

Is it OK to abort a fetus before it is able to live outside of the womb (that is, before it is “viable”)?

This week, Life Matters’ focus is on FOCA’s Section 3 – DEFINITIONS (3): VIABILITY

“The term ‘viability’ means that stage of pregnancy when, in the best medical judgment of the attending physician based on the particular medical facts of the case before the physicians, there is a reasonable likelihood of the sustained survival of the fetus outside of the woman.”

What is place of “fetal viability” in federal law?

Already, “in *Roe v. Wade*, the Supreme Court defined viability as the point when the unborn is ‘potentially able to live outside the mother’s womb, albeit with artificial aid’”

“...The Supreme Court cited viability as the point where the state has a compelling interest in the welfare of the unborn. (Ironically, the wording of decision allowed abortion after viability anyway.)”
(Pro-life Answers to Pro-Choice Arguments by Randy Alcorn)

When is viability reached according to the law?

“The court accepted the conventional medical wisdom that a fetus becomes viable at the start of the last third of a pregnancy, the third trimester, sometime between the 24th and 28th week (a pregnancy usually lasts 38 weeks). Because the point of viability varies, the court ruled, it could only be determined case by case and by the woman's own doctor. Even if the fetus is viable, the court said, states could not outlaw an abortion if the woman's life or health was at stake.”
(Fetal Viability by Frank Foer)

Why is viability a problematic issue?

“The critical issue in determining when the viability point is reached is the development of the child’s lungs. But, why make worthiness to live dependent upon the development of the child’s lungs?”

“Like all other points after conception, **viability is arbitrary**, but is even more arbitrary than most. The points at which the heart and brain develop (though unscientific as a measure of personhood) at least remain fairly constant. Yet **in the last three decades, viability has been reduced from thirty weeks to less than twenty weeks of development.**”
“Viability depends not only on the child, but on the ability of our technology to save his life.”
“**Technologies change: babies do not. Surely we**

cannot believe that sophistication of life support determines the reality or worth of human life!”
(Pro-life Answers to Pro-Choice Arguments by Randy Alcorn)

When does science state a human being comes into existence?

“Following sperm-egg fusion, a single cell is generated, the human zygote or one-cell embryo. ...the scientific evidence clearly indicates that all parts of the zygote...work together from the beginning in a highly coordinated way to promote the life, health and maturation of the embryo itself... **The embryo functions from the beginning like an organism and is therefore a human being; a whole and complete member of the human species at the earliest stage of life.**” *(An Interview with Dr. Maureen L. Condic, Columbia, January 2009)*

Is viability important in deciding when abortions may take place; what does the Church teach on the beginning of human life?

“From the moment of conception, the life of every human being is to be respected in an absolute way because man is the only creature on earth that God has ‘wished for himself’ and the spiritual soul of each man is ‘immediately created’ by God; his whole being bears the image of the Creator. Human life is sacred because from its beginning it involves ‘the creative action of God’ and it remains forever in a special relationship with the Creator, who is its sole end. **God alone is the Lord of life from its beginning until its end: no one can, in any circumstance, claim for himself the right directly to destroy an innocent human being.**” *(DONUM VITAE, 22 February 1987. Congregation for the Doctrine of the Faith)*

Questions to Ponder

- **When does human life begin to have value?**
- **Is there any reason to suppose that a fetus has less intrinsic value than the health or life of its mother?**
- **Since the “health” of the mother is not defined by FOCA, what definition of health you would use to allow an abortion?**
- **Is a physician who is in the business of performing abortions disinterested enough to determine if a fetus is viable?**
- **What do bishops say about FOCA? Go to, www.usccb.org/prolife/issues/FOCA/index.shtml**