

***PERSONHOOD
AND
ABORTION***

by: Fr. Larry Young

- 1. Murder is the intentional killing of an innocent human person.**
- 2. Human beings are persons from the moment of conception to natural death.**
- 3. The intentional killing of an innocent human being from the moment of conception to natural death is murder.**

The present laws of our country have legalized murder. If civil law is to be valid it must correspond to the truth, foremost of which is the truth of human personhood.

Our Constitution uses the term “person” often. In the Fourteenth Amendment, Section 1, it states, “No State shall deprive any person of life without due process of the law.” There is no clear definition of the term “person” by our founding fathers. The Supreme Court of the United States, in the Roe vs. Wade decision, January 22, 1973, judged wrongly to interpret the Constitution’s use of the word “person” as applying only to those human beings who have reached that level of development whereby they leave their mother’s womb. This is a most heinous act of discrimination against the most defenseless humans, based merely on their age and place of residence. In so doing they effectively condemned millions of innocent human persons to an unjust death.

Personhood is intrinsic to our very being. Individual human persons come to be at conception. We do not come to be, and then come to be persons at some later time. The biological existence of a human being is not distinct from his or her personhood.

The legal prolongation of Abortion in America stands or falls on this question of personhood. Supreme Court Justice Blackmun, delivering the official opinion of the court in the Roe vs. Wade case, states clearly:

“If this suggestion of personhood is established, Roe’s case, of course, collapses, for the fetus’ right to life would then be guaranteed specifically by the (Fourteenth) Amendment”
(opinion of the court, IX).

The life of the human being is a continuum. Our body changes, our intellect develops, our personality grows, but what remains throughout is our being. You are now the self-same personal being that began to exist as a single celled zygote, one fourth the size of the period at the end of this sentence.

1. What is “personhood? How can it command such respect? Why should a person’s right to life be guaranteed?

Boethius, a philosopher and statesman of the sixth century, put forth what has remained the most widely accepted definition of the person: “*an individual substance of a rational nature.*” Human beings are persons, because the capacity to reason belongs to our very nature from the moment we begin to exist at conception.

With reason comes free will. Persons, by nature, are rational and free agents. They freely choose their own goals by means of an interiority that non-personal beings do not have.

This capacity in all human beings from fertilization to natural death, warrants our special dignity, and guarantees us certain rights (life, etc.).

There is a natural resistance to being owned or coerced within every person. We can all intuitively understand that to enslave, or to own a human being as property in the same way as we own or use a farm animal, or a machine, is intrinsically wrong. Since Roe Vs Wade, pre-born infants are falsely judged to be the legal property of the mother. This is a frontal assault on the inherent dignity of the unborn. Persons ought not to be treated the same as non-persons.

Non-rational animals, such as dogs or horses, lack free will. A family dog may be “person like,” but does not have the capacity to reason, by which it can intellectually “bend back” and perceive its own existence. Non-persons lack the essential interiority that persons are capable of possessing. They cannot stand in themselves and freely choose their own goals in the same way a person can. Their actions are determined simply by the kind of stimulus put before them. Their goals are essentially chosen for them. “They are, by the nature of the case, instruments” (Dr. Patrick Lee, Abortion and Unborn Human Life, ch. 2).

In the hierarchy of being, mankind has dominion by right, over the rest of the animal kingdom. There is nothing intrinsically wrong with a person owning, coercing, or using a non-personal being to his own ends within the realm of proper stewardship. We must not lose sight of the enormous distinction between person and non-person, nor confuse the degree of dignity or rights properly due to each.

According to St. Thomas Aquinas, “Person is that which is most perfect in all of nature” (Summa Theologica, I., Q.29, art. 3). Being a person is the source of our equality as members of the human race. Every innocent person is deserving of the rights to life, liberty, and the pursuit of happiness.

“The equality of men rests essentially on their dignity as persons and the rights that flow from it” (The Catechism of the Catholic Church, 1935).

“The murder of a human being is gravely contrary to the dignity of the person” (The Catechism of the Catholic Church, 2320).

2. What do Biologist contribute to the question?

If personhood belongs to our very being as humans, then precisely when does our human life begin? In recent years a panel of Doctors and Geneticists were interviewed by a Senate committee:

“There is continuity in development from the zygote stage [the one cell formed at fertilization/conception] on: the developing human remains a member of the human species and is the same individual from its start as a zygote until natural death because of

the presence of human genes...it would seem that there could be no ground to deny personhood to any member of the human species from the beginning of his/her existence as a zygote” (Dr. Michele M. Matthews-Roth, Principal Research Associate, Harvard University Medical School, p.12).

“As soon as the twenty three paternally-derived chromosomes are united through fertilization to the twenty three maternally-derived chromosomes, the full genetic information necessary and sufficient to express all the inborn qualities of the new individual is gathered...the new being begins to express himself as soon as he has been conceived (p. 19). The question of the beginning of life---when life begins---is no longer a question for theological or philosophical debate. It is an established scientific fact...all life, including human life, begins at the moment of conception” (Dr. Jerome LeJeune, Professor of Fundamental Genetics, Medical College of Paris, France, p. 32).

Even the New Encyclopedia Britannica, 15th edition, Macropedia, Volume 14, in its article on pregnancy, page 968, asserts:

“A new individual is created when the elements of a potent sperm merge with those of a fertile ovum, or egg.”

Clearly from a purely biological standpoint we are the self-same being now that began to exist in our mother's womb. Human life is a continuum, with varying stages of development (e.g., preborn, infancy, puberty, adolescence, adulthood, old-age). You could look back at an ultra-sound picture of yourself in the uterus and accurately say, “That’s me!”

3. When do we become persons if not at conception?

Some arguments have been posed by philosophers, physicians, scientist, psychologists, politicians, and others, in an attempt to justify abortion on the grounds that the unborn child is not a person until some later time in the continuum of life. Consider the abyssal difference between a non-person and a person. Precisely at what point do we suddenly make this huge leap? What substantially occurs at birth to effect such a radical change in our being? Where does one draw the line? When the heart begins to beat? First detection of brain waves? First or second trimester? These are all vague, morally irrelevant, and inconclusive.

Do we gradually become persons, beginning as non-persons, then one quarter, one half, etc.? How can one be half a person? You either are or you are not. Person is what you are, not a characteristic, mannerism, or level of cognizant awareness that one achieves at a certain point in his or her life.

Being a person does not depend on whether we are actualized or fully functioning as a person. Should it be legal to kill people when they are in a deep sleep, or coma? The zygote is not a potential person, but a person who will potentially function more fully as a

person at a later time in his or her development. According to Dr. Patrick Lee, Professor of Philosophy at the Franciscan University, Steubenville, Ohio:

Since human persons are organisms, they come to be at conception, and from that moment on they have the active potentiality to realize all of the fulfillments of a human being, although it may take them some time to actualize those potentialities. Human embryos and fetuses are identical with the things which at a later time reason and freely choose, and they are actively developing themselves to the point where they will perform such acts
(Abortion and Unborn Human Life, p. 70).

4. Should we make laws which directly bring about evil for the sake of some supposed greater good?

There are some who might admit that the unborn child is fully a person, but who would still argue for a woman's right to abort on the basis of a utilitarian outlook. *Utilitarianism* is a moral system which determines right actions according to which action will bring about the greatest net good.

The common utilitarian style argument is to present a worst case scenario, like an instance of rape, and then measure the "good" consequences of an abortion, against the "good" that will follow upon bearing and delivering a baby. There is an immediate problem with this reasoning. Consider how you would define, "Good." Good must be attached to some respect. Good in what respect? A good pianist? A good ice cream cone? Two things can only be measured if they have a common property they share in. For example, "this red Ferrari is more red than this McIntosh apple." How does one measure loss of education, friendship, financial security, etc., against life? (Lee, Abortion and Unborn Human Life, ch. 5)

Besides just having practical difficulties, the theory of utilitarianism is fundamentally flawed. It denies the absolute inviolability of the innocent human person. The outrage we feel at the injustice of rape, is stacked against a weak understanding of the full personhood of the innocent unborn child, and we are tempted to rationalize killing as a proposed "solution."

Following this logic we could justify killing anyone, given the right circumstances. A contemporary Philosopher and Ethicist, Dr. Germain G. Grisez, claims:

"What about infanticide or any killing of an adult if Utilitarianism is to be the ground of our laws...If human life itself has to be judged good or bad by its utility, then man is no better than a machine...To question the absoluteness of the right to life of the unborn is to question the absoluteness of everyone's right to life...If a utilitarian theory is accepted, not only the personhood of the unborn, but the personhood of all of us is put in jeopardy"
(Abortion: the Myths, the Realities, and the Arguments, p. 294-306).

Utilitarianism is an attempt to deny or dislodge the existence of an absolute and unchanging moral law. If our civil laws are to be just, they must correspond to the truth. Truth exists on its own, independent of us. We don't create or invent truth, but discover it and then conform our minds to it. Two plus two will always equal four regardless of whether I claim it equals five.

It is absolutely true that there is a moral law inscribed in the universe that is as real as the law of gravity. According to this moral law, the murder of an innocent person is and always will be a grave moral evil, which is absolutely unacceptable. Civil law must derive from, and be subservient to moral law if it is to be valid and just. Our present civil laws have legalized the killing of the unborn child. This is a direct affront to the moral law, and to the extent that our civil law digresses from the moral law, it has become corrupted.

5. Are truth and justice relative to our own individual “choice”?

The act of abortion is intrinsically wrong despite current civil law, popular opinion, or one's own personal choice. The “pro-choice” movement, led by organizations such as Planned Parenthood, The National Abortion Rights Action League (NARAL), and The National Organization of Women (NOW), has denied the truth that *abortion is murder, and therefore, absolutely unacceptable.*

“No one should have the right to do what is wrong!” (Abraham Lincoln)

“It is impossible to speak of the right to choose when a clear moral evil is involved” (John Paul II, Crossing the Threshold of Hope, p. 205).

This spread of the idea that a woman has the right to kill the child in her womb through her freedom of “choice” has led, in recent decades, to a decay of the common moral sense regarding abortion.

Pope John Paul II states:

“Choices once unanimously considered criminal and rejected by the common moral sense are gradually becoming socially acceptable...Conscience itself, darkened as it were by such widespread conditioning is finding it increasingly difficult to distinguish between good and evil in what concerns the basic value of human life” (The Gospel of Life, para.4).

6. Freedom must be in harmony with truth.

“freedom negates and destroys itself, and becomes a factor leading to the destruction of others, when it no longer recognizes and respects its *essential link with the truth*. When freedom, out of a desire to emancipate itself from all forms of tradition and authority, shuts out even the most obvious evidence of an objective and universal truth, which is the foundation of personal and social life, then the person ends up by no longer taking as the

sole and indisputable point of reference for his own choices the truth about good and evil, but only his subjective and changeable opinion or, indeed, his selfish interest and whim (The Gospel of Life, 19).

This is what is happening also at the level of politics and government: the original and inalienable right to life is questioned or denied on the basis of a parliamentary vote or the will of one part of the people--even if it is the majority. This is the sinister result of a relativism which reigns unopposed: the "right" ceases to be such, because it is no longer firmly founded on the inviolable dignity of the person, but is made subject to the will of the stronger part. In this way democracy, contradicting its own principles, effectively moves towards a form of totalitarianism. The State is no longer the "common home" where all can live together on the basis of principles of fundamental equality, but is transformed into a *tyrant state*, which arrogates to itself the right to dispose of the life of the weakest and most defenseless members, from the unborn child to the elderly, in the name of a public interest that is really nothing but the interest of one part (Gospel of Life, 20).

"Hence the majority in the United States has immense actual power and a power of opinion which is almost as great. When once its mind is made up on any question, there are, so to say, no obstacles which can retard, much less halt, its progress and give it time to hear the wails of those it crushes as it passes. The consequences of this state of affairs are fate-laden and dangerous for the future" (Alexis De Tocqueville, Democracy in America, p. 248).

7. **There are parallels in history.**

Our government can make mistakes on a grand scale. On March 6, 1857 the U.S. Supreme Court ruled that black people were not legal "persons" according to the U.S. Constitution. A great deal of controversy followed this decision, culminating in a Civil War four years later (1862-1865). The Fourteenth Amendment to the Constitution was passed June 13, 1866 declaring:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor to deny to any person within its jurisdiction the equal protection of the laws" (section 1).

One century later came one of the greatest tragedies in the history of mankind. The gravity of the following words, from the official opinion of the court, in the *Roe vs. Wade* case of 1973, is immeasurable. The fate of millions of pre-born human persons hangs on these few sentences:

"The Constitution does not define 'person' in so many words. [citations are then made of all places in the Constitution where the word 'person' appears] But in nearly all these instances, the use of the word is such that it has application only postnatally. None indicates, with any assurance, that it has any possible pre-natal application...Texas urges that, apart from the Fourteenth Amendment, life begins at conception and is present throughout pregnancy, and that, therefore, the State has a compelling interest in protecting that life from and after conception. We need not resolve the difficult question of when life begins. When those trained in the respective disciplines of medicine, philosophy, and theology are unable to arrive at any consensus, the judiciary, at this point in the development of Man.'s knowledge, is not in a position to speculate as to the answer...In short, the unborn have never been recognized in the law as persons in the whole sense (opinion of the court, IX).

Once a society decides that certain categories of human beings are not persons, all sorts of atrocities can be justified. The Nazis did not deem the Jews worthy of personhood. The government of the United States of America at one time classified black people as nonpersons. It is the weakest and most vulnerable who are at the greatest risk (pre-born, elderly, disabled, poor, etc.). To attack human life when it is unable to defend itself is a most heinous crime.

The moral gravity of procured abortion is apparent in all its truth if we recognize that we are dealing with murder and, in particular, when we consider the specific elements involved. The one eliminated is a human being at the very beginning of life. No one more absolutely *innocent* could be imagined. In no way could this being ever be considered an aggressor, much less an unjust aggressor! He or she is *weak*, defenseless, even to the point of lacking that minimal form of defense consisting in the poignant power of a newborn baby's cries and tears. The unborn child is *totally entrusted* to the protection and care of the woman carrying him or her in the womb (The Gospel of Life, 58).

8. What is the proper role of the state?

It is the primary duty of the state to protect, uphold the dignity of, and promote the progress of persons.

When a parliamentary or social majority decrees that it is legal, at least under certain conditions, to kill unborn human life, is it not really making a "tyrannical" decision with regard to the weakest and most defenseless of human beings? Everyone's conscience rightly rejects those crimes against humanity of which our century has had sad experience. But would these crimes cease to be crimes if, instead of being committed by unscrupulous tyrants, they were legitimated by popular consensus? Democracy cannot be idolized to the point of making it a substitute for morality...the value of democracy stands or falls with the values which it embodies and promotes. The basis of these values cannot be provisional and changeable "majority" opinions, but only the acknowledgment of an objective moral law...If, as a result of tragic obscuring of the collective conscience, an attitude of skepticism were to succeed in bringing into question even the fundamental

principles of the moral law, the democratic system itself would be shaken in its foundations...It is therefore urgently necessary, for the future of society and the development of a sound democracy, to rediscover those essential and innate human and moral values which flow from the very truth of the human being and safeguard the dignity of the person: values that no individual, no majority and no state can ever create, modify or destroy, but must only acknowledge, respect and promote (The Gospel of Life, 70-71).

The fact that our government has made laws protecting the right to murder innocent unborn human persons is an abomination. In recent decades our society has truly become, in the words of Pope John Paul II, a “culture of death.”

9. What needs to happen if truth and justice are to triumph in our country and in our world?

If we are to transform our society into a “culture of life,” there must be a renewal of the family.

Within the “people of life and the people for life,” *the family has a decisive responsibility.*

This responsibility flows from its very nature as a community of life and love, founded upon marriage, and from its mission to “guard, reveal and communicate love...The family has a special role to play throughout the life of its members, from birth to death. It is truly *sanctuary of life*: the place in which life can be properly welcomed and protected against the many attacks to which it is exposed, and can develop in accordance with what constitutes authentic human growth. Consequently the role of the family in building a culture of life is *decisive and irreplaceable* (The Gospel of Life, 92).

Pope John Paul II truly understands the needs of our time. Let us listen and respond generously to the passionate exhortation of our Holy Father:

“The present encyclical, the fruit of the cooperation of the episcopate of every country of the world, is therefore meant to be *a precise and vigorous reaffirmation of the value of human life and inviolability*, and at the same time a pressing appeal addressed to each and every person, in the name of God: *respect, protect, love and serve life, every human life!*

Only in this direction will you find justice, development, true freedom, peace and happiness!” (The Gospel of Life, 5)

It may be challenging for some, without the proper information or insight, to realize that human life from the very beginning as one cell that could rest on the head of a pin, is just as much deserving of all the rights of personhood as you or I. For centuries many people thought the world was flat. Our civilization must no longer tolerate the sacrifice of millions of innocent human persons on the altar of our own ignorance, and/or, indifference.

Let us work while there is yet time, to restore moral sanity to our society. Speak the truth in love, but with boldness. Recall the words of Christ:

“For this I was born, and for this I have come into the world, to bear witness to the truth.
Everyone who is on the side of truth hears my voice” (John 18:37).

May the Lord God Almighty have mercy on us and on our country.