

'I'm Catholic, staunchly anti-abortion, and support Obama

Nicholas P. Carfardi Religion News Service | Sep. 30, 2008

Editor's note: Nicholas P. Cafardi is the second high profile Catholic legal scholar who is staunchly anti-abortion yet says he supports Barack Obama. Douglas Kmiec, Ronald Reagan's constitutional lawyer as head of the office of legal counsel for the Department of Justice, publicly argued a similar case for Obama several weeks ago.

Commentary

I believe that abortion is an unspeakable evil, yet I support Sen. Barack Obama, who is pro-choice. I do not support him because he is pro-choice, but in spite of it. Is that a proper moral choice for a committed Catholic?

As one of the inaugural members of the U.S. bishops' National Review Board on clergy sexual abuse, and as a canon lawyer, I answer with a resounding yes.

Despite what some Republicans would like Catholics to believe, the list of what the church calls "intrinsically evil acts" does not begin and end with abortion. In fact, there are many intrinsically evil acts, and a committed Catholic must consider all of them in deciding how to vote.

Last November, the U.S. bishops released "Forming Consciences for Faithful Citizenship," a 30-page document that provides several examples of intrinsically evil acts: abortion, euthanasia, embryonic stem-cell research, torture, racism, and targeting noncombatants in acts of war.



Obama's support for abortion rights has led some to the conclusion that no

Catholic can vote for him. That's a mistake. While I have never swayed in my conviction that abortion is an unspeakable evil, I believe that we have lost the abortion battle -- permanently. A vote for Sen. John McCain does not guarantee the end of abortion in America. Not even close.

Let's suppose *Roe v. Wade* were overturned. What would happen? The matter would simply be kicked back to the states -- where it was before 1973. Overturning *Roe* would not abolish abortion. It would just mean that

abortion would be legal in some states and illegal in others. The number of abortions would remain unchanged as long as people could travel.

McCain has promised to appoint "strict constructionist" judges who would presumably vote to overturn *Roe v. Wade*. But is that sufficient reason for a Catholic to vote Republican? To answer that question, let's look at the rest of the church's list of intrinsically evil acts.

Both McCain and Obama get failing marks on embryonic stem-cell research, which Catholic teaching opposes. The last time the issue was up for a vote in the Senate, both men voted to ease existing restrictions.

But what about an unjust war? In 2003, then-Cardinal Joseph Ratzinger (now Pope Benedict XVI) said flatly that "reasons sufficient for unleashing a war against Iraq did not exist." McCain voted for it; Obama opposed it.

What about torture? "There is no longer any doubt as to whether the current administration has committed war crimes," according to Antonio Taguba, the retired major general who investigated abuses in Iraq. Obama opposes the use of torture in all cases; McCain, himself a victim of torture, voted to allow the CIA to use so-called "enhanced interrogation techniques" -- a euphemism for torture.

How, some may ask, can I compare these evils with abortion? The right to abortion is guaranteed by the federal judiciary's interpretation of the Constitution. And while the president appoints federal judges, the connection between a president's appointments and the decisions rendered by his appointees is tenuous at best. After all, in 1992, five Republican-appointed justices voted to uphold *Roe v. Wade* in *Planned Parenthood v. Casey*. Yet on other intrinsic evils -- an unjust war, torture, ignoring the poor -- I can address those evils directly by changing the president.

There's another distinction that is often lost in the culture-war rhetoric on abortion: There is a difference between being pro-choice and being pro-abortion. Obama supports government action that would reduce the number of abortions, and has consistently said that "we should be doing everything we can to avoid unwanted pregnancies that might even lead somebody to consider having an abortion." He favors a "comprehensive approach where ... we are teaching the sacredness of sexuality to our children." And he wants to ensure that adoption is an option for women who might otherwise choose abortion.

Obama worked all of that into his party's platform this year. By contrast, Republicans actually removed abortion-reduction language from their platform.

What's more, as recent data show, abortion rates drop when the social safety net is strengthened. If Obama's economic program will do more to reduce poverty than McCain's, then is it wrong to conclude that an Obama presidency will also reduce abortions? Not at all.

Every faithful Catholic agrees that abortion is an unspeakable evil that must be minimized, if not eliminated. I can help to achieve that without endorsing Republicans' immoral baggage. Overturning *Roe v. Wade* is not the only way to end abortion, and a vote for Obama is not somehow un-Catholic.

The U.S. bishops have urged a "different kind of political engagement," one that is "shaped by the moral convictions of well-formed consciences."

I have informed my conscience. I have weighed the facts. I have used my prudential judgment. And I conclude that it is a proper moral choice for this Catholic to support Barack Obama's candidacy.

Cafardi is a civil and canon lawyer, and a professor and former dean at Duquesne University School of Law in Pittsburgh. His most recent book, Before Dallas, examines the bishops' failures in handling the clergy sex abuse

crisis.

Earlier *NCR* stories featuring [Pepperdine law professor Douglas Kmiec](#) [1] and abortion this election season.

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