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Lopez Trujillo steps up battle against stem cells

by John L. Allen Jr.

All Things Catholic

In an interview this week

with the Italian magazine *Famiglia Cristiana*, Cardinal Alfonso Lopez-Trujillo, President of the Pontifical Council for the Family, said that those who take part in embryonic stem cell research are subject to excommunication.

"Destroying human embryos is equivalent to an abortion... it's the same thing," Lopez Trujillo said.

Lopez Trujillo was likely referring to canons 1364-1399 of the Code of Canon Law, where a few particularly serious offenses are listed as grounds for automatic (*latae sententiae*) excommunication, including:

- Apostasy, heresy or schism
- Sacrilege with the Eucharistic species
- Use of physical force against the pope
- Absolution of an accomplice in a sexual sin
- Consecration of a bishop without mandate from the pope
- Direct violation of the seal of the confessional
- Procuring an abortion

While the church's condemnation of embryonic stem cell research is clear, there will be canonical debate about whether it is "the same thing"

as abortion in the sense that it too constitutes grounds for *latae sententiae* excommunication. In canonical tradition, penalties are to be construed narrowly, so that expanding the range of a *latae sententiae* penalty is deliberately difficult to do.

In the *Famiglia Cristiana* interview, Lopez Trujillo also said that excommunication "applies to all women, doctors and researchers who eliminate embryos."

The question of whether women who have abortions are automatically excommunicated has also been the subject of debate. Canon 1324 states that punishment due to a grave offense can be tempered if the person acted without "full imputability." For a crime to be "imputed" to someone means they knew that what they did was wrong, and acted with "deliberation of mind and consent of will." Some canonists argue that given the emotional duress women face in contemplating an abortion, it's not always clear their choices satisfy that condition.

In any event, the Lopez Trujillo interview marks another escalation in the Catholic church's struggle against what John Paul II termed the "culture of death." That struggle will be in the forefront of Benedict XVI's upcoming July 8-9 trip to Spain, where the Socialist government under Prime Minister Luis Rodriguez Zapatero has moved to streamline the process for divorce, and to legalize both abortion and gay marriage.

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