

Protecting the lives of unborn children. An Orthodox assessment of a newly reheated debate

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The scandal surrounding Frauke Brosius-Gersdorf, a candidate for the Federal Constitutional Court of Germany, whose controversial positions on issues such as abortion and vaccination have sparked fierce criticism and whose election was canceled at short notice at the instigation of the CDU parliamentary group in the Bundestag, has reignited the public debate on the pro-life movement.

How can the Orthodox Christian Church, which is supported by several million believers in Germany, contribute to this debate? What role can it play in the increasingly polarized culture war between conservative and liberal forces? And is the protection of life perhaps the key issue that will determine not only the moral future of our society, but also our calling and responsibility as Orthodox Christians within it?

What does protection of life mean?

Protection of life (in German “Lebensschutz”) is primarily a legal term. Theologians, on the other hand, are concerned with the ethical foundations of legislation. It should be borne in mind that Western democracies have not based their laws directly on Christian values, but on Enlightenment values, which in turn have their roots in Christian values.

This means that there is no direct recourse to biblical commandments, for example, but rather to a definition of human rights that is vague from a theological point of view. If we look at the biblical tradition on the right to life, it becomes clear that God is the One who gives life and is also the only One who has the right to take it. Human beings, on the other hand, are not allowed to take life or shed the blood of others.

"You shall not kill." Ex 20:13

In His sermon, Jesus Christ used this commandment to show that the law is not to be understood only according to its literal meaning: those who obey it out of love for God do not limit themselves to fulfilling the letter of the law.

"You have heard that it was said to the ancients, 'You shall not kill; but whoever kills shall be liable to judgment. But I say to you that everyone who is angry with his brother will be liable to judgment; and whoever says to his brother, 'Raca,' will be liable to the council; and whoever says, 'You fool,' will be liable to the fire of hell.'"
(Matthew 5:21)

It is also difficult for preachers of modern liberal ethics to understand how unequivocal the Bible empowers man to subdue creation—including killing animals for food or as sacrifices.

"And God blessed them, and God said unto them, 'Be fruitful, and multiply, and replenish the earth, and subdue it.'" (Genesis 1:28)

Here, too, biblical tradition is more nuanced than it might appear at first glance, because the hunting of animals, represented by Cain, the son of Adam, only begins after the Fall. In paradise, humans and animals feed on "green herbs and fruits"¹. And Jacob, the smarter of Isaac's two sons, is characterized as a farmer and cattle breeder, while the rough-haired Esau is characterized as a hunter.

Postmodern environmental ethics, on the other hand, attempts to rob humans of their dignity and demands their "communist" equality with the rest of nature, which is reflected in sometimes excessive legislation and harassment of citizens by postmodern states in areas such as environmental protection, animal welfare, and species protection. Shouldn't the protection of life instead be focused more strongly on humans again?

Where does the protection of life begin?

While on the one hand the protection of rare animal species is given such high priority that the rights of people living in their neighborhood can be severely restricted, on the other hand the protection of unborn human life seems to be increasingly neglected in favor of a woman's right to "decide freely over her own body." In the abortion debate, the insincere question is repeatedly asked at what point life begins in the womb or when a fetus should be considered an independent person worthy of protection.

Since the beginning of Christian ethics, abortion has been equated with murder.² In the past, however, little was known about the processes in the first stages of life – only visible changes such as the absence of menstruation, the heartbeat of the fetus, or the growing belly indicated that a new life was developing.

Abortion refers to any intentional interruption of this natural process of human development. Today however, even theologians argue about what the human right to life refers to, searching for criteria to interpret one or another stage in the biological process as the beginning of a fully-fledged and independent life. This beginning is sometimes equated with the implantation (nidation) of the embryo in the uterine lining, with the differentiation of cells, with the first heartbeat, or with the moment when a fetus can theoretically survive outside the womb (with medical assistance). From a Christian perspective, however, it is pointless, even cynical, to set any limit, whether on the eighth day or only after three weeks: in either case, a life that has existed and persisted in its full potential since the fertilization of the egg is being neglected.

Instead, in my opinion, we should take the possibilities offered by modern medicine to precisely determine and observe the processes of pregnancy as an opportunity to take a closer look from a moral perspective. For then any attempt to intervene in this natural process and take away the life that is already emerging is a sin—a wound in the relationship between people, between themselves, and between themselves and the Creator.

¹ See Gen 1:29-30, where God gave Adam and Eve, as well as all land animals and birds, "green herbs and fruit-bearing trees for food."

² See The Teaching of the Twelve Apostles (translated from Greek by Franz Zeller) in: The Apostolic Fathers (Library of the Church Fathers, 1st series, vol. 35), Munich 1918, p. 7: "... you shall not kill the child by abortion or kill the newborn."

On contraception

The Orthodox Church's views on contraception differ from those of the Roman Catholic Church. The latter is known for its strict rejection of all methods of contraception.³ From an Orthodox perspective, this stance is difficult to understand. According to Catholic teaching, physical love between a man and a woman is only blessed by God if there is the possibility of conceiving human life. Sexual intercourse therefore serves exclusively for procreation. Any physical union that serves to nurture love, build intimacy, or satisfy mutual desire is considered a sin by the Catholic Church if at the same time it does not serve the purpose of procreation.

Although Orthodoxy has no systematic or binding ethical teaching on this subject, there is consensus among Orthodox theologians that contraception is entirely appropriate in the context of family planning and a responsible approach to the subject. Sexual love goes far beyond the procreation of children. Alexander Schmemmann summed up the Orthodox understanding in my opinion: "Love needs no justification. It is not because it gives life that love is good, but because it is good that it gives life."⁴

Dealing with women in need

The social doctrine of the Russian Orthodox Church from 2001 is considered the first document of its kind in the entire Orthodox Church to address bioethical issues and offer guidelines for dealing with them. On the one hand, it points out that abortion is considered murder under current church law; on the other hand, it emphasizes that the people behind every case and the fates of the women involved must be taken seriously. The sin of abortion remains a sin, but it must be assessed differently if, for example, serious rape, social distress, or danger to life drive the mother to commit this act.

Thus, the spiritual father or confessor will have to consider the circumstances and the entire situation of a woman in order to decide what form of penance may be healing for her, but also for the father.

The canons of the early Church did not yet recognize this pastoral distinction. This recent development in ecclesiastical disciplinary law is therefore to be welcomed, in my opinion.

Neither in the home countries of the Orthodox Churches nor here in the diaspora are there (apart from small pilot projects based on the Western model) church-counseling centers for women in need or specialized care after an abortion. This should not be interpreted as a lack of interest or professionalism on the part of the Orthodox churches, because, in my observation, they place more value on holistic pastoral work carried out by the local priests. Specialists trained in counseling women who have become pregnant unintentionally may be a good way. From a pastoral point of view however, it is important to always look at and heal the whole person; specific problems and conflict situations are often only the tip of the iceberg. This should be an integral part of the church life of such a person.

³ According to the encyclical "Humanae Vitae" by Pope Paul VI (1963-1978), marriage and conjugal love are "by their nature ordered toward the procreation and education of offspring." Only the "use of infertile periods" as a form of natural family planning is permitted.

⁴ A. Schmemmann, *Sacraments and Orthodoxy*, p. 106.

Abortion in state legislation

The separation of church and state is not consistent in Germany. Legislation and the Federal Constitutional Court generally base their decisions on the ethical principles and standards of society, which are still based to a certain extent on the Christian faith. Thank God, this is still the majority view in Germany.

However, the more the influence of Christianity wanes and the more the historically-established denominations here move away from their own ethical principles, the more moral standards in society are softened and changed, the more legislation changes and the more the guardians of the constitution feel committed to a liberal and post-Christian attitude.

The candidate for the Federal Constitutional Court, Prof. Brosius-Gersdorf

If we Christians no longer fulfill our responsibility to exemplify and proclaim biblical values and Christian ethics, if we do not clearly state in public discourse what the message of Christ is, then we should not be surprised that people grow up with beliefs that are foreign to Christianity and find it normal when the state and the judiciary adopt this attitude as well.

On the other hand, it was encouraging to see that the CDU gave in to pressure from conservative Christians in our society when it came to the election of the controversial candidate for the office of constitutional judge. Instead of being guided by day-to-day politics and party-political horse-trading, some politicians followed their conscience when it came to appointing representatives of the people to the Federal Constitutional Court—the highest moral authority in the state.

The positions taken by Frauke Brosius-Gersdorf, some of which she has made public in recent years, are normal and self-evident for many Germans today, although many of her positions appear contradictory and morally questionable to devout Christians. In a joint opinion with her husband in 2021, she argued that a general COVID-19 vaccination mandate was compatible with the German constitution—and could even be constitutionally required in certain situations. She also proposed that unvaccinated people should lose their right to continued pay in the event of illness and be required to contribute to the costs of treatment in severe cases.⁵ So while she approved of state encroachment on physical integrity, she considers a woman's right to determine what happens to her body to be superior to the right to life of the child she is carrying. In her opinion, the right to life of the embryo in the early stages of pregnancy (up to about 12 weeks) carried "little weight"; the fundamental rights of the woman should prevail—abortion must be "lawful" and exempt from punishment in such cases. But even after 12 weeks, in the so-called middle phase, she believes there should be further "legislative leeway," especially if continuing the pregnancy is considered unreasonable.

⁵ See https://www.uni-potsdam.de/fileadmin/projects/lehrstuhl-brosius-gersdorf/Dokumente/Aktuelles/Stellungnahme_zur_Einfuehrung_einer_allgemeinen_Impfpflicht.pdf. It has recently qualified its former position on compulsory vaccination and "protecting the vaccinated from the unvaccinated."

Her legal arguments are exemplary of an ethical orientation that is no longer compatible with the Christian concept of the protection of life. In the last federal election (February 23, 2025), it was clear that a majority of the German population voted for conservative and right-wing parties. In my opinion, an important reason for this is that a large part of the population no longer agrees with the left-wing positions of certain parties and the overreaching treatment of citizens through rules, prohibitions, and punitive taxation. For the traditionally more conservative average, it is increasingly incomprehensible and unrealistic what is being imposed on them by politicians. Many Orthodox Christians see this development as a return to traditional values. But at the same time, there is a need for critical engagement with political extremes. In this new situation, which is only slowly emerging, it is important to be careful not to be co-opted and carried away by extreme forces of the right spectrum. Aggressive smear campaigns help no one.

The Orthodox contribution to society

In recent years, Orthodox Christians, especially young people, but also priests here in Germany, have regularly and seriously participated in pro-life demonstrations, the so-called Marches for Life. They are usually easily recognizable by the icons they carry with them according to Orthodox tradition. In this way, they bear witness to the fact that the protection of life is a special concern of our Church. It is to be hoped that our testimony, our small contribution to German society, will be noticed and find resonance.