When addressing the issue of abortion in his encyclical “On Christian Marriage,” Pope Pius XI asks the rhetorical question, “what could ever be a sufficient reason for excusing in any way the direct murder of the innocent?” (at quae posit unquam causa valere ad ullo modo excusandam directam innocentis necem?). His immediate answer leaves no room for doubt: “The life of each is equally sacred, and no one has the power, not even the public authority, to destroy it.” He goes on to say that it is “of no use” (ineptissime) to frame a “defense by bloodshed against an unjust aggressor” (cruentea defensionis ius contra iniustum aggressorem). He adds, “For who would call an innocent child an unjust aggressor?” (nam quis innocentem parvulum iniustum aggressorem vocet?).

Previous Discussions

Pius XI made it clear that it would be absurd to regard the child in the womb as an unjust aggressor, but his statement did not originate in a vacuum; it is part of a long historical discussion on the subject within the Church. Rev. Paul Laymann, a German Jesuit, argued that the Church ought to allow the abortion of an “unanimated” fetus to save the life of the mother, since the fetus in such a circumstance could be regarded as an “unjust aggressor.” But even earlier, French Jesuit Theophile Raynaud argued in favor of therapeutic abortion, reasoning that it is morally possible to commit acts that are just but violate charity.

Given this distinction, it would seem that not killing the aggressive fetus would be just (with regard to the fetus), but the overriding obligation of charity for the mother would make killing the fetus morally acceptable.

St. Thomas Aquinas would not have allowed this split between justice and charity, since he held that charity is the form of all virtues, and therefore, justice is an expression of charity. Raynaud was the first author in the Christian tradition to argue in favor of taking the life of an “unanimated” fetus to save the mother’s life. However, as Rev. John Connery has pointed out in his extensive study, Abortion: The Development of the Roman Catholic Perspective, Raynaud “would not have any followers for the next several centuries.”

During the fifty year period between 1665 and 1715, the Discalced Carmelites at the College of Salamanca in Spain produced a highly influential work on moral theology, including a full treatise on abortion that discussed whether it is ever allowable to kill the innocent. They explicitly rejected the “fetus as aggressor” argument and concluded that direct abortion, even of the non-animated fetus, is intrinsically evil.

German Franciscan theologian, Patricius Spores wisely explained that arguments that prove more than one wants them to prove really prove nothing at all. He reasoned, therefore, that if a child in the womb could be identified as an aggressor, then an animated fetus from its earliest stages, or even semen, could also be regarded as an aggressor. Although it is currently recognized that semen is rightly viewed as the continuation of aggression in an act of rape, Spores’s “slippery slope” argument leads to the conclusion that even sexual intercourse in marriage constitutes a type of aggression.

Reopening the Topic

In a blog entry, Fordham University theologian Charles Camosy explores whether direct abortion to save the life of a mother could be justified if the unborn child is deemed “an innocent aggressor.” If Catholics want to appear “coherent and sensitive,” he pleads, then when arguing against abortion, they should be willing to “revisit some ideas that have been largely unexplored, and perhaps prematurely shut down.” He invites others to join him in exploring whether a child in the womb can be regarded as an innocent aggressor, which might justify the use of lethal force against a fetus to protect a mother when her life is in danger.

His contention that the issue he wants to visit has been “largely unexplored” is nonetheless historically unsupported. Research done by Connery, Germain Grisez, and others make it sufficiently clear that Christian philosophers and theologians have extensively and meticulously explored, analyzed, and debated this issue throughout the

Donald DeMarco, PhD

A FAILED ARGUMENT IN A NEW FORM

A PLANNED DEATH FOR MY FATHER

DEFENDING THE DIGNITY OF THE HUMAN PERSON IN HEALTH CARE AND THE LIFE SCIENCES SINCE 1972
centuries. Nonetheless, let us join Camosey as he reopens a discussion about what Pius XI seems to have already settled in his encyclical *Casti connubii*.

It would seem necessary that one possess some degree of conscious awareness in order for one to be an aggressor. Even Raynaud, who argued on behalf of therapeutic abortion, held that an insane person cannot be a “formal aggressor.” A child without reason cannot act in an intentional manner. The child in the womb is innocent, as Pius XI had reiterated, and therefore incapable of a conscious act, such as one that the notion of being an “aggressor” presupposes. The prenatal child is developing. Moreover, the development of the prenatal child who might threaten its mother’s life does not differ in any essential way from the development of any child in the womb. We would be far down the slippery slope examined by Spores if we argued that every child in the womb is an “aggressor.”

Camosey argues that a person can be formally innocent and yet be an aggressor. How does he defend this view? What he has in mind as an example is an eight-year-old soldier who has been brainwashed and those who have the right to defend their own lives against the attack of the soldier. The example, however, is not analogous to that of the child in the womb and its mother.

Camosey fails to recognize the distinctiveness of the mother–child relationship. When a mother approves the direct killing of her child, she is, by the same stroke, killing something of her own motherhood. Moreover, motherhood implies a certain protective obligation for her prenatal child. There is more at stake here than self-defense. This point warrants careful thought. Consider the words of theologian Rev. Bernard Häring: “If it were to become an accepted principle of moral teaching on motherhood to permit a mother whose life was endangered simply to ‘sacrifice’ the life of her child in order to save her own, motherhood would no longer mean absolute dedication to each and every child.”

**Some Helpful Analogies**

A disease may rightly be called “aggressive.” But the term “aggressor” usually applies to a person. “Aggressor” implies some measure of deliberateness on the part of the one who is aggressive. Similarly, storm clouds can “gather” and flowers can “grow.” These are spontaneous actions. But the terms “gatherer” and “grower” imply conscious and willful activity. From a linguistic perspective, the child in the womb should not be regarded as an “aggressor.”

Let us imagine a scenario that might shed some light on the topic. As the *Titanic* sinks, survivors occupy a lifeboat that is at full capacity. A passenger swims to the lifeboat and tries to climb aboard. Let us suppose that his added weight would cause the boat to sink and thereby endanger all lives onboard. He would, naturally, in a moment of desperation, not be aware of this possibility. Is he an “aggressor,” or is he simply trying to save his life and resorting to reasonable means? It could also be argued that each person on the lifeboat (like the child in the womb) could be labeled as an aggressor because each one bears a weight that would, added to that of the swimmer, be enough to capsize the boat. It would seem absurd for the original occupants to be called aggressors. The swimmer could be labeled such only if he knew that his added weight would endanger the lives of everyone.

An act of aggression must be a conscious and voluntary act and, therefore, one in which the aggressor has knowledge of the pertinent circumstances. Calling the unborn child an “aggressor” seems to be an unjust and arbitrary tag placed on an innocent unborn child for the purposes of rationalizing abortion. It would seem more reasonable to pin this label on the abortionist who does, indeed, aggress against the life of the child. The unborn child, to be just, is innocent and never an aggressor.

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1. Pius XI, *Casti connubii* (December 31, 1930), n. 64.
3. Théophile Raynaud, *De ortu infantium*, 1637.

“It is of no use to appeal to the [public authority’s] right of taking away life for here it is a question of the innocent, whereas that right has regard only to the guilty; nor is there here question of defense by bloodshed against an unjust aggressor (for who would call an innocent child an unjust aggressor?); again there is not question here of what is called the ‘law of extreme necessity’ which could even extend to the direct killing of the innocent. Upright and skillful doctors strive most praiseworthy to guard and preserve the lives of both mother and child.”

Pius XI, *Casti connubii* (December 31, 1930), n. 64.
**A Planned Death for My Father**

My mother died in 2001 at the age of eighty-seven. After her death, father stayed in their independent living facility for a year and then, at my sister’s invitation, moved in with her and her husband. My sister and her husband were the main caregivers, although my brother and I visited frequently. My father lived with them for three years and then moved into assisted-living quarters.

This is the story of how my father was deprived of food and water and died.

**Father’s Ministroke**

**September 2011.** My sister announced that father had been put on hospice care. I asked why, since he was not dying. (We live 2,500 miles apart.) She replied that hospice would provide visits a couple times a week, which was cheaper than hiring health aids.

**Wednesday, December 21, 2011.** Father walked to dinner and ate his meal. My sister and brother-in-law were out of town. Apparently hospice called them to say that father had an episode of disorientation after dinner (a ministroke). He had had them before.

**Friday, December 23, 2011.** My sister and brother-in-law returned home. Father was unresponsive. This was just two days after he walked to dinner! My sister began sending e-mails describing father as “shutting down.” I decided to visit him before he died, but I postponed leaving for a couple of days.

**Wednesday, December 28, 2011.** I arrived at father’s assisted-living home, one week after his episode. Father was totally unresponsive on his bed. My sister and brother-in-law were dabbing his mouth with a sponge. I helped, putting it in his mouth so he could suck the liquid, which he did with enthusiasm. I saw that he was swallowing the few drops he was given.

My sister and brother-in-law went home about 7 p.m. I stayed with father overnight. I left for about twenty minutes to go to a local pharmacy, since I had forgotten to bring my medications. I slept in the recliner in father’s room and went to his bed when he stirred. I gave him water and some yogurt when he was awake.

**Thursday, December 29, 2011.** The hospice nurse announced that father could no longer swallow the Vicodin (acetaminophen and hydrocodone), which was about one teaspoon per dose, and that he would receive morphine every six hours instead. I protested, because father could swallow and did not appear to be in any pain requiring morphine. The nurse said that father had cried out in pain for a long time the night before. I said that I had been there all night and that there was no crying out. My sister suggested that father may have cried out during the twenty minutes I was gone for my medicine. I told them that I did not like to see father put into a deep morphine-induced sleep.

The nurse left the morphine there for us to administer as needed, but we did not give it to him.

**“Follow the Plan”**

Later that same day, father came to. He was more alert and communicative. His eyes were open for the first time in a week! He readily took water and food as I gave it to him. He talked a lot, although I could only understand about 10 percent of what he was saying. He said my name and asked how I had come there. I sang to him and talked to him. He asked about the well-being of his sister, his only living sibling. He talked about the visit of the pastor the day before. And he asked if there was anything he could do for me and my siblings.

My sister called our brother to tell him that father was not in pain and that he was taking food and water; he did not need morphine. About three hours later, our brother called back. His words were that we should “follow the plan.” What plan, I wondered.

I came to learn that my brother had started making travel arrangements a week ago to come for father’s funeral, which my brother had anticipated would be today. The funeral was now scheduled for the following Saturday. I told my children that we would not make any funeral plans while father was living.

That afternoon hospice delivered a hospital bed for father. That was a good way to allow his head to be elevated for swallowing liquids and food. I had agreed reluctantly that father could have a dose of morphine and one dose of Ativan (lorazepam) for anxiety at 8 p.m. to help him have a peaceful night. When the aide came to give him the morphine, I mentioned to her that I hated it and thought it was a death drug. When the aide tried to give it to father, father violently turned aside his face and pushed hard with his hand to avoid taking it. I am sure he heard my comments. I reassured him that it was okay and just intended to give him a peaceful night.

I spent the night in my father’s room again. I slept in his recliner, but when he was restless, I sat in a chair by his bed, wrapped my arms around him, and talked to him. About 2 a.m., a new aide stopped by to see how he was. Father was resting comfortably; I was in the recliner. The aide said that he had morphine and could get some for him if he needed it. I said father was fine. The aide repeated that he could give him morphine.

**Friday, December 30, 2011.** Father continued to be communicative. When my brother-in-law was rubbing the sponge over father’s mouth, I asked him to let father take some water. He said no. When I gave father the sponge, I put it in his mouth, and he held on so hard, sucking out the water, that I was not easily able to remove the sponge.
My brother-in-law would often invite me to take a break and go outside. I said I was there to allow him and my sister time to go home, but they refused to leave. I again spent Friday night with father. I gave him more water and half a container of yogurt. He ate it frantically, grabbing my hand and pulling it toward his mouth. I thought about giving him water in a straw but was afraid he might take too much and choke. I also thought that, after his having only limited amounts of food or water for nine days, I had to limit the amount I gave him at one time.

As the employees of father’s assisted-living facility came by on their regular rounds, I told them that my father was being killed. They acknowledged that I was right. They were very aware of what was happening.

Later that day, my brother called to ask my sister if he thought father would be dead by Monday, because he was getting airplane tickets for his funeral and had to commit to the purchase by Saturday at noon.

Legalized Killing

Saturday, December 31, 2011. I was scheduled to leave on a flight home. On my layover, I began having serious doubts.

Before leaving, I told my sister that father seemed to be picking up. I asked her to please give him water with a sponge and told her that a liquid diet, such as Glucerna or Ensure, could be easily consumed. I suggested that they have him returned to their home, where they could hire caregivers to help him when they were not available, or they might move him to a nursing home where he could also receive care. I noted that there were several people at the senior home in my home town, where I volunteer, who were much less conscious than father and were being cared for. When I left, my brother-in-law said, “Well, it doesn’t look as though father will die this weekend!”

I called my children to tell them what was happening. One daughter said, “Why did you leave?” I could not answer her. Father was still very much alive, although he had gone for ten days with very limited amounts of food and water. Should I have called the police and sought a restraining order? My sister was the medical decision maker. I asked my brother-in-law if father had a living will. He said that he did; it said he wanted “a natural death.” I thought to myself, starvation and dehydration is not a natural death.

Sunday, January 1, 2012. I called my children and told them that I thought I should see father again and that they should come with me. We flew back that day and checked into a hotel. We would go see father at noon.

Monday, January 2, 2012. My daughters and I went to father’s at 9 a.m. and stayed until noon. Father was totally unresponsive and lying with his mouth partially open. I asked my daughters just to hold his hand. At noon we said our goodbyes and left for the airport.

We received a call at 2 p.m. at the airport. Father had died, with my brother-in-law singing in his ear.

There is no doubt that if my sister and brother-in-law had permitted nutrition and hydration to be administered to my father, his recovery would have progressed. I have no way to know what was done between Saturday at noon, when I left, and Monday morning when I returned. I am convinced that my father’s death was planned.

I recount this story in the hope that others will help reverse this frightening trend toward euthanizing our most vulnerable populations.

Name Withheld