
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<tr>
<td>Social Science Research Network (SSRN)</td>
<td><a href="http://ssrn.com/en/">http://ssrn.com/en/</a></td>
<td>SSRN (the Social Science Research Network). “Our vision was (and still is) to enable scholars to share and distribute their research worldwide,</td>
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long before their papers work their way through the multi-year journal refereeing and publication process.”

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<tr>
<th>Institution</th>
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<tr>
<td>Witherspoon Institute Public Discourse</td>
<td><a href="http://www.thepublicdiscourse.com/">http://www.thepublicdiscourse.com/</a></td>
<td>Public Discourse is an online publication of the Witherspoon Institute that seeks to enhance the public understanding of the moral foundations of free societies by making the scholarship of the fellows and affiliated scholars of the Institute available and accessible to a general audience.</td>
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### Journals and online publications

<table>
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<tr>
<th>Journal</th>
<th>Website</th>
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<tr>
<td>Charlotte Lozier Institute (Susan B. Anthony List)</td>
<td><a href="http://www.lozierinstitute.org/">http://www.lozierinstitute.org/</a></td>
<td>The education and research arm of the Susan B. Anthony List</td>
</tr>
<tr>
<td>Ethika Politika</td>
<td><a href="http://ethikapolitika.org/">http://ethikapolitika.org/</a></td>
<td>Ethika Politika is a publication of the Center for Morality in Public Life. Its purpose is to put the search for wisdom at the service of good practical decisions, and to engage contemporary ethical and cultural issues from an elevated yet common sense perspective.</td>
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<tr>
<td>Organizations</td>
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<td>Bioethics defense fund</td>
<td><a href="http://www.bdfund.org/">http://www.bdfund.org/</a></td>
<td>Bioethics Defense Fund (BDF) is a public-interest law firm whose mission is to advocate for the human right to life via litigation, legislation and public education. BDF provides legal expertise and public education on the issues of healthcare rights of conscience, abortion and its impact on women, human cloning/destructive human embryo research, and end of life issues including physician-assisted suicide and healthcare rationing.</td>
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<tr>
<td>Catholic Medical Association</td>
<td><a href="http://cathmed.org/">http://cathmed.org/</a></td>
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<tr>
<td>Center for Bioethics and Human Dignity</td>
<td><a href="http://cbhd.org/">http://cbhd.org/</a></td>
<td>“The Center for Bioethics &amp; Human Dignity explores the nexus of biomedicine, biotechnology, and our common humanity. Within a Judeo-Christian Hippocratic framework, we anticipate, interpret, and engage the pressing bioethical issues of our day. As a center of rigorous research, theological and conceptual analysis, charitable critique, and thoughtful engagement, we bring clarity to the complex issues of our day.”</td>
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<tr>
<td>Feminists for Life</td>
<td><a href="http://www.feministsforlife.org/">http://www.feministsforlife.org/</a></td>
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<tr>
<td>Healing the Culture</td>
<td><a href="http://healingtheculture.com/">http://healingtheculture.com/</a></td>
<td>Promotes the Life Principles of UFL co-founder Robert J. Spitzer, SJ.</td>
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<tr>
<td>The International Center on Law, Life, Faith and Family (ICOLF)</td>
<td><a href="http://icolf.org/">http://icolf.org/</a></td>
<td>“The International Center on Law, Life, Faith and Family (ICOLF) was established with a view to producing, compiling and providing a broad range of resources and materials for a number of interested parties working on “Law, life, faith and family” issues on the national, regional and international levels.”</td>
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<td>Organization</td>
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<tr>
<td>National Catholic Bioethics Center</td>
<td><a href="http://www.ncbcenter.org/">http://www.ncbcenter.org/</a></td>
<td>Publishes the <em>National Catholic Bioethics Quarterly</em></td>
</tr>
<tr>
<td>Prolife Center at the University of St. Thomas</td>
<td><a href="http://www.stthomas.edu/law.academics/prolifecenter/">http://www.stthomas.edu/law.academics/prolifecenter/</a></td>
<td>Founded and headed by UFL member Teresa Collett to defend the sanctity of human life by training law students and lawyers, by assisting government officials in drafting, passing and defending prolife laws, and developing the necessary legal scholarship necessary to create a culture of life.</td>
</tr>
<tr>
<td>Society of Catholic Social Scientists</td>
<td><a href="http://catholicsocialscientists.org/organization/">http://catholicsocialscientists.org/organization/</a></td>
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### News

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<th>News Source</th>
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### Anti-life resources

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<th>Resource</th>
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ProVita is the quarterly online newsletter of the University Faculty for Life. Its purpose is to promote research, dialogue and publication by faculty who respect the value of human life from inception to natural death, especially focusing on abortion, euthanasia, and infanticide. More information about UFL can be found on our web site at uffl.org. Editorial correspondence can be sent to the editor at provita.editor@gmail.com.