

COMMON GROUND?

Review

Common Ground? Seeking an Australian Consensus on Abortion and Sex Education, Editors John Fleming PhD and Nicholas Tonti-Filippini PhD; Sydney (St Pauls), 2007

Common Ground? is a collection of essays which address the aberrations in Australian society brought about by divorce, contraception and abortion and the systematically defective formation of the young in human sexuality. The book has seven contributors, two of them the editors, each of them Catholic. Inevitably, there is unevenness in the contributions, and some repetition. As a *Catholic* study, however, the collection has fundamental defects.

One may sympathise (with one qualification) with the desires of the contributors to address the ubiquitous social problems—

“the rising incidence of sexually transmissible infection, the effect on children and young people of insecurity and instability at home, the continued high incidence of unplanned pregnancy and abortion, and the continuing levels of violence against women and the abuse of children...”¹

Regrettably, the solution many of them suggest, action based on a consensus of opinion of the country’s citizens, can never provide the desired relief. For what is at issue is not a matter of opinion, but something objective.

Almighty God created man in his own image and likeness. He created him in love. He gave him, alone among the creatures of the world, an immortal soul. Man, (alone among them) is an end, that for the sake of which other creatures exist.² He cannot die: he has an eternal destiny. The Fathers of the Second Vatican Council recognised this when they pronounced man “the only creature on earth that God willed for itself.”³ God created man out of love; and He created him *for* love. Love is man’s vocation and his end—not the love of concupiscence (corporeal love, in which the lover desires the thing loved for his own sake), but the love of benevolence, spiritual love, in which he desires the good of the one loved. But man is a material, as well as a spiritual, being. Inevitably then, he must use his body to express this spiritual love. This is the reason why human sexuality is not, as it is among the brute animals, something purely biological. It involves the very being of the human person. Its proper formation in the developing child is essential to his spiritual and

¹ *Common Ground?* op. cit., p. 312. The qualification is their use of the expression ‘unplanned pregnancy’. The authors have used the expression in the fashion popularised by secular humanism which reduces the unborn child to a commodity one may choose, or reject. Pregnancy follows naturally, if not inevitably, on the act of intercourse. Every pregnancy is, in that respect, unplanned—but it is not unplanned by Almighty God.

² There are in this world two sorts of things: those that admit of more and less, and those that admit only of ‘yes’ and ‘no’. A human being is an absolute and his right to life just as absolute. There can be no ‘more or less’ about it. There can be no debate about whether an innocent human being should or should not be killed. No one can have a ‘choice’ in the matter. To assert that there is, is to replace reality with a personal delusion. The delusion is no less a delusion because it is shared by thousands.

³ *Gaudium et Spes*, n. 24

psychological health.⁴ What is at stake is the virtue at the very foundation of society, the virtue the modern world loves to mock, *chastity*. Failure in chastity leads inevitably to contraception and to abortion, the systematic denial of the end of human sexuality, and the destruction of society itself.

Instead of approaching these problems as the Catholic Church does, from principle and deducing the appropriate steps to take from that principle, the contributors, with the exception of Dr Brigid McKenna, Life Officer for the Sydney Archdiocese, and Marcia Riordan, Respect Life Officer of the Melbourne Archdiocese, adopt the hackneyed approach of modern science, induction from facts. In a number of the essays the 'facts' upon which the contributors purport to rely, however, are not the evils, which are at least objective, but people's opinions about how to address them, which are tenuous and shifting. The authors of these are, in a sense, twice removed from the solution. Their recourse to statistics to give precision to their findings is in vain, for precision in explication cannot assist a faulty argument. It hardly matters that the questions asked by the opinion surveyors employed often exclude the possibility of any answer which respects human dignity. It is not surprising that *Common Ground?* has no *imprimatur*.

Blithely, the editors propose—

"a way forward in the area of public policy on abortion and sex education in Australia based on the strong areas of agreement within the community."⁵

The contributors advance the Church's view as one that deserves respect, but (except for Dr McKenna and Miss Riordan) refrain from proclaiming it for what it is, the only view consistent with human dignity; the only view which can cure society's ills. None of them argues that the inevitable result of a failure to return to that view will see society's continued, indeed accelerated, descent into moral chaos. The approach of the majority, including the editors, is one of harm minimisation; of urging compromise on essentials in the vain hope that the lot of the suffering may improve.

Was it Mao Tse Tung who said "Use my words and you will think my thoughts"? The contributors generally adopted without qualification expressions that the advocates of secular humanism have introduced into common parlance—

"abortion debate"

"a woman's choice"

"sex education"

"safe-sex"

"condom promotion"

"unplanned pregnancy"

"legal abortion"

"precautions against getting pregnant"

"unwanted pregnancy"

"quality of life", and

⁴ This argument is developed in n. 3 and nn. 122-3 of *The Truth and Meaning of Human Sexuality* (21.11.1995), the guidelines of the Pontifical Council for the Family on forming the young.

⁵ *Common Ground?* op. cit., p. 10

“partner” (used reductively, in lieu of “husband” or “wife”)⁶.

Each of these words or expressions has a loaded meaning, an in-built prejudice against nature, against God. None of them—*none of them*—should be used unqualifiedly by a Catholic, let alone adopted in argument. Each leads inevitably to error. Take just one—“a woman’s choice”. This slogan is false because it hides the fact that the woman has *already* made a choice, and now wants to go back on it. At the heart of its falsity is another, that she has a ‘right’ to halt the natural process of gestation and birth that follows on conception. Dr Tonti-Filippini thinks he is against the pro-abortion lobby when he argues in favour of ultrasound images of the unborn child:

“Knowing the consequences of a proposed course of action may in a sense limit my choice in that there are some things I would not do if I knew their effects. But a choice made in full knowledge is in that respect a more autonomous choice.”⁷

But because he uses the secular humanist terminology of ‘choice’, he is arguing on *their* ground, accepting *their* principle, that a woman is entitled to abort her unborn child. His only objection relates to the woman not having ‘full knowledge’ before she ‘chooses’.

Here is an extract typical of the majority of the contributions:

“When abortion is widely available, as in Australia, all pregnant women must take the decision to continue or to terminate. Women having difficulty making this important decision must be given resources, information and support... Many researchers have found that the decision to abort is marked by a high degree of ambivalence... This is normal in almost all major life decisions, of which abortion is one.”⁸

These statements manifest the characteristic inability of modern thinkers to recognise the need to make distinctions. Here the unrecognised distinction is that between moral and immoral acts. This author, Selena Ewing, treats an act which is so serious the Church condemns it with automatic excommunication as no different in kind to any act in a serious but morally neutral matter. The author implies that because she is *absolutely* free, every woman is *morally* free, to do what she will. No mention here of the eternal destiny of the woman, or of those cooperating with her, or that of her child. No grasp of the fact that human dignity demands conformity with the rule of morals. There is not even lip service to Catholic principle here. The words might have been written by any pro-abortionist.

The contributors generally perpetuate the claim advanced, if not originated, by secular humanism that “sex education” will assist in controlling illicit conceptions and births. There are two errors here. Again, they arise because of the inability to make distinctions. First, the claim confuses the intellect with the will. Self-discipline is not a function of the intellect. You cannot get a man to act properly by giving him more information: you can only do so by training him to discipline his will. Thus, the primary duty of parents is not so much to educate their children, as to teach them

⁶ The term is a neologism coined by the homosexual lobby to comprehend homosexual unions. Cf. Keith Windschuttle’s “Language Wars” at http://quadrant.org.au/php/article_view.php?article_id=776

⁷ In “Public Policy and abortion: bad but better law”, in *Common Ground?* op. cit., pp. 304-5

⁸ Selena Ewing, “An Evidence Base for Counselling, Social Policy and Alternatives to Abortion”, in *Common Ground?* op. cit., p. 216.

self discipline. A man can overcome a lack of education if he has the will: it is immensely more difficult for him to gain the mastery of his own soul if he has not been trained to it.

Secondly, “sex education” programs are a secular humanist, that is, a pagan, an atheist, invention. The very term “sex education” is defective. Almost 80 years ago, when the forerunner of secular humanist influence began to make its presence felt, Pope Pius XI issued this warning:

“Far too common is the error of those who propagate with dangerous assurance and use of an ugly expression, a so-called sex-education, falsely imagining they can forearm the young against the dangers of sensuality by purely natural means, involving foolhardy initiation and precautionary instruction for all, indiscriminately, and publicly...”⁹

Secular humanists look at human sexuality from its *material* aspect, not from its infinitely more important *formal* aspect. They treat man as if he was no different to a brute animal, wilfully blinding themselves to the specific difference, rationality (through the possession of intellect), which gives man an infinite value, and to the infinite dignity which he is owed in consequence. Being atheists, they deny the reality of original sin and the need to protect the child from temptations with which he is incapable of coping. They attack his innocence, destroying the natural barrier provided by the latency period of pre-pubescence which protects him from precipitate exposure to the demands of sexuality. Here is Pius XI again:

“[They expose the young] at an early age to the [dangers of sensuality] in order to accustom them, so it is argued, and as it were to harden them against such dangers. Such persons err grievously in refusing to recognize the inborn weakness of human nature, and the law, of which the Apostle speaks, fighting against the law of the mind [Romans 7: 23]. [They err] also in ignoring the experience of facts, from which it is clear that, particularly in young people, evil practices are the effect not so much of ignorance of intellect, as of weakness of a will exposed to dangerous occasions unsupported by the means of grace.”¹⁰

Let us make no bones about it: “sex education” programs constitute a kind of systematic child abuse. The results are predictable. One need only study the general demeanour, the lack of attention to dress and appearance, the preoccupation with self-mutilation, and the general attitude of hopelessness that characterises large numbers of Australian schoolchildren to gauge the harm that secular humanism has worked in our midst.

The Church, has repeatedly expounded and elaborated on the perils of the unsupervised provision of information in relation to sexual matters to the young. Its most recent teaching is the 1995 document of the Pontifical Council for the Family, *The Truth and Meaning of Human Sexuality*. Here is a short summary of its features:

- the formation of the child in an understanding of human sexuality is properly to be done in the home, or a setting chosen and controlled by the

⁹ In his encyclical on the Christian Education of Youth, *Divini Illius Magistri* (21.12.1929), nn. 65-6. It is regrettable that Pope John Paul elected to adopt the expression “sex education” in his Apostolic Exhortation, *Familiaris Consortio* (22.11.1981) without distinction. But he does not use the term in the sense in which it is used by secular humanists.

¹⁰ Ibid.

parents—a setting of love—with the child personally¹¹: a group science lesson is the very antithesis of the approach demanded;

- the reason is that for the child to develop properly, both spiritually and psychologically, it must be formed in the virtue of chastity, the virtue which establishes the integrity—i.e., the oneness—of sexuality and love which is the very foundation of the stability of society¹²;
- hence, growth in knowledge of human sexuality is subordinated to the child’s growth in virtue, in self mastery: thus it is not education *simpliciter*, but formation;
- this formation goes to the very heart of the child’s development: “education in chastity, as education in love, is at the same time education of one’s spirit, one’s sensitivity, and one’s feelings”¹³;
- the right to form in the child the proper attitude to human sexuality is that of the parents, a right which is inalienable¹⁴: schoolteachers have no rights in the matter whatsoever; consequently, parents have an absolute right of veto over any attempt at interference in this part of their children’s life;
- insofar as a school may become involved in the process, it is bound to give its assistance not to the child *but to the parents*¹⁵.
- parents must accept this task as their God-given responsibility and reclaim it from those who have illicitly deprived them of it¹⁶.

The contributors to *Common Ground?* do not bother to mention this document nor those on which it draws, Pope John Paul’s 1981 Apostolic Exhortation *Familiaris Consortio*, or his 1994 Letter to Families (*Gratissimam sane*), in any of their texts and extensive footnotes.

One of the editors, Dr Tonti-Filippini, raises the Church’s teaching on the licitness of cooperation in moral evil.¹⁷ In the context, it appears to be an attempt to justify the positions many of the contributors adopt. He cites a well known passage in Pope John Paul II’s encyclical, *Evangelium Vitae* n. 73 as if it provided grounds for the view that a person supporting “a proposal that would improve the prospects of survival for the child... by decreasing the rate of abortion, even though still permitting abortion to occur in some circumstances” would not amount to a forbidden cooperation. This borrows from the moral theology of Anthony Fisher, Angel Luño, John Finnis and others, that the late Pope’s words would entitle a lawmaker to vote in favour of legislation allowing abortion provided he would achieve thereby “as much as can be achieved” in limiting the bad law.¹⁸ What the late Pope said was this:

“Hac enim agendi ratione officium suum non praestat illicitae vel iniustae legi; potius vero aequus opportunusque inducitur conatus ut eius iniquae cohibeantur.”

Which is translated:

¹¹ *The Truth and Meaning of Human Sexuality* (8.12.1995), nn. 43, 48

¹² *The Truth and Meaning of Human Sexuality*, nn. 22, 44, 48, 54, 55, 56 et al.

¹³ *The Truth and Meaning of Human Sexuality*, n. 54

¹⁴ *The Truth and Meaning of Human Sexuality*, nn. 23, 45, 145

¹⁵ *The Truth and Meaning of Human Sexuality*, n. 145

¹⁶ *The Truth and Meaning of Human Sexuality*, n. 24

¹⁷ *Common Ground?* op. cit., p. 294

¹⁸ “Public Policy and abortion: bad but better law”, in *Common Ground?* op. cit., p. 306

“For this sort of conduct does not render the agent responsible for an illicit or unjust law; on the contrary such conduct would involve a legitimate and proper attempt to limit its evil aspects.”

The critical word in the original is *praestat*, from the verb *praestare* whose meaning in this context is “to be responsible for”. The Pope does not mention cooperation at all. This view misunderstands what he said; it is in breach of Catholic moral principle.¹⁹ The Pope raises cooperation, rightly, only when he deals (in n. 74) with the dilemmas faced by people, such as nurses and doctors, confronted with a situation brought about by defective laws which have allowed others to demand abortion.

Tonti-Filippini asserts that abortion in Australia is now “legal”²⁰. It is not. In various of the State legislatures (those of New South Wales, Victoria and Queensland) it remains a breach of the law: the police will not prosecute it because the judges will not enforce it. The judges of the superior courts have interpreted the law in such a fashion as to gut it of all meaning, arriving at these interpretations by submitting to the political correctness that demands that a woman should be entitled to abort her child. The few qualifications they impose are ineffectual to prevent *de facto* abortion on demand. In jurisdictions where abortion is not proscribed (as in the A.C.T.), or is proscribed only in certain circumstances (as in Western Australia, South Australia or Tasmania), abortion is not thereby legalised. The law is silent when it should speak—its silence an open scandal implicating legislators and citizens alike. If a law exists in any of these jurisdictions which compels persons to take part in abortion procedures, that law is, as the Church following St Thomas Aquinas insists, not a law at all but a species of violence²¹.

Tonti-Filippini goes on to deal with what he regards as a dilemma for a pregnant woman, the urgency with which she needs to consult a counsellor. But he proceeds on a false premise. This “urgency” assumes a right which does not exist; that the woman is entitled, if she will, to kill her unborn child. He refers to what he calls “[t]he German problem”, the dilemma the German Catholic bishops made for themselves when they failed to notify the state authorities that the counselling services for which they were responsible would not cooperate in issuing a certificate of attendance by a pregnant woman demanded by the law before she presented for abortion. They were bound to notify the state, and the German people, that such a law was unjust and not binding in conscience *and to stand by that claim*. They were hoist on their own petard.²²

The last paragraph in the book (written by the editors) encapsulates the problems of the whole.

“If Australians really want women to have access to legal abortion despite their deeply conflicted (sic) views on the subject, they also want them to use that access only

¹⁹ Cf. the author’s “Evangelium Vitae 73 and the Supreme Principle of Morals” at http://www.superflumina.org/ev73suprempr_final.html

²⁰ *Common Ground?* op. cit., p. 298

²¹ *Summa Theologiae*, I-II, q. 93, a. 3, ad 2

²² One of them, the late bishop of the diocese of Fulda, Archbishop Johannes Dyba, forbade the issuing of such certificates, rightly describing them as part of the “state-sponsored killing of unborn children”.

as a last resort. In the end, Australians accept the essence of both the pro-choice and the pro-life arguments. That being the case, these new initiatives are to be commended and may even lead to a society where there is better understanding across ideological divides and less inclination to uncritically demonise 'the opposition'. It may well turn out that both sides of the debate have more in common on this issue than many believe. In which case, social policy on this and other issues can continue to be revisited for the common good and the wellbeing of all Australian citizens."²³

There are five errors here. The first is the concession that there is such a thing as "legal abortion"; the second that there is room for discussion on the issue whether one may kill the unborn ("the abortion debate"); the third (which follows logically) that it is a rational position for a woman to want to kill her unborn child; the fourth, the advocacy of a compromise of the absolute principle of respect for human life involved; and the fifth, the naïve assertion that, somehow, this compromise will assist "the common good and the wellbeing of all Australian citizens."

Instead of condemning the *status quo*—the appalling state of practice and civil law which is ravaging Australian society—most of the contributors seem to accept it. They pay little more than lip service to Catholic teaching. Dr Tonti-Filippini, for example, considers abortion counselling; the medical risks of abortion compared to those of pregnancy; the use of ultrasound images; post abortion grief; and late term abortions; not from the point of view of principle, but as issues of "choice". No secular humanist could object to his analysis. What qualification does he make? "As an ethicist," he says, "it is important not to allow one's own moral view to select evidence that suits."²⁴ In other words, there is no objective standard to which he must lead those he is guiding, or to which he must himself conform. This is the sort of nonsensical approach to moral issues advocated in so-called "non directional counselling". He says he bases "ethical evaluation on the range of findings offered" by "well-constructed studies"²⁵. This is not a Catholic, or even a sane, approach to ethical matters. Ethics are grounded in principles, not facts.

In truth, the problem of the editors and of most of the contributors to the book is a philosophical one: they cannot rise above material considerations. They join with this folly the fatuity of subjectivism, the attitude that what matters is not reality, but *what people think about* reality. This error is at the heart of the heresy of the age, Modernism, and indeed, much of the book is imbued with the Modernist spirit which requires that the Church's moral principles must give way before populist demands. As far as Modernism is concerned morality is subordinate to public opinion; or better, morality *is* that opinion.

In the book's last essay, "Seeking a Consensus", the editors, Fleming and Tonti-Filippini, set out their philosophical position. They open with this statement:

"There are several impediments in Australia that tend to make consensus difficult on any moral question..."

²³ *Common Ground?* op. cit., p. 329

²⁴ "Public Policy and abortion: bad but better law", in *Common Ground?* op. cit., p. 302

²⁵ *Ibid*

The list that follows makes no reference to the impossibility of agreement in the absence of adherence to objective moral principle. They go on to say that they “belong to the Catholic tradition” but the confused analysis which surrounds this utterance represents not the Church’s position but a subjectivism which confuses the principle of action.

“[C]hoices... shape the identity of who I am... When we choose to act we create person that we are.”²⁶

If the editors meant by these expressions that our acts serve to form habits that determine our character, they would be unobjectionable. But they lump together the ethical with the ontological when they insist that morality can somehow be established by debate. What is morally good and morally evil is not subjective but objective; rooted in human nature. In this reality a man is confronted with the rule of morals and is free to choose, moment by moment, either to conform himself to the rule, or not. A man does not start with the choices and through them, somehow become a human being. He starts by being a human being and, in conforming his choices to human nature’s demands, ensures his human dignity.

This same wandering away from realism into the subjective appears again later:

“The view that human life is to be protected is implied by the simple idea of equal respect for persons.”²⁷

First, that human life deserves protection is not a view but a corollary, a necessary consequence, of the fact that a person possesses a human nature. Second, it is not grounded in an idea (whether simple, or complex) but in that same reality, human nature—objective, not subjective—something fixed and determinate, not shifting and changing as an idea may be. It is only by deduction from that reality—that *principle*—that one may arrive at moral certitude.

The editors seek to justify their position by reliance on the simplistic theories of Harvard political philosopher, John Rawls (1921-2002). Rawls appealed to what he called ‘public reason’, the common reason of all citizens in a pluralist society, to establish moral norms. He contrasted with this what he called ‘non public reason’, that employed by members of religious associations, or those holding particular moral or philosophical positions—saving, of course, those who were fortunate enough to subscribe to Rawls’ philosophy. This reduced the moral standard to the will of the majority.

Lest, perhaps, the reader should balk at the coarseness of this approach, the editors appeal to the “preference utilitarianism” of R M Hare (1919-2002), *quondam* Professor of Moral Philosophy at Oxford.

“[N]ot everyone accepts the existence of a God of love or even [that] God exists at all. But what we all have in common is our humanity and the knowledge that happiness is found in relationships with others by being in communion with others, and human fulfilment finds expressions in the gift of self to community. Human love ought thus be central to an adequate moral theory as goal and motivation...”²⁸

²⁶ *Common Ground?* op. cit., p. 316

²⁷ *Common Ground?* op. cit., p. 327

²⁸ *Common Ground?* op. cit., p. 317

But human love is *not* sufficient to ground “an adequate moral theory”. As Chesterton remarked, “There is nothing natural without the supernatural”. Remove God from morality and it loses its objectivity: human love descends into selfishness.

Man’s nature is properly identified with his distinguishing characteristic, intellect, the power which, owing nothing to matter, enables him to know the natures of things. The will, in contrast, is but an appetite: if it is disordered, its choices will be disordered. Opinion is nothing but choice. It cannot, of itself, lead to certitude. Human fallibility is such that even in a majority opinion there can be no guarantee of objective truth, let alone a basis for morality. The editors’ forays, then, in the last chapter into the freedoms guaranteed by democracy, the Australian Constitution and *Dignitatis Humanae* (Vatican II’s statement on religious freedom), the debates in Federal Parliament on therapeutic human cloning, and their appeals to lobby groups, to politicians, and to the media, are not to the point.

Catholics will do well to treat this book with the greatest care. The few important things it has to say are buried in the materialist and subjectivist detail; the few truths mixed with grave errors. We hardly needed the book’s collection of statistics to provide us with a record of the lack of perception by the average Australian parent of his own dignity and the dignity of his offspring. As a whole, the book encourages Catholics to adopt the immoral conduct of their pagan and atheistic peers. They should reject these promptings with vigour.

Michael Baker
8th September 2008—Birthday of the Blessed Virgin