

IMPROVISE

Pro-Choice: Abortion should be legal because women have a right to do what they want with their bodies

Pro-Life: What if I had a two-year-old here...Should his mother be allowed to use her body to hit him until he dies?

Pro-Choice: That's different; the two-year-old isn't inside her body. A woman has the right to do whatever she wants with things inside her body.

Pro-Life: ???

FURTHER STUDY ON BODILY RIGHTS:

- See Chapter 3 for a detailed discussion of Bodily Rights.

Activity 6: “What about Rape?”

Easily the Most Difficult Objection to the Pro-Life Position

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ANALYZE

In conversations about abortion, the issue of rape comes up frequently. Many pro-lifers, in their zeal to defend unborn humans, come across as not caring about women who have experienced rape, whether or not that rape results in a pregnancy. If we can't recognize the horror of rape, listeners won't just think we're uncaring. They'll also think our argument is incoherent. Here's why. Our concern about abortion is that it's an act of violence. Rape is also an act of violence. The principle undergirding our concern about abortion should also motivate us to be just as concerned about rape.

So, when we respond to the question about abortion in the case of rape, we need to be sensitive to two distinct challenges: **relational** and **intellectual**.

Relational

When people ask about abortion in the case of rape, they are not concerned with whether or not the unborn is human. They are trying to determine if *we* (pro-life advocates) are human. When someone asks about abortion in the case of rape, instead of immediately launching into arguments for the humanity of the unborn, start with expressing genuine concern for the woman who was raped:

- “Rape is a horrible crime. (Or, if talking to a rape victim, “I’m so sorry to hear about what happened to you. Was your rapist punished?”)
- The rapist should be punished to the fullest extent of the law. Even if the rapist is punished to the fullest extent of the law (rare), we haven't gone far enough.
- If the woman gets pregnant, the rapist not only forced himself on her, but he also forced her to become a mother, such that if she wants to do what's right, as everyone does, she *has* to carry to term. The only alternative is for her to kill her own child.
- Not only that, he forced her into nine months of pregnancy (which is difficult) and into giving birth (which is painful).
- She was also forced to either place her own child in a loving adoptive home or care for a child she didn't consent to create for the next eighteen years (which is expensive). No one should be forced into that sort of decision.
- So the rapist didn't commit just one crime. He committed at least five, and he should be punished for every one of them.”

So far, we've focused on our concern for the rape victim. If we judge that it's helpful or necessary, we can also then show concern for the unborn by asking a simple question:

- “But given the violence that's been done to the woman, how does it make sense to turn around and do violence to an innocent human being?”

To sum up, it's important not to be so focused on the unborn that you forget the other human beings who deserve our best care and protection. The woman who has been raped has experienced a heinous crime. Unfortunately, it is very common for pro-life advocates to forget to express concern for her. When we're talking to a victim of rape, let's be careful to do what any normal person would do when someone tells him about a painful experience. Say something like, “I'm so sorry this happened to you. How are you doing?” When you're talking to a person who's simply asking about abortion in the case of rape, the same principle holds true: Show concern for the victim of rape.

Intellectual Challenge

Sometimes, however, a pro-choice advocate who brings up rape is intending to ask us if we think abortion in the case of rape is *right or wrong* and whether or not it should be *legal*. In the same way that it would be a mistake to neglect the relational aspect of the challenge, it's also a mistake to ignore this **intellectual** challenge, especially if that's what the pro-choice advocate is most concerned about. If the unborn is a human being, then killing the unborn who came into existence through rape is morally equivalent to killing a two-year-old who came into being through rape. In other words, just as it's wrong to kill already-born human beings because they were conceived through rape or because they remind us of a painful circumstance, it's wrong to kill unborn human beings for the same reasons.

It follows that abortion should not be legal in the case of rape, not because women who are victimized by rapists are less valuable, but because all women, whether *in the womb* or *in the crib* or standing *over the crib* are equally valuable. If this intellectual, moral, and legal assessment doesn't sit well with us emotionally, we can acknowledge that fact. Still, the conclusion is sound. Or is it?

The Toughest Intellectual Pro-Choice Argument: “Right to Refuse” in the Case of Rape

Consider the “right-to-refuse” version of the bodily rights argument. Some of its defenders concede that it only justifies abortion in the case of rape because the mother is not responsible for the fetus needing to use her body to live. Since the rape victim did not freely take part in causing the pregnancy, she has no duty to continue a pregnancy that results from rape.

Remember the “responsibility objection” to the “right to refuse” argument: “The woman can be forced by law to use her body to support the child inside of her because she willingly engaged in an act she knew, or should have known, might create a child. She is therefore responsible for any child created through the act.” In the case of rape, the woman was forced to participate, so the pro-life advocate can't argue against abortion in this way. The rape victim can't be considered responsible for bringing the child into being.

If pro-lifers can't appeal to the “responsibility objection,” should they simply agree that abortion should be allowed in the case of rape? No. Even though she is not responsible, she is the child's biological parent. As the cases of “Unjust Paternity” and “The Abandoned Infant” show, parents have obligations to their children that are strong enough even to justify withholding the abortion option from women who have been the victim of rape.

For a more thorough discussion of this difficult intellectual concern, see “My Body, My Choice: What about Rape?” (Chapter 3). In the “IMITATE, PART III” dialogue below, the pro-life advocate uses the case of unjust paternity to demonstrate why abortion is unjustifiable even in the case of rape.

IMITATE, PART I

In this dialogue, the pro-life advocate begins with compassion (Relational) and then refocuses the conversation on the question, "What is the unborn?" (Intellectual). The pro-life advocate then responds to the bodily rights argument as it is applied to the question of rape (Intellectual).

Pro-Choice: What if the woman was raped and got pregnant? Should she be able to have an abortion?

Pro-Life: I think rape is a serious evil and I think we should give the woman the best care possible.

C: Okay, so...

L: So, for one thing, I think we should punish the rapist to the fullest extent of the law.

C: You're avoiding the question.

L: No, I'm actually trying to recognize the value of the woman who was raped since she is so often forgotten in the discussion. Can we agree that she deserves our best efforts to care for her?

C: Sure. But that leads to my question: Do you believe we should punish the woman with a child?

L: I'm not sure I agree with the way you've phrased the question. Should we consider a child to be a punishment?

C: Being forced to get pregnant is certainly a punishment.

L: I agree with that. Isn't it the rapist who punished her with pregnancy?

C: I agree that the rapist forced her into the pregnancy, but it's you pro-lifers who want to force her to give birth and have a child.

L: So, let me see if I understand what you're saying. You believe that the unborn only becomes a human child at birth, so you think the rape victim should be allowed to have an abortion while there's time, to prevent the unborn from becoming a human child?

C: I think that's right.

L: If the unborn is not a human being in the womb and only becomes a human being when it comes out of the womb, I agree that she should be allowed to have an abortion.

C: You do?

L: I do. *If*. If the unborn is not a human being, as you said.

C: I just think it's obvious that a rape victim should be able to have an abortion.

IMITATE, PART II

(Continued from above)

L: I agree that the whole situation is very unjust. Let me ask you a question. Imagine a woman is raped and gets pregnant, then decides to carry to term, give birth to a baby boy, and keep the baby. About six months later, she's peering down one day at her son and he reminds her of the rapist. Do you think she should be able to kill the boy?

C: Of course not.

L: This may seem like a stupid question, but why can't she kill the infant?

C: He's a human being.

- L: Ah...well, it's curious to me because the rape victim with the infant and the rape victim who's pregnant are in exactly the same situation except for one thing. They both were raped. They both have a "product of the rape." But when someone suggests killing the infant, we recoil. And yet, killing the unborn seems much more reasonable.
- C: It is. The unborn isn't a human being like the infant.
- L: So it appears that as important as rape is (we agree on every point, I think), that's not where we differ. We differ on what the unborn is. Can you help me understand why you think the unborn isn't a human being?
- C: I just had a discussion with someone else about this. I offered some differences...
- L: Like Size, Level of Development, Environment, and Degree of Dependency?
- C: Sounds familiar...well, the person I was talking to gave me some good responses and I haven't had much time to think about them. I actually think it doesn't matter, though, in the case of rape.
- L: You mean that even if the unborn *is* a human being, a woman who is pregnant by rape should be able to have an abortion?
- C: Yes. It's not that anyone should be able to have an abortion for any reason. I don't believe that. But in this case, the woman didn't even consent to sex. She can't be responsible for the child that resulted.
- L: I think you make a good point that willingly engaging in sex makes a person responsible for the child that results.

IMITATE, PART III

(Continued from above)

- C: I think I might agree with that. That would mean that many reasons for abortion are not good justifications, since the woman who chooses to have sex is responsible for the children she creates. But the woman who has been raped? Should she be forced to take care of a child that she was not responsible for creating? Aren't you punishing the woman by saying she can't have an abortion? Why should she be forced to carry the rapist's baby?
- L: Are you saying the child is only the product of the rapist?
- C: No, but no woman should be forced to give birth to a rapist's fetus. Won't that traumatize her?
- L: I agree that it would be very difficult. I'm curious, though. Do you think it is any less traumatizing for the mother if she kills the child because she hates his father?
- C: I don't know. I don't think it's about her hating the father. If she never consented to sex, she isn't responsible for the rapist's child.
- L: So you're saying that unless a person does something to cause another person to be in need, they should have the right to kill the needy person because of the burden he or she creates?
- C: No, but if the woman played no part in causing the child to exist, such as being raped, I think it's insulting to say she should be forced to let the fetus created from the rape *use her body* against her will.
- L: I agree that it is unjust that she is forced to become a mother against her will, but how does that justify killing the child? Let me offer an example. Imagine a man's sperm is stolen and used to help a woman give birth to a baby boy.¹ Then, an unjust court forces this man to pay child support in an amount that could possibly bankrupt him. It does seem insulting that this man should have to be

¹ Example from Francis Beckwith, *Defending Life* (Cambridge University Press: New York, 2007) pg. 195.

burdened with supporting a child he had no part in creating. But does he have the right to kill the child so that he doesn't have to undergo this unfair burden placed upon him?

C: No, he doesn't. But the mother isn't killing the child; she is just not letting the fetus use her body anymore.

L: In what sense is the mother not "killing the child" by abortion? Isn't that somewhat like saying that if a mother pushes her child out her car while traveling at 70 miles per hour, that she didn't kill the child, but rather the impact with the ground or other objects killed the child?

C: I suppose so.

L: Let's go back to the man who was sexually assaulted and forced to conceive a child. Even if this child doesn't have a right to this man's financial support, do we agree that the man is still his father and that killing his own son is not an acceptable solution to this unjust situation? Wouldn't this be true even if he killed his son by locking him in a room and "depriving him" of any food or medicine that would be bought with his salary in order to keep him alive?

C: I guess so.

L: Likewise, even if a child does not have a right to the woman's support through pregnancy, the woman is still the child's mother. How could killing him be an acceptable solution to this unjust situation?

C: Well...it just seems so harsh.

L: Do you mean the rape or the fact that the woman now has a child?

C: Both, of course.

L: I agree both aspects of the crime are harsh realities. And I think no intellectual argument is going to make that seem any better. What do you think we could do for a woman in our community who's been a victim of rape?

IMPROVISE

Pro-Choice: What if the woman was raped? Do you think a woman should be forced to be a mother?

Pro-Life: I think rape is a serious evil. I think it should be punished to the fullest extent of the law.

C: You're avoiding my question. Just give me a "yes" or "no" answer.

L: Do you want to know what I think, or are you just trying to show me I'm wrong?

C: Well, I guess I want to know what you think.

L: ???

FURTHER STUDY (ABORTION AND RAPE):

- See Chapter 3 for a detailed discussion of bodily rights and the question of rape.
- *Abortion: Inside the Choice* (Documentary by Trent Horn, produced by Arizona Right to Life) contains a moving story of a woman who became pregnant from rape.

Helping a Friend with an Unplanned Pregnancy

Being Proactive in Saving Baby and Parents from Abortion

1. **Your friend must know that you genuinely care about her.** In other words, she must feel safe confiding in you. Begin by asking about her feelings: "Bonnie, what are you most afraid of? Who do you fear telling and why does that seem so difficult?" Sincere questions like these will demonstrate your concern and will earn you the right to be heard later. Be sure to find out who else knows and what the confidence level is.
2. **Ask if any plans have been made.** Studies show that many students make abortion-related decisions rapidly and with little forethought. Do not be surprised if your friend has already visited the local abortion clinic for counseling. The key here is to ask directly while still communicating that you care: "Bonnie, with all that is on your mind, I'm concerned that you make an informed decision. Have you made any plans yet?" If she has, and those plans involve the local abortion facility, advise her to delay until she has all the facts. If she feels abortion is the only way out, ask: "What needs to happen in order for you to have this baby?" This will help you discern her needs and concerns.
3. **Never assume that the baby is safe.** Your friend may tell you she will not abort, and she may even mean it at the time, but she could change her mind under pressure. Even Christian friends may fall for the lie of quick, confidential relief. More than three-quarters of women having abortions say that it is because having a baby will interfere with their education or job. 73% of all abortions are performed on women who are concerned that they can't afford a baby. Almost half of the women having abortions say they don't want to be a single mother or that they are having relationship problems. (See "Abortion: Facts and Figures" for citation.) Against that backdrop, Planned Parenthood is telling these young women that their problems can be solved over a lunch break. In short, if your friend is not more horrified of abortion than she is terrified of a crisis pregnancy, she will likely kill her baby. Words alone cannot convey that horror. You must use accurate images of abortion (preferably video).
4. **Ask your friend's permission to show her the AbortionNO.org website or Justice For All Exhibit brochure.** Once she knows you care, it's time to provide some facts. Advise her that the images she'll see are extremely graphic and disturbing because abortion takes the life of an innocent human being. Ask her if she is willing to review it with you. Mention that she can look away any time she pleases. After showing it to her, review literature on fetal development and abortion risks (see below). Helpful brochures are also available from your local pro-life crisis pregnancy center. Keep a few copies of the Justice For All Exhibit brochure in your locker or car just in case.
5. **Always take your friend to a pro-life crisis pregnancy center.** Don't just offer a phone number; take personal responsibility for getting her there! Staff at the pregnancy resource center (PRC) can provide additional counseling, pregnancy tests, maternity clothes, baby items, and in some cases, medical care (including ultrasound examinations). They can also help your friend resolve the pregnancy with her parents and her boyfriend. No agency can meet every need a young woman has, but coupled with your care and support, the PRC can help your friend make a decision that is best for her and her baby. To find a center near you, call 888-922-1010 (outside the 316 area code) or 316-687-2792 (inside the 316 area code). Or, visit www.optionline.org or call 800-395-4357. Call 1-800-665-0570 in Canada.

Visual/Factual Resources

- www.AbortionNO.org (Abortion photos, video. Caution: Home page has video of abortion in progress.)
- www.Abort73.com (Abortion photos, video)
- Justice For All Exhibit Brochure (Call 800-281-6426 or www.jfaweb.org/brochure for copies)
- www.ehd.org (Prenatal development facts, photos, video)
- www.abort73.com/abortion/prenatal_development (Prenatal development facts, photos, drawings)
- http://abort73.com/abortion/abortion_risks (Abortion risks)

*The original version of this document was created in the late 1990's. This version was edited and updated in 2010 to accompany the Justice For All training program.