

Pro-life Basics

**Dear Judie,
A problem we must eventually address is the criminal penalties to impose for abortion. This evil, like slavery, must eventually fall of its own weight... Although I agree that all abortions are criminal homicide, I do not think they should all be classified as capital felonies... Penalties should apply only to the “doctor” [and] not the woman... If it is no crime at all for the woman, it facilitates her coming forward to identify the so-called “doctor”... In any case, a discussion of reasonable penalties would be very beneficial.**

—C. Eric

Once personhood is restored to all human beings prior to birth, we will have to wade through the minefield of criminal penalties and how they should be applied. Prior to *Roe v. Wade*, it was a well-known fact that when sperm and ovum unite, a new human being has been created, but in deciding *Roe*, the Supreme Court intentionally chose to ignore scientific evidence.

Direct abortion is indeed direct murder. The *Catechism of the Catholic Church* states, “As a consequence of the respect and protection which must be ensured for the unborn child from the moment of conception, the law must provide appropriate

penal sanctions for every deliberate violation of the child’s rights” (Section 2273).

Further, I have written on this subject as follows:

Each case must be handled individually. If a mother had knowledge of what she was doing, she should be punished along with her doctor—who always knows. The doctor not only knows but also has a financial interest that could prompt him to do all he could to keep the mother in the dark, so to speak. Frequently such doctors or those non-doctors who do abortions mischaracterize the act so that the mother has a clear conscience and is literally functioning in a state of ignorance. In such a case, the mother could argue that she did not know, unlike the doctor who not only knows, but also intended to misinform the mother.

Gualberto Garcia Jones, a pro-life lawyer, points out, “Criminal law is almost always about knowledge.”

—Judie Brown

Judie Brown is president of American Life League and a member of the Pontifical Academy for Life. Ask Judie questions at her www.all.org blog.

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