

# Abortion case raises questions

By Father Richard P. McBrien  
Syndicated columnist

The highly publicized case of the 14-year-old Irish girl who wanted to travel to London for an abortion has been resolved, but the underlying issue has not.

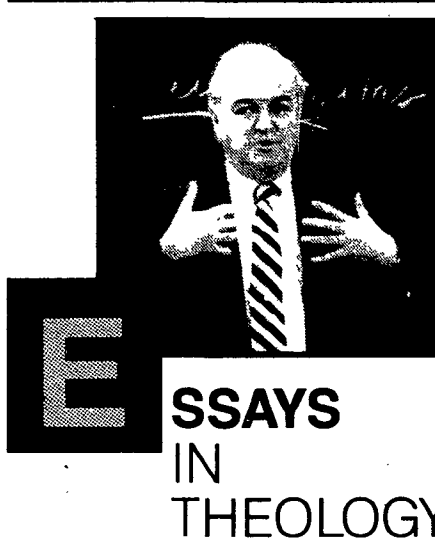
The young woman claimed that she had been raped by a friend's father, and expressed her intention to procure an abortion in England — where it is legal. The Irish Attorney General's office issued an order forbidding her to leave the country for nine months.

The High Court upheld the order 10 days later, but on Feb. 26 the Irish Supreme Court overturned the lower-court ruling.

The unresolved issue in this case is the relationship between moral law and civil law. It is an issue that is not confined to Ireland, but is global in scope — especially in the Muslim world.

Many religious people, both in the United States and abroad, are sincerely convinced that the civil law must always reflect and embody what they consider to be the divine law. What God forbids, the state must also forbid.

But a monumental question is begged: How is society to know what God forbids? "The Bible tells me so" is no answer since Christians and Jews differ between and even among themselves about the meaning of various biblical texts. Catholics, for example, have tra-



ditionally interpreted Matthew 16:18 ("You are Peter and on this rock I will build my church ...") as a basis of papal authority; Protestants disagree.

Even if there were general agreement among Christians and Jews on the intent of God's mind and will, problems would still occur.

Our society is pluralistic today in ways that sociologist Will Herberg could not have anticipated in his classic study, *Protestant-Catholic-Jew* (Doubleday, 1955). We are a nation not only of Christians and Jews, but of Muslims, Buddhists, Hindus, Shintoists, and a multitude of other believers and non-believers alike.

Can such a nation choose a particular set of moral values, favored by one or another religious tradition,

and legally impose those values on everyone? If so, which set of values is to be selected, and on what basis?

It was precisely the fear of religious factionalism that prompted James Madison to construct the First Amendment, granting freedom of religion to all, but forbidding the government to favor one religion over any other or, indeed, to favor religion over unbelief.

Unlike some of their militant co-religionists, mainstream Christian and Jewish thinkers are in basic agreement with this constitutional arrangement.

In recent decades the Catholic Church has forged a strongly progressive position on the church-state issue: in Pope John XXIII's encyclical *Pacem in Terris* (1963); in the Second Vatican Council's Pastoral Constitution on the Church in the Modern World and Declaration on Religious Freedom; and in the writings of several of its major scholars.

That position was most forcefully articulated by the late Jesuit theologian John Courtney Murray, the chief architect of the council's Declaration on Religious Freedom.

It was Father Murray who once delivered himself of the grand understatement that "the American mind has never been clear about the relation between morals and laws."

The moral law, he pointed out in *We Hold These Truths* (Sheed & Ward, 1960), "governs the entire order of human conduct, personal and social," and it extends even to "mo-

tivations and interior acts."

The civil law, on the other hand, "looks only to the public order of human society." It "enforces only what is minimally acceptable, and in this sense socially necessary."

It is for other social institutions to motivate and otherwise encourage citizens to conform their behavior to the higher law of God: the home, churches, religious schools, and other voluntary associations.

In the final analysis, only those civil laws that are enforceable can be justified, but enforceability is impossible without consensus. Consequently, if some citizens want to write their own version of the moral law into the civil law, the burden is on them to create a consensus that will render such a law enforceable.

But that requires careful, reasoned arguments as well as powers of persuasion. Failing those, too many religious people are tempted to take the shortcut of force and intimidation.

Moments after the Irish High Court decision was announced in February, an elderly Irish woman was interviewed on television. She acknowledged that while she herself was morally opposed to abortion, she supported the court's decision. People should be free to follow their own consciences on the matter, she said.

James Madison would have nodded in agreement. Many religious people today, including Catholics, continue to quarrel about it.

## Authority should be used wisely

By Gregory F. Augustine Pierce  
Syndicated columnist

As the father of three little children under age 5, the Fourth Commandment is now my favorite: "Honor your father and your mother."

I spend a lot of time and energy trying to teach that one to my kids.

This considerable effort, however, has also caused me to reflect at length on the broader context of the questions of authority, loyalty and obedience in today's society.

Father Thomas Paprocki, a priest-lawyer of the Archdiocese of Chicago, makes the important point that in addition to honoring one's parents the Fourth Commandment demands in a wider sense that we respect all authority.

As a baby boomer who came to adulthood in the 1960s, I sometimes don't want to hear this. I think that my generation has been especially good at pointing out that in order for authority to be respected it must be legitimate. The days when we obeyed employer and government — and even church — without question are — and well ought to be — gone forever.

Yet at the same time there is no question that there is a crisis of authority in our society. A definite decline can be seen in respect for the work of the "bosses" in many fields — from how workers view owners and management to how citizens esteem politicians and government officials to how laity regard the clergy and the hierarchy.

What should be the proper Christian context for the exercise of and response to authority? In one way, the model of parent and child is not helpful. Workers in the workplace, citizens in society, and laypeople in the church are not children. They are — for the most part — confident and competent adults who deserve to be treated by those in authority with respect and even deference in their own spheres of expertise.

For a president or a pope or a chief executive officer to treat those over whom he or she exercises authority as "children" who must "obey" goes against the spirit, if not the letter, of the law — as well as common sense and good principles of management.

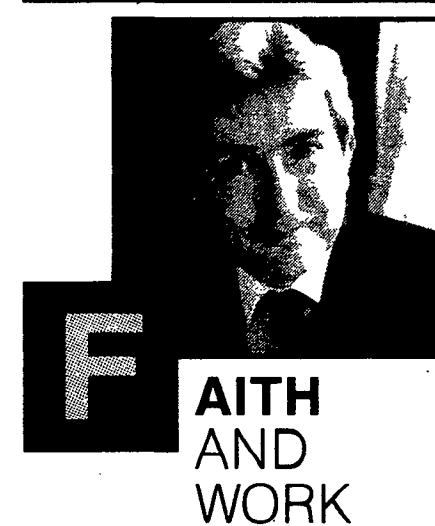
On the other hand, good parent-child relations can offer a model for the proper use of authority in the

workplace. The least effective method I have found for teaching my children the Fourth Commandment is "because I said so, that's why." Equally ineffective is "because God said so, that's why."

My kids do best when they see clear rules to be followed, when the reason for those rules has been explained (to the best of their capacity to understand them), and when the consequences of not following the rules are known beforehand and carried out faithfully yet with compassion.

It also seems important to my children that the authority I claim has been earned by my own actions and integrity, rather than prescribed on some stone tablets 4,000 years ago. When I order them to put away their toys, for example, it works much better after they see me pick up my own.

In order for my kids to "honor" me, they need to see that I truly do care for their welfare and development and am responsive to their concerns and desires. I must also be willing to listen to "explanations" for irregular behavior and to bend the rules or acknowledge extenuating circumstances where ap-



propriate.

If my authority is to be acknowledged by my children, it is most critical that it be obvious to them that my judgment is being exercised in their best interest or that of the common good rather than for my own aggrandizement.

Might not these simple criteria for parental authority provide a renewed basis for the legitimacy of and the obedience to authority in the public arena?

**THURSTON ALAIMO FUNERAL HOME INC.**  
Arrangements made in the comfort of your own home  
Pre-Arrangement Specialists  
2636 Ridgeway Ave. Rochester, NY 14626  
227-2700  
John Lioi, Parishoner of St. John the Evangelist Tom Alaimo, Parishoner of St. Francis of Assisi

**Helma's MASTECTOMY BOUTIQUE**  
Bras • Prostheses Lingerie • Nightwear and Mastectomy Swimwear  
FEATURING Airway • Amoena Camp Classique Roxanne  
Closed Monday  
2140 E. Main St. (Near Winton Rd.) Rochester, NY 482-9359

**NEW HOPE ADULT SERVICES, INC.**  
• Senior Sitters • Housekeeping  
• Companionship • Transportation  
• Shopping Services • Heavy Cleaning  
Give someone you love a gift certificate to New Hope Adult Svcs.  
328-7178