



# PROVITA

## The University Faculty for Life Newsletter

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### UFL Updates

- **2018 Life and Learning Conference** will take place at the University of Dallas on June 8 - 9. The overall theme will be “Building a Culture Respectful of Human Life.” Paper proposals are due to Professor Barbara Freres at [bjfreres@stritch.edu](mailto:bjfreres@stritch.edu) by April 6. Please consult the [call for proposals](#) for more information.

- **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.** The publication of the back-dated volumes of *Life and Learning*, the proceedings from the University Faculty for Life conferences, are nearing completion and should be mailed to members shortly. If you have not received copies, or if you need extra copies to recruit new UFL members, please contact **Fr. Joseph Koterski, S.J.** at [koterski@fordham.edu](mailto:koterski@fordham.edu).
- **Dues Reminder** Be sure to pay your 2018 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** 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.uffl.org/blog/](http://www.uffl.org/blog/). There is also an active “University Faculty for Life” subgroup of the “Pro-life Professionals” group on LinkedIn.

## Letter from the President

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

It is my great pleasure to announce that the 2018 recipient of the Smith Award is the prolific champion and UFL co-founder **Francis Zapatka**. **Dr. Zapatka** is a professor emeritus of literature at American University. He will be giving a not-to-be-missed banquet talk on “The Life Issues in Ralph McInerny’s Fiction: A Perpetual Work in Progress.”

Our plenary speakers are **Drs. Francis Beckwith, Janet Smith, and Christopher Wolfe**. **Dr. Beckwith** is a professor of philosophy and church-state studies as well as the co-director of the Program in Philosophical Studies of Religion at Baylor University in Waco, Texas. He will be speaking on “Law, Reason, and the Sanctity of Human Life.

**Dr. Smith** is the Father Michael J. McGivney Chair of Life Ethics at Sacred Heart Major Seminary in Detroit, a consultant to the Pontifical Council on the Family and representative to the Faith and Order Commission for the World. She will be speaking on “*Humanae Vitae*: 50 Years Later.”

**Dr. Wolfe** is a professor of politics at the University of Dallas and the President of the American Public Philosophy Institute. He will be speaking on “Forging a Pro-Life Culture in the Face of the Elites’ Resistance.”

Overall, this conference is focusing on building a culture respectful of human life and is especially interested in papers from all disciplines on that topic as well as on UFL’s core issues of abortion, embryo rights, infanticide, physician assisted suicide, and euthanasia. Please consider giving a paper. The deadline for abstracts to reach Barbara Freres is April 6<sup>th</sup>, 2018.

Hope to see you in Dallas,  
**Rose Mary Hayden Lemmons, Ph.D.**

## Member News & Publications

**I**n 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.*

- **Helen Alvaré, J.D.** (Law, George Mason University) published “Undoing the HHS mandate new interim rule leaves mandate standing, but also allows for broad religious and moral exemptions” in *Our Sunday Visitor* (October 22, 2017): 1 – 2.
- **Gerard V. Bradley, J.D.** (Law, Notre Dame University) published ““And What Do You Say I Am?”: The Meaning of the Kentucky Display,” about the Supreme Court Decision in *McCreary County vs. ACLU* which upheld secularism as the overriding principle in Church-State law, in *Engage*. 6.1 (July 2017): 144 – 146.
- **Thomas Cavanaugh, Ph.D.** (Philosophy, University of San Francisco) published “Is It Ethically Permissible to Separate Conjoined Twins? Murder, Mutilation, and Consent” in *Contemporary Controversies in Catholic Bioethics*, edited by **Jason Eberl**. Cham, Switzerland: Springer International Publishing, 2017.
- **Teresa Stanton Collett, J.D.** (Law, University of St. Thomas) contributed “The Urgency of Restoring the Catholic (and Catholic) Nature of Higher Education” to *Leisure and Labor Conference*. San Francisco: Ignatius Press, 2017.
- **Peter Colosi, Ph.D.** (Philosophy, Salve Regina University) published “A Catholic Anthropology and Medical Ethics” in *Catholic Witness in Health Care: Practicing Medicine in Truth and Love*, edited by Joseph Travaline and Louise

Mitchell. Washington, DC: Catholic University of America Press, 2017.

- **Dr. Colosi** taught “The Philosophy of St. Pope John Paul II” for the Theology of the Body Institute from July 16 – 21, 2017, and delivered a lecture titled “Ars Moriendi (The Art of Dying) vs. Euthanasia” at St. John of Rochester Parish in Fairport, NY. The talk can be viewed [here](#).
- **Jason Eberl, Ph.D.** (Philosophy, Marian University – Indianapolis) edited *Contemporary Controversies in Catholic Bioethics*, which includes contributions from several UFL members. In addition to editing the volume, **Dr. Eberl’s** own chapter is “Philosophical Anthropology, Ethics, and Human Enhancement.” Cham, Switzerland: Springer International Publishing, 2017.
- **Richard Fehring, Ph.D., R.N.** (Nursing, Marquette University) contributed “Fertility Care Services” to *Catholic Witness in Health Care: Practicing Medicine in Truth and Love*, edited by Joseph Travaline and Louise Mitchell. Washington, DC: Catholic University of America Press, 2017
- **Christopher Kaczor, Ph.D.** (Philosophy, Loyola Marymount University, Los Angeles) wrote *Abortion Rights: For and Against* with Kate Greasley. New York: Cambridge University Press, 2017.
- **Dr. Kaczor** also contributed a chapter, “Is It Ethically Permissible to Separate Conjoined Twins? Murder, Mutilation, and Consent,” to *Contemporary Controversies in Catholic Bioethics*, edited by **Jason Eberl**. Cham, Switzerland: Springer International Press, 2017.
- **Fr. Joseph Koterski, S.J., Ph.D.** (Fordham, Philosophy) edited and wrote an introduction to the second edition of *The Christian Meaning of Human Sexuality* by **Fr. Paul Quay, S.J. (†)**. This expanded edition includes a newly published section on the theology of

natural family planning. San Francisco: Ignatius Press, 2017.

- **Rose Mary Hayden Lemmons, Ph.D.** (Philosophy, University of St. Thomas) published “Modes of Re-enchantment: John Paul II and the Role of Familial Love” in the *Journal for Interdisciplinary Studies*, XXIX (2017): 91-114.
- **Dr. Lemmons’** “*Ex Corde Ecclesiae* and the Family,” appeared in the *Proceedings of the Fellowship of Catholic Scholars* (2017): 83-101.
- **Dr. Lemmons** reviewed Sarah Borden Sharkey’s 2016 *Aristotelian Feminism*, in *American Catholic Philosophical Quarterly* 92.1 (2018): 11-15.
- **Melissa Moschella, Ph.D.** (Philosophy, Columbia University) published “Complexity of Defining Death: Organismal Death Does Not Mean the Cessation of All Biological Life” in the *Journal of Medical Ethics*, 43.1 (November 2017): 754 – 755.
- **Dr. Moschella** also wrote “The Charlie Gard Case Threatens All Parents,” which was published in *USA Today* on July 17, 2017.
- **William F. Murphy, Ph.D.** (Theology, Pontifical Collegium Josephinum) published two essays in *Contemporary Controversies in Catholic Bioethics*, edited by **Jason Eberl**: “Saving the Savable Mother: Why the Physician Is Not Culpable of (Morally) Directly Killing” and, with Martin Rhonheimer, “The Disease-Preventative Use of Condoms: Why It Is Not Forbidden According to Catholic Doctrine.” Cham, Switzerland: Springer International Publishing, 2017.
- **Janet E. Smith, Ph.D.** (Theology, Sacred Heart Major Seminary) reviewed *By Man Shall His Blood be Shed: A Catholic Defense of Capital Punishment* by Edward Feser and Joseph M. Bessette in a review titled “The

Wages of Sin” for the *Claremont Review of Books*, 17.4 (Fall 2017): 62 – 63.

- **Paul Vitz, Ph.D.** (Psychology, New York University) wrote, with Mar Alvarez-Segura and Martin F. Echavarria, “A psycho-ethical approach to personality disorders: The role of volitionality” in *New Ideas in Psychology*. 47 (December 2017):49-56

## Upcoming scholarly opportunities

- The 2018 Life and Learning Conference will take place at the University of Dallas on June 8 – 9<sup>th</sup> with the overarching theme “Building a Pro-life Culture.” See the [President’s Letter](#) at the beginning of this newsletter and the [UFL website](#) for more information. The [call for proposals](#) is at the end of this newsletter.
- Several UFL members, including **Helen Alvaré, Teresa Stanton Collett, Richard Fehring, Christopher Kaczor, Elizabeth Kirk, Glenn Olsen, and Janet Smith** will speak at a symposium observing the 50<sup>th</sup> anniversary of the papal encyclical *Humanae Vitae*. The symposium, *Embracing God’s Vision for Marriage, Love and Life* is sponsored by a number of Catholic organizations and bodies. The symposium will be held at The Catholic University of America, Washington, D.C., from April 4 – 6, 2018. The schedule of the symposium and registration information can be found [here](#).

## On Campus

- 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.
- [National Right to Life](#) offers internships for college students during the year and in the summer. Applications for summer internships are due on March 15<sup>th</sup>. More information and the application is [here](#).

## Legal realities

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

I thought I’d begin with developments concerning the movement to legalize assisted suicide. In recent years, there have been significant setbacks in efforts to protect life, with California’s legalization of assisted suicide the most important and most negative development. But it is important to note successes. Unlike the situation with abortion and same-sex marriage, the courts are not leading the way towards the legalization of assisted suicide. The most significant recent example is a decision from the New York Court of Appeals in [Myers v. Schneiderman](#). In *Myers*, the Court of Appeals, which is the highest court in New York, rejected a constitutional challenge to New York’s ban on assisted suicide. In so holding, several of the Justices expressed concern that legalization of assisted suicide might send us down the slippery slope from assisted suicide to euthanasia, even non-voluntary euthanasia, and that this would threaten the lives of vulnerable groups such as the poor, the elderly, and

the disabled. This ruling is consistent with a similar decision from the [New Mexico Supreme Court in 2016](#). In fact, it is astonishing that liberal state courts have consistently rejected constitutional challenges to state bans on assisted suicide. This is very good news because these examples of judicial restraint allow opponents of the legalization of assisted suicide to fight legalization efforts through the democratic process.

Another positive development in this arena is that states continue to reject efforts to legalize assisted suicide. There are frequent efforts to legalize assisted suicide, but the pro-life movement has been successful in resisting most of these efforts. A [recent analysis](#) in *National Right to Life News* noted that, although bills to legalize assisted suicide were introduced in 28 states in 2017, “not a single bill has succeeded so far. This success is largely due to the extraordinary work of broad based and bi-partisan coalitions that include disability-rights, medical, elder, minority, faith-based and pro-life groups.” These successes demonstrate that there is certainly not an irresistible tide in favor of the legalization of assisted suicide.

In recent years, there has been, understandably, a great deal of focus on the HHS Mandate. On October 6, 2017, the Trump Administration withdrew the HHS Mandate. The HHS Interim Rule will give, as the *Catholic News Agency reports*, “relief to religious non-profits and others with deeply held religious or moral convictions regarding contraception.” The ACLU, however, has [filed a suit](#) challenging the new rules and so this battle isn’t over completely.

There have continued to be efforts in states to pass laws restricting abortion. Examples include laws prohibiting dismemberment abortions and laws prohibiting abortion due to the sex of the unborn child or due to the disability of the unborn child, such as Down Syndrome. Many of the dismemberment bans have been struck down by courts. Recent cases where this has occurred include a [decision from a federal court in Texas](#). The Texas law is being [further considered by a federal court in Texas](#). The Kansas Supreme Court is scheduled to [rule on the issue in the near future](#).

A [federal court enjoined an Indiana law](#) that barred abortions based on a prenatal diagnosis of a disability or the sex of the unborn child. Indiana’s

Attorney General has indicated that [the state will appeal the ruling](#).

On a more positive note, on October 3, 2017, the US House passed the [Pain Capable Unborn Child Protection Act](#). A [story](#) in the *National Right to Life News* stated: “The proposed federal law would generally extend legal protection to unborn humans beginning at 20 weeks fetal age, based on congressional findings that by that point (and even earlier) the unborn child has the capacity to experience great pain during an abortion.”

In a highly publicized case, the ACLU filed a suit to force the Trump Administration to facilitate an abortion for an undocumented teen, who was in a shelter in Texas. The teen was detained by U.S. officials in September after crossing the border illegally. She was being held by HHS’s Office of Refugee Resettlement, which cares for undocumented minors until they can be reunited with family members. A federal trial court ordered the Trump Administration to facilitate the abortion, but a federal court of appeals has stayed that order. The full federal court of appeals, in a divided decision, allowed the abortion to go forward. [Judge Kavanaugh’s dissent](#) claimed that the court’s decision “represents a radical extension of the Supreme Court’s abortion jurisprudence.”

After the teen obtained an abortion, the Trump Administration asked the US Supreme Court to vacate the DC Circuit’s decision allowing the teen to obtain an abortion. The US is also asking the Supreme Court to consider disciplining the teen’s lawyers. As reported on [SCOTUSblog](#), “The government suggested that the justices ‘may wish to issue an order to show cause why disciplinary action should not be taken against’ Doe’s attorneys for ‘what appear to be material misrepresentations and omissions to the government designed to thwart this Court’s review.’ At a minimum, the government continued, ‘this Court may wish to seek an explanation from counsel regarding this highly unusual chain of events.’”

As discussed in prior newsletters, there has been a great deal of litigation about state and local laws that burden the speech of pro-life resource centers. California’s law was held unconstitutional, although other courts around the country have invalidated such laws. [Pregnancy resource centers in California have asked the US Supreme Court to](#)

address the issue. On November 13, 2017 the Court agreed to consider the free speech issues raised. Meanwhile, in a very important development, a state court judge in California ruled that California's Constitution prevents the state from forcing pro-life pregnancy centers to post signs promoting state-covered abortions.

## Scholarship Analysis

**Christopher Kaczor, Ph.D.** (*Professor of Philosophy at Loyola Marymount University at Los Angeles, Consultor 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*.

Dan Thomas's article, "Better Never to Have Been Born: Christian Ethics, Anti-Abortion Politics, and the Pro-Life Paradox" makes the case that there is an inconsistency in the beliefs of Christian critics of abortion.<sup>1</sup> Christian belief holds that all human beings have one of two ultimate destinies: heaven or hell. To go to hell is the worst possible fate for a human being; to go to heaven is the best possible fate. So, what determines whether a human being goes to heaven or to hell? According to Thomas's account of Christian belief, "damnation can only be conferred on moral agents who can act of their own accord and thus willingly accept or reject God's grace."<sup>2</sup> Now all human being prior to the age of reason, for examples toddlers, babies, and prenatal human beings are not responsible agents who can be held ethically accountable for their actions. They cannot perform human actions as morally good or evil but only acts of a human being that cannot be evaluated ethically, such as breathing or circulating blood. If these beliefs are correct, Thomas continues, "the only way to avoid hell entirely is to come into existence briefly—for a few seconds, a few minutes, or a few years—and then die because an early death

comes with an eternal safeguard: innocent children maintain their innocence forever."<sup>3</sup> Indeed, Thomas points out that Christians hold that life in heaven is infinitely more important than life on earth as well as infinitely longer in duration, "According to the author of the book of James, human life does not last very long: "What is your life? For you are a mist that appears for a little while and then vanishes" (James 4:14). A blip, a bubble, a mist, a dream, a tiny speck, a poof of wind, a candle-snuff: such analogies appear throughout Christian literature and denote the transience of human existence."<sup>4</sup> It is madness to prefer life on earth to eternal life in heaven.

Given their theological suppositions, Christian pro-life activists hold incompatible beliefs. "In their attempts to lengthen earthly lives," writes Thomas, "conservative activists endanger infant souls. For the sake of life on Earth, they jeopardize the assurance of Life in heaven."<sup>5</sup> Since the death of the newborn baby or the prenatal human being secures eternal life for him or her, consistent Christians should not condemn but rather celebrate both abortion and infanticide, since "death alone guarantees the infant's salvation."<sup>6</sup> Likewise, consistent Christians should not criticize but commend abortionists as bringing more people to heaven than anyone else. "If the unborn are indeed spiritually blameless, then abortion practitioners are not monstrous murderers. They are instead the nation's most effective evangelists. Under their supervision, abortees reap the benefits of being born again without ever being born at all."<sup>7</sup> In Thomas's view, given Christian beliefs about heaven and hell, "the only safe child is a dead one."<sup>8</sup> What Dan Thomas calls the "Pro-Life Paradox" is the alleged inconsistency in Christian beliefs about the afterlife and Christian defense of prenatal human beings.

How might a Christian critic of abortion respond to the argument that "it is better not to be born"? If this argument were true, the Pro-Life Paradox would also justify killing many normal adults. On the supposition that baptism takes away all sin and makes someone fit for heaven, should we

<sup>1</sup> Thomas, Dan. (2016). Better Never to Have Been Born: Christian Ethics, Anti-Abortion Politics, and the Pro-Life Paradox. *Journal of Religious Ethics*, 44(3), 518-542. doi:10.1111/jore.12152

<sup>2</sup> Thomas, "Better Never to Have Been Born" 522.

<sup>3</sup> Thomas, "Better Never to Have Been Born" 522.

<sup>4</sup> Thomas, "Better Never to Have Been Born" 530.

<sup>5</sup> Thomas, "Better Never to Have Been Born" 535.

<sup>6</sup> Thomas, "Better Never to Have Been Born" 535.

<sup>7</sup> Thomas, "Better Never to Have Been Born" 538.

<sup>8</sup> Thomas, "Better Never to Have Been Born" 538.

not murder an adult immediately after her baptism? Why not wait outside a confessional and shoot someone in the head after his sins have been forgiven? Killing in these cases would assure that the person does not go to hell by later falling into mortal sin and dying in this condition. So, murders of this kind should be celebrated as saving someone from the dangers of going to hell. This consequence is absurd, so too the Pro-Life Paradox is also absurd. But where exactly does the Pro-Life Paradox go wrong?

One key supposition in Dan Thomas's Pro-Life Paradox is the presumption that all humans who die before the age of reason certainly go to heaven. But many Christian theologians, indeed most Christian theologians over the centuries, reject the presumption that infants and prenatal human beings who die certainly go to heaven. Three views are most prominent in the theological tradition.

First, Augustine of Hippo taught that unbaptized infants go to hell where they receive the lightest punishment possible due to having only original sin and no actual sin.<sup>9</sup> St. Jerome, St. Gregory the Great, and St. Anselm agreed. If these theologians are right, then abortionists not only kill the unborn but they also consign them to hell. The only way infants can avoid hell is if they are born.

Thomas Aquinas proposed a second option in which infants dying without baptism enjoy a natural happiness, which he called 'limbo,' that differs from heavenly supernatural happiness.<sup>10</sup> St. Gregory of Nyssa, St. Bonaventure, and Bl. Duns Scotus held similar views. If these theologians are right, then abortionists not only deprive human beings in utero of earthly life, they also ensure that they will not have heavenly life. Although the natural happiness of limbo is possible, the only way infants can go to heaven is if they are allowed to be born.

A third option is that we simply do not know with certainty what happens to children who die

before the age of reason without baptism, but we can hope that somehow they are saved. The *Catechism of the Catholic Church* expresses this view:

As regards *children who have died without Baptism*, the Church can only entrust them to the mercy of God, as she does in her funeral rites for them. Indeed, the great mercy of God who desires that all men should be saved, and Jesus' tenderness toward children which caused him to say: "Let the children come to me, do not hinder them," allow us to hope that there is a way of salvation for children who have died without Baptism. All the more urgent is the Church's call not to prevent little children coming to Christ through the gift of holy Baptism.<sup>11</sup>

This view is also expressed by theologians writing for the Congregation for the Doctrine of the Faith in 1980 as well as the International Theological Commission in 2007.<sup>12</sup> It is important to note that the *Catechism of the Catholic Church* speaks of hope and that hope differs from presumption.<sup>13</sup> Hope concerns the good of salvation that is possible but difficult to obtain. By contrast, presumption assumes that salvation is a good that is not just possible to obtain but certain to happen. If the view expressed in the *Catechism of the Catholic Church* is correct, then it is presumption to assume with certainty that all unbaptized infants go to heaven though we may hope that they do.

If Augustine or Aquinas or the *Catechism of the Catholic Church* is correct about the fate of infants dying without baptism, then Dan Thomas's Pro-Life paradox collapses. But let's assume for the sake of argument that all three of these theological views are mistaken and that every human being who dies before reaching the age of reason automatically goes to heaven. Is Dan Thomas's case for the Pro-Life Paradox now justified?

The work of Thomas Aquinas can shed some light on this question. For Thomas, baptism of water, blood, or desire is necessary in order to have eternal

<sup>9</sup> Augustine, *De pecc. mer.* 1.16.21 (CSEL 60, 20f.) ; *Sermo* 294.3, *Patrologia cursus completa, series latina* (PL), J.P. MIGNE (ed.), 38, 1337; *Contra Iulianum* 5.11.44 (PL 44, 809). These citations culled from the discussion of Augustine's views by International Theological Commission, "The Hope of Salvation for Infants Who Die without Being Baptized" January 19, 2007.

<sup>10</sup> Thomas Aquinas, *De malo*, q.5, art.3.

<sup>11</sup> *Catechism of the Catholic Church*, #1261.

<sup>12</sup> Congregation for the Doctrine of the Faith, *Pastoralis actio*, n.13, *Acta Apostolicae Sedis* 72 (1980), 1144; International Theological Commission, "The Hope of Salvation for Infants Who Die without Being Baptized" January 19, 2007. [http://www.vatican.va/roman\\_curia/congregations/cfaith/cti\\_documents/rc\\_con\\_cfaith\\_doc\\_20070419\\_un-baptised-infants\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_con_cfaith_doc_20070419_un-baptised-infants_en.html)

<sup>13</sup> Christopher Kaczor, *Thomas Aquinas on Faith, Hope, and Love*. (Naples, FL: Sapientia Press of Ave Maria University, 2008). 119-123.

life.<sup>14</sup> In the *Summa theologiae*, Aquinas asks, “Whether children of Jews or other unbelievers be baptized against the will of their parents?”<sup>15</sup> His answer is that they should not be baptized (even though their eternal salvation is at stake) because it is contrary to natural justice to usurp the role of parents in governing their own children, including determining whether or not their children are to be baptized. If it is contrary to justice to baptize someone else’s children, it is an even more obviously an act contrary to justice to intentionally kill an innocent human being. The right to life is the most basic and fundamental natural right.

In the very next article, Thomas considers the question, “Whether a child can be baptized while yet in its mother's womb?” Aquinas considers the objection, “Further, eternal death is a greater evil than death of the body. But of two evils the less should be chosen. If, therefore, the child in the mother's womb cannot be baptized, it would be better for the mother to be opened, and the child to be taken out by force and baptized, than that the child should be eternally damned through dying without Baptism.”<sup>16</sup> In this objection, Aquinas pithily summarizes the heart of Dan Thomas’s Pro-Life Paradox.

Aquinas critiques this objection by citing the Pauline Principle, “We should ‘not do evil that there may come good’ (Romans 3:8). Therefore it is wrong to kill a mother that her child may be baptized. If, however, the mother die while the child lives yet in her womb, she should be opened that the child may be baptized.”<sup>17</sup> The same reasoning applies to the case of intentionally killing a child in utero in order to secure eternal life for the child (though it is extremely hard to believe that abortions are actually undertaken for the purpose of securing heavenly happiness for the child, the motivation of the abortionist is not the child’s eternal salvation but money). The Pauline Principle that Aquinas articulates is absolutely fundamental:

It often happens that man acts with a good intention, but without spiritual gain, because he lacks a good will. Let us say that someone robs in order to feed the poor: in this case, even though the intention is good, the uprightness of the will is lacking. Consequently, no evil done with a good intention can be excused. 'There are those who say: And why not do evil that good may come? Their condemnation is just' (*Rom 3:8*).<sup>18</sup>

Of course, the Pauline Principle is not something unique to the thought of Aquinas. In *Veritatis splendor*, Pope St. John Paul II emphasized that the Pauline Principle is fundamental in the entire Christian tradition:

In teaching the existence of intrinsically evil acts, the Church accepts the teaching of Sacred Scripture. The Apostle Paul emphatically states: "Do not be deceived: neither the immoral, nor idolaters, nor adulterers, nor sexual perverts, nor thieves, nor the greedy, nor drunkards, nor revilers, nor robbers will inherit the Kingdom of God" (*1 Cor 6:9-10*). If acts are intrinsically evil, a good intention or particular circumstances can diminish their evil, but they cannot remove it. They remain "irremediably" evil acts; *per se* and in themselves they are not capable of being ordered to God and to the good of the person. "As for acts which are themselves sins (*cum iam opera ipsa peccata sunt*), Saint Augustine writes, like theft, fornication, blasphemy, who would dare affirm that, by doing them for good motives (*causis bonis*), they would no longer be sins, or, what is even more absurd, that they would be sins that are justified?". Consequently, circumstances or intentions can never transform an act intrinsically evil by virtue of its object into an act "subjectively" good or defensible as a choice.<sup>19</sup>

An intrinsically evil act should never be done, even for the most noble of purposes, such as securing heaven for someone.

Now a different question arises. Is abortion an intrinsically evil act? In the words of Pope St. John Paul II:

<sup>14</sup> Thomas Aquinas, *Summa theologiae*, III, q.68, a.2, reply to 3.

<sup>15</sup> Thomas Aquinas, *Summa theologiae*, III, q.68, a.10.

<sup>16</sup> Thomas Aquinas, *Summa theologiae*, III, q.68, a.11, objection 3.

<sup>17</sup> Thomas Aquinas, *Summa theologiae*, III, q.68, a.11, reply to objection 3.

<sup>18</sup> Thomas Aquinas, *In Duo Praecepta Caritatis et in Decem Legis Praecepta. De Dilectione Dei: Opuscula Theologica*, II, No. 1168, Ed. Taurinen. (1954), 250.

<sup>19</sup> Pope St. John Paul II, *Veritatis splendor*, 80.

Given such unanimity in the doctrinal and disciplinary tradition of the Church, Paul VI was able to declare that this tradition is unchanged and unchangeable. Therefore, by the authority which Christ conferred upon Peter and his Successors, in communion with the Bishops—who on various occasions have condemned abortion and who in the aforementioned consultation, albeit dispersed throughout the world, have shown unanimous agreement concerning this doctrine – I declare that direct abortion, that is, abortion willed as an end or as a means, always constitutes a grave moral disorder, since it is the deliberate killing of an innocent human being.<sup>20</sup>

Given this teaching, if we accept the Pauline Principle, Dan Thomas's case for a Pro-Life Paradox collapses.

For the sake of argument, let us consider a consequentialist view that that there is no such thing as intrinsically evil acts and that we should do whatever act maximizes the likelihood of salvation of the greatest number. Would it follow from this assumption that we should kill prenatal human beings so as to assure that they automatically get to heaven? An affirmative answer would be unwarranted. After all, consequentialism is not just about maximizing the good for one person, but must concern itself with the greatest good for the greatest number of persons. Even if aborting a prenatal human being would assure that this one person obtains eternal salvation, it may still be wrong to kill because it does not bring about the greatest good for the greatest number of people. Some people, such as St. Francis Xavier, Pope St. John Paul II, and Mother Teresa of Calcutta, cooperate with God to aid the salvation of many, many people. If any of these great saints had died prior to undertaking their important works of evangelization, the salvation of many other people would have been endangered. In contemplating killing a child prior to reason, we cannot exclude the possibility that we are deprive the world of a future great saint who would have aided in the salvation of many other people. So, even on a consequentialism seeking to maximize the likelihood of salvation for the greatest number of people, the Pro-Life Paradox would not be justified.

Another problem with the Pro-Life Paradox is that it assumes that the only good that really matters is the good of eternal life. From a Christian perspective, this supposition is false. Christians takes the life and teachings of Jesus as their fundamental guide to what matters. But the example of Jesus suggests that Christ does not simply and only care about the good of souls, but also cares about other goods. In healing the blind, Jesus's example points to the importance of vision. In raising the dead back to life, Christ underscores the value of terrestrial human life. In turning water into wine, the son of Mary emphasizes the importance of marriage and social celebration. Most of all, Jesus consistently cares for rather than kills the weak and vulnerable in his society, whether it is the woman caught in adultery, the Samaritan woman at the well, or the leper cast out of the rest of the human community. In trying to secure that every human being is protected by law and welcomed in life, Christian pro-life advocates are following the example of Jesus in caring for the vulnerable and defenseless.

Yet another problem with Dan Thomas's "Pro-Life Paradox" is that Christians are called to love *all* human beings without exception, not just those who might be killed in abortion and then go to heaven. Abortionists have souls too, and Christians are called to care about their souls as well. Even if abortion were not intrinsically evil, it is clearly and obviously contrary to the teachings and disciplines of the Church. For this reason, Pope St. John Paul II notes in *Evangelium vitae*:

The Church's canonical discipline, from the earliest centuries, has inflicted penal sanctions on those guilty of abortion. This practice, with more or less severe penalties, has been confirmed in various periods of history. The 1917 Code of Canon Law punished abortion with excommunication. The revised canonical legislation continues this tradition when it decrees that "a person who actually procures an abortion incurs automatic (*latae sententiae*) excommunication." The excommunication affects all those who commit this crime with knowledge of the penalty attached, and thus includes those accomplices without whose help the crime would not have been committed. By this reiterated

<sup>20</sup> Pope St. John Paul II, *Evangelium vitae*, 62.

sanction, the Church makes clear that abortion is a most serious and dangerous crime, thereby encouraging those who commit it to seek without delay the path of conversion. In the Church the purpose of the penalty of excommunication is to make an individual fully aware of the gravity of a certain sin and then to foster genuine conversion and repentance.<sup>21</sup>

The penalty of excommunication is intended to stimulate repentance, to prompt a change of heart, and to lead to a reformation of life. In imitation of Jesus, Christians are called to love every human being, every sinner, and to work and pray for their salvation. To celebrate the work of abortionists is at cross-purposes with the call to help them live in harmony with God's Church.

In sum, the "Pro-Life Paradox" is no paradox if other fundamental Christian teachings are kept in mind. Against the teachings of Augustine, Aquinas and the *Catechism of the Catholic Church*, the Pro-Life Paradox presumes that all infants automatically go to heaven. Against the teaching of Scripture and the Church, the Pro-Life Paradox assumes that one may do evil so that good may come of it. Against the example and teaching of Jesus, the Pro-Life Paradox implicitly assumes that only the good that matters is eternal life. The argument made by Dan Thomas shows no concern about the souls of abortionists who act in a way that incurs automatic excommunication from the Church. In sum, for anyone accepting any of these basic Christian teachings, the Pro-Life Paradox is no problem at all.

## Opposing Views

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

- Judith Orr's book, *Abortion Wars: The Fight for Reproduction Rights*, marks the fiftieth anniversary of Britain's 1967 Abortion Act. She analyses the current pro-abortion movement and argues that practical and legal

conditions must continue to change so that abortion is more freely available to women. Orr draws on statistics, popular culture, social attitudes, and first-hand accounts to argue that women must take more control over their bodies than current conditions allow. Bristol, England: Policy Press, 2017.

- *Abortion: History, Politics, and Reproductive Justice after Morgenteler*, edited by Shannon Stettner, Kristin Burnett, and Travis Hay, examines the availability of abortion in Canada in the wake of Henry Morgenteler's death in 2013. The volume suggests that discussion should focus, not on "abortion rights," but on "reproductive justice" and argues that close attention must be paid to why people seek abortions before arguing on the basis of choice or medical grounds. Vancouver, BC: University of British Columbia Press, 2017.

Please begin to think about items for next issue, which will come out in late winter. 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 Winter 2018 issue by Feb. 15<sup>th</sup>. Any contributions should be sent to [provita.editor@gmail.com](mailto:provita.editor@gmail.com).

<sup>21</sup> Pope St. John Paul II, *Evangelium Vitae*, 62.

## Call for Proposals: 2018 Life and Learning Conference



28<sup>th</sup> ANNUAL CONFERENCE 2018 JUNE 8-9TH  
University of Dallas, Texas



### CALL FOR PROPOSALS

*BUILDING A PRO-LIFE CULTURE*

*2018 Smith Award Recipient*

**Francis Zapatka, Ph.D.**

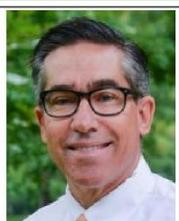
University Faculty for Life Co-Founder  
Professor Emeritus, Department of Literature  
American University, Washington DC



**Banquet Talk**

*“The Life issues in Ralph McInerny’s Fiction: A Perpetual Work in Progress.”*

#### PLENARY SPEAKERS



Francis Beckwith, Ph.D.  
Professor of Philosophy and Church-State Studies, and Co-Director of the Program in Philosophical Studies of Religion in the Institute for Studies of Religion, at Baylor University in Waco, Texas.

*“Law, Reason, and the Sanctity of Human Life.”*



Janet Smith, Ph.D.  
Father Michael J. McGivney Chair of Life Ethics at Sacred Heart Major Seminary in Detroit; Consultant to the Pontifical Council on the Family and representative to the Faith and Order Commission for the World.

*“Humanae Vitae: 50 Years Later”*



Christopher Wolfe, Ph.D.  
Professor of Politics, University of Dallas, President of the American Public Philosophy Institute.

*“Forging a Pro-Life Culture in the Face of the Elites’ Resistance”*

**Proposals Due April 6, 2018**

Submissions on the ways to build a prolife culture and its constituents as well as abortion, infanticide, and euthanasia are welcome. All proposals should be one page (maximum) including the proposed paper’s working title or your published book’s title and publisher/date, full contact information and a brief abstract. Email proposals to Professor Barbara Freres at [bjfreres@stritch.edu](mailto:bjfreres@stritch.edu). Excellent conference papers are eligible for publication in our peer-reviewed proceedings, *Life and Learning*.

For more information see [www.uffl.org](http://www.uffl.org).

## Web Resources for research and education

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| <b><i>Life and Learning</i></b><br>The Journal of the University Faculty for Life  |   | <a href="http://uffl.org/pastproceedings.html">http://uffl.org/pastproceedings.html</a>   |
| <b>UFL Blog</b>  |   | <a href="http://www.uffl.org/blog/">http://www.uffl.org/blog/</a>                         |
| <p><b>Member web pages and blogs</b></p> <p>Please forward any other member's web pages to <a href="mailto:provitanews@yahoo.com">provitanews@yahoo.com</a>.</p> |   |   |
| Beckwith, Francis  | <a href="http://www.patheos.com/blogs/returntorome/">http://www.patheos.com/blogs/returntorome/</a>                                 |   |
| Colosi, Peter  | <a href="http://peterjcolosi.com/">http://peterjcolosi.com/</a>   |   |
| Lemmons, Rose Mary Hayden  | <a href="http://courseweb.stthomas.edu/rmlemmons/">http://courseweb.stthomas.edu/rmlemmons/</a>                                     |   |
| Smith, Janet E.  | <a href="http://www.janetesmith.org/">http://www.janetesmith.org/</a>   |   |
| Bachiochi, Erika   | <a href="http://bachiochi.com/erika/">http://bachiochi.com/erika/</a>   |   |
| <p><b>Conferences</b></p>  |   |   |
| Cardinal O'Connor Conference on Life   | <a href="http://www.oconnorconference.com/home/">http://www.oconnorconference.com/home/</a>   | Co-sponsored by UFL. Held in conjunction with the annual March for Life in January.       |
| Notre Dame Center for Ethics and Culture Fall Conference   | <a href="http://ethicscenter.nd.edu/programs/fall-conference-videos">http://ethicscenter.nd.edu/programs/fall-conference-videos</a> | Held in November  |
| Prolife World Congress   | <a href="http://www.prolifeworldcongress.org/">http://www.prolifeworldcongress.org/</a>   | The most recent Congress took place in Guatemala in October 2016. The site is in Spanish. |

| <b>Online resources</b>   |   |  |
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| Academia.edu  | <a href="https://www.academia.edu/">https://www.academia.edu/</a>                               | A place to share research.   |
| Before Roe v. Wade: Voices that Shaped the Abortion Debate Before the Supreme Court's Ruling (2d edition, 2012) | <a href="http://documents.law.yale.edu/before-roe">http://documents.law.yale.edu/before-roe</a> | “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.”   |
| Culture of Life Foundation  | <a href="http://www.cultureoflife.org/">http://www.cultureoflife.org/</a>                       | Complex moral issues made simple   |
| Global Health and Human Rights Database   | <a href="http://www.globalhealthrights.org/">http://www.globalhealthrights.org/</a>             | “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.” |
| Human Life International Truth and Charity  | <a href="http://www.truthandcharityforum.org/">http://www.truthandcharityforum.org/</a>         | “The <i>Truth and Charity Forum</i> 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.”  |
| Mirror of Justice   | <a href="http://mirrorofjustice.blogs.com/">http://mirrorofjustice.blogs.com/</a>               | A blog dedicated to the development of Catholic legal theory.  |
| Social Science Research Network (SSRN)  | <a href="http://ssrn.com/en/">http://ssrn.com/en/</a>   | SSRN (the Social Science Research Network). “Our vision was (and still is) to enable scholars to share and distribute their research worldwide,  |

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|   |   | long before their papers work their way through the multi-year journal refereeing and publication process.”  |
| USCCB Human Life and Dignity web page                       | <a href="http://usccb.org/issues-and-action/human-life-and-dignity/index.cfm">http://usccb.org/issues-and-action/human-life-and-dignity/index.cfm</a> | United States Conference of Catholic Bishops   |
| Witherspoon Institute Public Discourse                      | <a href="http://www.thepublicdiscourse.com/">http://www.thepublicdiscourse.com/</a>   | 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. |
| World Expert Consortium for Abortion Research and Education | <a href="http://www.wecareexperts.org/">http://www.wecareexperts.org/</a>   | International research collaboration, Scientific information dissemination, Professional education, Consultation, Expert testimony, Program evaluation, Grant writing  |
| <b>Journals and online publications</b>                     |   |  |
| Charlotte Lozier Institute (Susan B. Anthony List)          | <a href="http://www.lozierinstitute.org/">http://www.lozierinstitute.org/</a>   | The education and research arm of the Susan B. Anthony List  |
| Ethika Politika   | <a href="http://ethikapolitika.org/">http://ethikapolitika.org/</a>   | 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.                          |
| Human Life Review   | <a href="http://www.humanlifereview.com/">http://www.humanlifereview.com/</a>   |  |
| Linacre Quarterly   | <a href="http://cathmed.org/issues_resources/linacre_quarterly/">http://cathmed.org/issues_resources/linacre_quarterly/</a>                           | Journal of the Catholic Medical Association.   |
| Post-Abortion Review  | <a href="http://www.theunchoice.com/pblresearch.htm">http://www.theunchoice.com/pblresearch.htm</a>   | “Documents abortion's injustice and harm to women”   |

### Organizations

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| <p>Bioethics defense fund</p>  | <p><a href="http://www.bdfund.org/">http://www.bdfund.org/</a></p>                     | <p>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.</p> <p>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.</p> |
| <p>Catholic Medical Association</p>                                    | <p><a href="http://cathmed.org/">http://cathmed.org/</a></p>                           |  |
| <p>Center for Bioethics and Human Dignity</p>                          | <p><a href="http://cbhd.org/">http://cbhd.org/</a></p>                                 | <p>“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.”</p>                       |
| <p>Feminists for Life</p>  | <p><a href="http://www.feministsforlife.org/">http://www.feministsforlife.org/</a></p> |  |
| <p>Healing the Culture</p>   | <p><a href="http://healingtheculture.com/">http://healingtheculture.com/</a></p>       | <p>Promotes the Life Principles of UFL co-founder Robert J. Spitzer, SJ.</p>   |
| <p>The International Center on Law, Life, Faith and Family (ICOLF)</p> | <p><a href="http://icolf.org/">http://icolf.org/</a></p>                               | <p>“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.”</p>   |

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| National Catholic Bioethics Center             | <a href="http://www.ncbcenter.org/">http://www.ncbcenter.org/</a>   | Publishes the <i>National Catholic Bioethics Quarterly</i>  |
| Prolife Center at the University of St. Thomas | <a href="http://www.stthomas.edu/law/academics/prolifecenter/">http://www.stthomas.edu/law/academics/prolifecenter/</a>           | 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. |
| Society of Catholic Social Scientists          | <a href="http://catholicsocialscientists.org/Content/Organization/">http://catholicsocialscientists.org/Content/Organization/</a> |   |
| <b>News</b>                                    |   |   |
| Bioedge  | <a href="http://www.bioedge.org/">http://www.bioedge.org/</a>   | Bioethics News around the world   |
| National Right to Life News                    | <a href="http://www.nationalrighttolifenews.org/news/#.Sp5dWSo">http://www.nationalrighttolifenews.org/news/#.Sp5dWSo</a>         |   |
| LifeNews.com                                   | <a href="http://www.lifenews.com/">http://www.lifenews.com/</a>   |   |
| LifeSiteNews                                   | <a href="http://www.lifesitenews.com/">http://www.lifesitenews.com/</a>   |   |
| <b>Anti-life resources</b>                     |   |   |
| Guttmacher Institute                           | <a href="http://www.guttmacher.org/">http://www.guttmacher.org/</a>   | Research arm of Planned Parenthood Federation.<br><a href="#">Guttmacher Policy Review</a><br><a href="#">Perspectives on Sexual and Reproductive Health</a> . <a href="#">International Perspectives on Sexual and Reproductive Health</a>   |
| RH Reality Check                               | <a href="http://rhrealitycheck.org/">http://rhrealitycheck.org/</a>   | Reproductive and Sexual Health and Justice News, Analysis and Commentary  |

## Masthead

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