

Can the Church or the State Legislate Morality?

Does the RH Bill necessarily lead to free-wheeling sexual license and the acceptance of abortion as a legal recourse when contraception fails?

A sub-text to this moral question is the issue of social control: who has the right to exercise gatekeeping on morals in a pluralistic society? Can a legal instrument such as the RH bill really influence the level of morality of a society?

A related question is, should the Church or the State interfere in a question best left to the conscience of individual citizens? Who should make decisions about family size, and what is the role of the state in influencing that choice?

Theologically, Christian tradition—particularly Protestantism, with its emphasis on the ‘priesthood of all believers’—puts the weight of moral choices on the individual conscience. ‘Freedom of choice’ means the freedom to exercise one’s will for good or ill. It is a terrible gift, one that requires a tremendous sense of responsibility to exercise properly.

Neither the church nor the state as institutions have the right to encroach in those realms where people are given freedom to be sovereign and directly accountable to God, things like raising a family, or artistic, scientific, or academic freedom in general. Theologians call this ‘sphere sovereignty.’ For instance, no one should take away from parents the primary responsibility for birthing and raising a child.

The state as an orchestrating institution does have the right to either delimit or enhance the freedom of all the other spheres, depending on whether its exercise is detrimental or beneficial to the common good. Giving the poor access to cheap contraceptives, thereby allowing them to exercise the option of limiting the size of their families, is part of the state’s duty to provide an environment for the flourishing of its citizens.

What the state rewards or punishes with legal sanctions is an indication of what the society recognizes as acceptable norms. The fact that abortion remains illegal in this country means that the majority of our people are not secularized; we retain a measure of fear before God and do not feel that people have a right to make decisions over the life or death of an unborn child.

It is time to recognize that the Church can no longer compel obedience by mere papal decree. The idea of ‘Christendom’ has long crumbled, and in its place are pluralistic societies that have many voices. Today, the main gatekeeper of the discourse in public space is media, with technology as mediating instrument. Sociologically speaking, what shapes morals and public behavior these days, especially of young people, is neither the church nor the state but media.

It is futile to think that we can legislate morality. The high rate of illegal abortion in this largely Catholic country attests to this. If the Church is worried about the moral fallout of this Bill, it can only stem the tide by doing what it does best – commend its values to the conscience of

people, believers and unbelievers alike. It should do this, not by either thwarting or harnessing the coercive powers of the state, but by winsomely and cogently setting forth its case before a skeptical public.

This editorial is adapted from the original article written by Dr. Melba Padilla Maggay entitled "Battle over RH feels like proxy culture war." Dr. Maggay is the President of ISACC.