



The Holy See

**LETTER OF HIS HOLINESS
POPE JOHN PAUL II
TO THE BISHOPS OF THE GERMAN EPISCOPAL CONFERENCE**

*To my Venerable Brothers in
the German Episcopate
Greetings and the Apostolic Blessing*

1. On 27 May last, at the request of Bishop Karl Lehmann, President of your Bishops' Conference, we discussed and examined together questions concerning the correct relationship of Catholic pregnancy counseling centres with Stateregulated counseling, in accordance with the Pregnancy and Family Assistance Act of 21 August 1995. Once again I thank you for this meeting, at which you showed keen awareness of your responsibility for the Gospel of life, and for your readiness to seek the right solution in union with the Successor of Peter.

In the months since then I have again studied the various aspects of the question, sought further consultation and laid the problem in prayer before the Lord. So today, as I announced at the end of our conversation, I would again like to summarize the conclusions reached and, in accordance with my responsibility as Supreme Pastor of the Church, to give some guidelines for future conduct in the points at issue.

2. For decades your Episcopal Conference has been unequivocally committed to bearing witness by word and deed to the message of the inviolable dignity of human life. In fact, although the right to life is specifically recognized in your esteemed country's Constitution, the legislature has nevertheless legalized the killing of unborn children in certain cases, and in others has stated that this killing will not be punished, although remaining illegal. Your Bishops' Conference has rightly accepted neither the former nor the current abortion law, but has taken an open and courageous stand against abortion. In many addresses, statements, ecumenical initiatives and other endeavours, especially your pastoral letter of 26 September 1996, *Menschenwürde und Menschenrechte von allem Anfang an* ["Human Dignity and Human Rights from the Very

Beginning"], you have proclaimed and defended the value of human life from conception.

In the fight for unborn life, the Church today must increasingly distinguish herself from the surrounding world. She has done so since her origin (cf. *Letter to Diognetus*, 5:1-6:2) and continues to do so. "In the proclamation of this Gospel, we must not fear hostility or unpopularity, and we must refuse any compromise or ambiguity which might conform us to the world's way of thinking (cf. Rom 12:2). We must be in the world but not of the world (cf. Jn 15:19; 17:16), drawing our strength from Christ, who by his Death and Resurrection has overcome the world (cf. Jn 16:33)" (*Evangelium vitae*, n. 82). By your many efforts in the service of life, you have put these words into practice. As a result, your country's citizens have become familiar since childhood with the Church's position on the question of the defence of life. I would like with all my heart to express my high regard and full gratitude to you for this tireless effort.

I also thank all those who publicly defend the right to life of every human being. In this regard special mention should be made of those politicians who in the past and present have not been afraid to raise their voice on behalf of the life of unborn children.

3. Apart from a few positive assertions on the defence of life and the need for counseling, the law of 21 August 1995 provides that, in the presence of a very vaguely described "medical indication", abortion is lawful until birth. You rightly and severely criticized this regulation. The legalization of abortion in the presence of a "criminal indication" is also totally unacceptable to believing Christians and to all people with a discerning conscience. I ask you to take all possible steps to have these legal provisions changed.

4. I will now turn to the new regulations on the counseling of pregnant women in difficulty, because these regulations are known to have considerable significance for the Church's mission in service to life and for Church-State relations in your country. Because of my concern about the new regulations, I felt it my duty to recall in a personal Letter, dated 21 September 1995, several principles which are extremely important in this matter. I called your attention, among other things, to the fact that the positive legal definition of counseling with respect to the defence of life has been weakened by some ambiguous wording and that the counseling certificate to be issued by the counselors now has a different juridical status than it did in the earlier regulations. I asked you to redefine the Church's counseling activity and thus to take care that the Church's freedom is not impaired and that ecclesiastical institutions do not become co-responsible for the killing of innocent children.

In your *Interim Episcopal Guidelines* you have further explained that, unlike the law, Church counseling is aimed at the absolute defence of life. With these and other measures, you have given Church counseling centres their own clear profile. In the struggle to obtain government approval of the *Interim Episcopal Guidelines* in the individual States, the Church's autonomous position on the question has been further presented.

5. The problem of the counseling certificate is still disputed. It certainly cannot be considered apart from the counseling programme, but must be carefully evaluated according to its objective juridical meaning. In my speech on 22 June 1996 during my Pastoral Visit to Germany, I said: "It is clear from our faith that nothing can be done by Church institutions which justifies abortion in any way at all" (*Address to the German Bishops, L'Osservatore Romano* English edition, 3 July 1996, p. 8).

To find a solution to the question of the counseling certificate - following the meeting of 5 December 1995 - a second discussion was held on 4 April 1997 between a delegation from your Bishops' Conference and representatives of the Congregation for the Doctrine of the Faith, during which, despite basic agreement about the Church's teaching on the preservation of life and the condemnation of abortion, as well as about the need of comprehensive counseling for pregnant mothers in difficulty, the disputed question of the counseling certificate could not be resolved once and for all. During the meeting of 27 May 1997, all the elements to be taken into consideration were honestly and openly presented again.

In my task of strengthening my brethren in faith (cf. Lk 22:32), I now address you again, dear Brothers. It is in fact a pastoral question with obvious doctrinal implications, and is important for the Church and for society in Germany, and even far beyond. Although the legal situation in your country is unique, the problem of how to proclaim the Gospel of life effectively and credibly in today's pluralistic world nevertheless concerns the Church as a whole. The task of defending life in all its phases allows no half measures. Consequently, the Church's teaching and way of acting in the question of abortion must, in their essential content, be the same in all countries.

6. You attach great importance to the continued public involvement of Catholic counseling centres in the counseling of pregnant women, in order to be able by goal-directed counseling to save many unborn babies from being killed, and to support women in difficult living situations with all the means available. You emphasize that in this question the Church - out of love for unborn children - must make the broadest possible use of the room for action offered by the State for the sake of both life and counseling, and she cannot be responsible for having failed to give assistance. I support you in this concern and greatly hope that ecclesiastical counseling can be vigorously continued. The quality of this counseling, which takes very seriously both the value of unborn life and the difficulties of the pregnant woman, seeking a solution on the basis of truth and love, will touch the consciences of many who seek advice and will serve as an admonishment to society.

In this context I would expressly like to emphasize the commitment of the Catholic counselors of *Caritas* and the Catholic Women's Social Service, as well as several other counseling centres. I am familiar with the goodwill of the counselors and I know of their efforts and concerns. I would sincerely like to thank them for their commitment and to ask them to continue fighting for those who have no voice and are still unable to defend their own right to life.

7. Regarding the question of the counseling certificate, I would like to repeat what I previously

wrote to you in my Letter of 21 September 1995: "It certifies that counseling has taken place, but it is also a necessary document for an unpunishable abortion during the first 12 weeks of pregnancy". You yourselves have several times described this contradictory meaning of the counseling certificate, which is based on the law, as a "dilemma". The "dilemma" lies in the fact that the certificate attests that counseling has been given in the defence of life, but it remains a necessary condition for having an abortion performed with impunity, even though it is certainly not the decisive cause.

The positive text that you have provided for the counseling certificate issued by Catholic centres does not in principle eliminate this contradictory tension. On the basis of the legal requirements, after three days have passed the woman can use the certificate to have her child aborted with impunity in public institutions and in part with public funds. It should not be overlooked that the legally required counseling certificate, which of course is primarily meant to guarantee that mandatory counseling takes place, has in fact acquired a key role in carrying out unpunishable abortions. Catholic counselors and the Church, on whose behalf counselors act in many cases, are thus faced with a situation that conflicts with their basic position on the question of defending life and with the goal of their counseling. Against their intentions they are involved in carrying out a law that leads to the killing of innocent human beings and offends many people.

After careful consideration of all the arguments, I cannot avoid the conclusion that there is an ambiguity here which obscures the clear and uncompromising witness of the Church and her counseling centres. I would therefore urgently ask you, dear Brothers, to find a way so that a certificate of this kind will no longer be issued at Church counseling centres or those connected with the Church. I urge you, however, to ensure that in any event the Church maintains an effective presence in the counseling of women seeking help.

8. Venerable Brothers, I know that my request touches on a difficult problem. For quite some time and especially since the meeting on 27 May 1997, many people, including those who are involved in and support the Church, have firmly warned against a decision that would leave women in conflict situations without the assistance of the faith community. With equal firmness believers of every rank and station have also pointed out that the certificate involves the Church in the killing of innocent children and makes her absolute opposition to abortion less credible.

I have taken both opinions very seriously and I respect the impassioned search by both sides for the right path for the Church in this important matter; nevertheless, I feel compelled, because of the dignity of life, to make this request of you. I recognize at the same time that the Church cannot shirk her public responsibility, especially where it is a question of the life and dignity of man whom God created and for whom Christ died. The Pregnancy and Family Assistance Act offers many opportunities for remaining involved in counseling; the Church's presence must not ultimately depend on issuing a certificate. It should not only be the force of a regulation that brings women to Church counseling centres, but especially the professional competence, human concern and

availability of concrete help that are found in them. I trust that with the variety of possibilities offered by your institutions and your organizations, with their rich potential of intellectual forces and capacity for innovation and creativity, you will find ways not only to prevent the Church's involvement in counseling from being diminished but to reinforce it even further. I am convinced that, in the discussion which is already under way in German society and will now continue, you can mobilize all your forces to make the Church's approach understandable to those in and outside her, so that it will at least be respected even where it is not thought possible to approve it.

That the Church cannot go along with the legislator on a given point will be a sign which, precisely by her opposition, will help to sharpen the public conscience, and will thereby ultimately serve the good of the State: "The Gospel of life is not for believers alone: it is for everyone.... Consequently, all that we do as the "people of life and for life" should be interpreted correctly and welcomed with favour. When the Church declares that unconditional respect for the right to life of every innocent person - from conception to natural death - is one of the pillars on which every civil society stands, she 'wants simply to promote a human State. A State which recognizes the defence of the fundamental rights of the human person, especially of the weakest, as its primary duty'" (*Evangelium vitae*, n. 101).

I thank you once again for your various efforts to defend the life of unborn children and for your readiness to modify Catholic counseling activity. To Mary, Mother of Good Counsel, I commend the faithful in your care, especially the men and women involved in counseling, as well as all pregnant women in need, and I cordially impart to you a special Apostolic Blessing.

From the Vatican, 11 January 1998, the feast of the Baptism of the Lord.

IOANNES PAULUS PP. II

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