

Seat Work,
Level I

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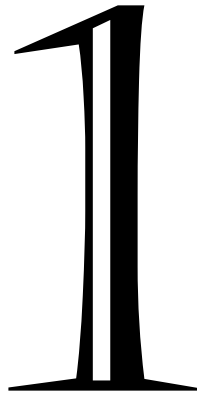
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ABORTION: FROM DEBATE TO DIALOGUE

THE INTERACTIVE GUIDE



Chapter

Seat Work, Level I (Seminar)

(Note: Although Chapter 1 can provide great benefit apart from the JFA seminar, it is intended to be used by seminar participants in conjunction with lectures and small group interactive sessions led by certified JFA Mentors.)

Edited by Stephen Wagner • Produced by Justice For All

**Training *thousands*
to make abortion unthinkable for *millions*,
*one person at a time***

Abortion: From Debate to Dialogue – The Interactive Guide

Edited by Stephen Wagner

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Published by Justice For All, Inc. Wichita, Kansas

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Note: Throughout this material, references to organizations and authors should not be construed as a blanket endorsement of everything those organizations and authors have said or done.

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JFA attempts to give credit within its training program whenever it's feasible to do so. Within JFA's written material, when an idea is clearly the unique creation of a person, something that we remember learning from a person, or a direct quotation, you will see either a citation within the paragraph or in a footnote. We encourage you to use these citations to do further research on your own.

These citations signal to the reader JFA's overarching philosophy of authorship. Ideas found in the various articles are the result of a learning process that includes reading other authors, engaging in dialogue with other people, listening to lectures, and other learning activities. Personal reflection in that process does sometime yield new connections and ideas, but truly new ideas are rare. Unique ways of teaching them are a bit less rare.

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If it were feasible, we would like to credit anyone who contributed, but tracing how an author got to a certain idea or argument would actually render the article he has written useless. Isn't an article simply a summary of a process of learning so that you don't have to repeat it (or at least so you don't have to spend the same amount of time repeating it)? It allows you to move beyond the process the author has been through and make your own connections...and possibly your own articles.

It is the author's responsibility to give credit whenever possible. If you as the reader find an instance in which credit is misapplied or neglected, please email jfa@jfaweb.org with your suggestions for amending the document to more accurately reflect our goal of giving credit where credit is due.

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Mentors: A JFA Distinctive

Is the JFA Training Certification Program for You?

One of Justice For All's defining characteristics is its experienced dialogue team which mentors volunteers through seat work (seminar), feet work (outreach), and repeat work ("practice makes perfect"). Both mentors and volunteers use this *Interactive Guide* as a tool to facilitate the learning/training process.

While written and compiled by just a few authors, this material has been shaped by ongoing dialogue within the community of Justice For All mentors, past and present. As you work through the material, we believe your personal growth will be greatly enriched by connecting with one of these mentors.

JFA established a Trainer Certification Program in 2010 to train individuals and organizations to use JFA's educational philosophy and materials to train pro-life advocates to dialogue about abortion. Principally, the JFA Certification Program serves the JFA staff and organizations with whom JFA has established an ongoing partnership, but it has also been made available to other pro-life advocates interested in learning to use JFA's methods. The JFA Certification Program helps trainers develop excellent public speaking skills, group workshop skills, and one-to-one dialogue skills in order to shepherd volunteers through the process of learning to dialogue about abortion and hopefully to become mentors themselves.

To inquire about the JFA Trainer Certification Program, email jfa@jfaweb.org or call 316-683-6426.

JFA staff members who serve as Certified Mentors (Level II) are notated with an asterisk (*) below. All of the staff members listed below are Certified Skilled Dialogue Persons (Level I). The list is current as of January 2015. To learn more about JFA's current mentor team, including Volunteer Mentors not listed below, see www.jfaweb.org/Mentors.

Certified Mentors* and Certified Skilled Dialogue Persons on the JFA Staff

Tammy Cook*
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Jeremy Gorr
Rebecca Haschke*
Paul Kulas*
Jordan Newhouse*
Joanna Wagner*
Jonathan Wagner*
Stephen Wagner*
CK Wisner*
Catherine Wurts*

Acknowledgements: A Note from JFA's Founder

Credit for the contents of this guide is doomed to be inadequate, because as our good friend and Justice For All Board of Director, Scott Klusendorf, rightly reflects, “We all stand on some pretty broad shoulders.” Having said this, specific acknowledgment is due those who have had a special role in helping mentor the authors who have in turn collaborated to produce this guide.

Attribution first and foremost goes to the Creator of heaven and earth, for everything of value that we are and have comes from Him and His resurrected Son, Jesus Christ, the author and finisher of our faith. Second in a very long list of those who have made possible this manual are our families who God has used to prepare and sustain us for this work.

Mentors past and present, whose work has greatly shaped our own, include Greg Koukl of Stand to Reason (www.str.org), Gregg Cunningham of the Center for Bioethical Reform (www.abortionNO.org), and Scott Klusendorf of the Life Training Institute (www.prolifetraining.com). In addition, the Justice For All staff outreach team (past and present), thousands of volunteers who have done the work, and hundreds of thousands of students who engaged in dialogue and labored to help us understand their views, have all contributed to making this guide a reality.*

The person most responsible for writing and assembling not only this interactive guide, but more importantly the training program that it has come to represent, is Steve Wagner, the Director of Training for Justice For All.** He has labored long and hard to put this “Seat Work” material into your hands to prepare you for the much needed “Feet Work” yet to be done.

Finally, we are mindful that none of the ideas and approach presented here would be possible without the tireless support of the Justice For All office staff past and present. In addition, thousands of donors have sacrificed to partner with us. Without them, Justice For All would not exist.

Throughout this guide we have endeavored to credit ideas and words to those who have in significant ways contributed to the contents of this manual. Please forgive and bring to our attention any oversight or error in this regard.

It is our ambition that each participant in this training program will be able to join our good friend Pastor Allan Taylor in saying, “I got to do what Jesus did.”

David Lee
Founder, Justice For All
September 2010

- * Josh Brahm and Tim Brahm, who contributed especially to the current form of Activity 4 and Activity 6, are now serving with Equal Rights Institute (www.equalrightsintitute.com).
- ** Steve Wagner is now the Executive Director of Justice For All (since June 2014).

3

Seat Work,
Level II
(Dialogue Ideas)



ABORTION: FROM DEBATE TO DIALOGUE *THE INTERACTIVE GUIDE*

Chapter  *Seat Work, Level II (Dialogue Ideas)*

Edited by Stephen Wagner • Produced by Justice For All

**Train thousands
to make abortion unthinkable for millions,
ONE person at a time.**

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Authorship

Justice For All attempts to give credit where credit is due whenever possible. Please see Page 2 (Chapter 1) for an important note about authorship throughout the *Abortion: From Debate to Dialogue* materials.

Mentoring and Justice For All Certification: You're Invited!

One of the distinctives of the *Abortion: From Debate to Dialogue* training program is Justice For All's team of mentors who walk with our volunteers through the learning process. Please see Page 3 (Chapter 1) for a special invitation to learn more about the JFA Training Certification program.

Acknowledgements

Please see Page 4 (Chapter 1) for an important note from Justice For All's Founder giving thanks to all who participated in making these *Abortion: From Debate to Dialogue* materials possible.

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Table of Contents

Ambassadors for Christ.....	64
Ambassadors: What Does Success Look Like?.....	65
Scribe–Evaluate–Brainstorm–Pray	66
Activity 13: How Does an Argument Succeed?.....	67
How Does an Argument Fail?	69
A Simple Argument Against Abortion.....	73
Activity 14: “Trotting Out the Toddler” Dialogue Examples	81
Got Ten Seconds?	86
One-Minute Pro-Life Apologist	87
“No One Knows When Life Begins!”	89
Activity 15: “It’s Just a Mass of Tissue!”	91
The SLED Test – Four Top Arguments	92
The SLED Test – Four Leaky Buckets	94
“My Body, My Choice”: Introduction	95
“My Body, My Choice”: The “Sovereign Zone” Argument	97
“My Body, My Choice”: “Right-to-Refuse” Arguments.....	99
“My Body, My Choice”: What About Rape?.....	103
“My Body, My Choice”: Further Study.....	105
“What If She Was Raped?”	106
“What if the Mother’s Life is in Danger?”	107
Activity 16: “Women Will Die in the Back Alley!”	109
Considering Graphic Pictures	110

Ambassadors for Christ

We represent Christ...for good or ill.

Stephen Wagner

A True Story

The sun was shining on the Evans Library courtyard at Texas A & M, on a clear spring day in 2004. The Justice For All exhibit was set up on the walkway; passersby were discussing abortion. Protesters had gathered too, holding signs with messages like, “70% of Anti-Abortion Leaders are Men; 100% Will Never Be Pregnant,” “My Body, My Choice,” and “Protect the Unborn Then Slash Funding for Public Education.” Then the Christians showed up.

No, I’m not referring to the students I trained for campus outreach. I’m referring to two well-meaning young men I hadn’t met yet. One of them had a shirt with bold block white letters that shouted: “KNOW JESUS.” The other simply shouted with his mouth. They walked up to the protesters and began berating them. The protesters shot back with snide comments and vindictive remarks. Both sides became exasperated.

At one point, a female protester looked at the Jesus shirt and stared straight at the older man of the pair. “Think about your own master, Jesus,” she said. “He said ‘Do not judge lest you be judged.’” Fuming, the man pulled a small Gideon Bible from his backpack, flipped quickly to Matthew 7, turned the pages toward the woman and literally shook the Bible in her face. “Read it in context! Read it in context!” he preached, with the volume of an African-American pastor during a resurrection sermon. In the next few minutes, the protesters became increasingly uncomfortable and ended up shunning the pair completely. The conversation was over.

These two men were very knowledgeable. They had the right answers, not only about abortion and the unborn, but also about other critical issues like the proper interpretation of scripture. (They *rightly* understood that we shouldn’t take Jesus’ words out of context and use them for a purpose He didn’t intend.) And I think they wanted desperately to have an impact for the cause of Christ. If nothing else, they wanted to win these protesters to the Christian worldview. Unfortunately, this female protester didn’t hear the man’s lesson in hermeneutics. He was shouting the words “read it in context” but she was hearing quite a different message: “I hate you.”

The Lesson

This tragic true story reminds me of the words of the Apostle Paul: “We are ambassadors for Christ.” (II Cor. 5:20) These Christians were ambassadors, but they were poor ones. The people they were trying to reach never got a good picture of who their Sovereign is and how much He loves each human being. As Greg Koukl at Stand to Reason (www.str.org) points out, ambassadors need more than knowledge (an accurately informed mind). We also need wisdom (an artful method) about how to present that knowledge. But without character (an attractive manner), our message will be lost amid the noise of our pride or abrasive manner. Stand to Reason’s helpful *Ambassador’s Creed* outlines the character qualities of a good ambassador. You can read it here: www.STR.org/creed.



Stephen Wagner, now JFA’s Director of Training, picks up the pieces with two protesters at Texas A&M after they were assailed by two Christian evangelists one day in 2004.

Ambassadors: What Does Success Look Like?

We focus on faithfulness and leave the results to God.

Stephen Wagner

What Are You Doing in the Kingdom of God?

As servants of the king, we have been asked to be his ambassadors, representing our sovereign to the world. In other words, the only picture of our sovereign that many people will have is the picture they receive from his representatives. As Stand to Reason (www.str.org) has taught us, an ambassador needs three qualities to be effective. She needs knowledge, or an *accurately informed mind*, understanding what her sovereign believes about the issue at hand and why it is reasonable. In order to help people understand this knowledge though, it is important to present it in a tactical way that helps the listener see it clearly. In other words, she needs wisdom, an *artful method*. But all of this will be for naught if this ambassador does not treat people with grace and respect. In other words she must have character, or an *attractive manner*, that commends the message.

Our Focus: Faithfulness to Our Sovereign and His Message

If ambassadors are fundamentally representatives, then success is determined by how faithfully they represent Christ. You can gauge how well you've done as an ambassador by gauging how much of an interaction your audience had with our Sovereign. Did he or she hear Christ's point of view accurately represented (knowledge), in a tactical way that aided understanding (wisdom), and with a winsome manner that drew the hearers to want to accept and respond to the truth (character)? If so, you've been a faithful ambassador, honoring Christ.

What about Results?

But don't results matter? Doesn't it matter if people actually accept the message? Sure. But, like Jonah, all we can control is how well we represent our Sovereign. We must leave the rest to the Holy Spirit.

Remember: Those We Want to Win Are on a Journey

Think for a moment about how you change your mind on significant moral and spiritual issues. You don't change overnight. And when challenged by strangers (and even friends), you are more concerned with saving face and scrambling for an answer than with evaluating whether your position is true. If someone gave you evidence that cast doubt on the truth of Christianity, you would fight against it with all of the resources at your disposal. The people we want to win to the pro-life position are the same way – they won't likely give up their position while talking to you. But if you ask the right questions, you give them the best possible opportunity to change their minds later, when they can evaluate what you've said without the social pressure to save face. This underscores the point above about results. You can't control them. Instead, pray for the people you have talked to, asking God to soften their hearts, making them receptive to the truth. You can also pray that God will provide each of them with equipped Christians who can help them on the next stage of their journey.

A Method for Growing as an Ambassador

See *Scribe–Evaluate–Brainstorm–Pray* for a four-step approach that will help you measure success and grow as an ambassador.

Scribe–Evaluate–Brainstorm–Pray

Use this worksheet to grow as an ambassador.

Note: A downloadable version of this worksheet (with space to write) is available at www.jfablogs.blogspot.com.

Scribe... an Important Story from Your Outreach Efforts.

To help you remember this interaction for analysis and prayer in the future, write down names, how the conversation started and ended, when and where you had the conversation, important phrases you used, turns in the conversation, and write down if there was a change of mind or a change of heart.

Evaluate...Your Efforts as an Ambassador

- What did you do well in the interaction?
- What could you improve?
- Were there things you did not know how to answer?
- Did you listen carefully and grant points when possible?
- Did you ask at least a half-dozen questions? For more on this idea, see Hugh Hewitt's book, *In, But Not Of*.
- Did you accurately represent Christ's views?
- Did you move the person closer to the pro-life position or Christian worldview?
- Did he/she have a positive experience?
- Ask a friend to evaluate your interaction and give a reflection on facial expressions and any other aspect of your presentation that you can't judge.
- Other thoughts:

Brainstorm... New Approaches and Responses

- Create new responses to challenges that stopped you in your tracks:
- Think about how you might have changed your tone or attitude in conversations in order to soften hearts:
- Do you need to put in place a plan of study or practice to be ready for your next interaction? Write down what you will do.

Pray...for Your Efforts to Bear Fruit

- Pray for each person you talked to, that the seed you planted will take root.
- Pray for the next person you will talk to, for a soft heart and an open mind.

Activity 13: How Does an Argument Succeed?

Understanding the Basics of Logic and Reason

Trent Horn

ANALYZE

All people have a natural desire to seek the truth and live a life free of deception and error. In order to understand how an argument helps us achieve this goal, there are six fundamental definitions we must first understand.

- **Truth:** A proposition (statement) is true if it corresponds to reality. In other words, “truth is telling it like it is.” For any proposition, it is either true or its negation is true. (This is called the *Law of the Excluded Middle*.) In addition, a proposition cannot be true and false at the same time in the same way. (This called the *Law of Non-Contradiction*.)
- **Assertion:** A proposition that is stated without any evidence to support its truthfulness, other than the statement itself. Some assertions, like “No statement can be true and false at the same time in the same way,” are “self-evidently true” and require little other justification to believe them. Other assertions, like, “Women have an inherent right to choose legal abortion,” are not obviously true and require justification outside of the statement to believe them.
- **Evidence:** Anything that is used to prove the truth of an assertion. It is the “currency” that is used to satisfy the “burden of proof.”
- **Burden of Proof:** Generally, a person who is claiming that an assertion is true has a duty to provide evidence to support the truth of his claim. The person who is evaluating the assertion does not have the duty to prove the claim is false. He can merely reject the claim if there are no good reasons to think the assertion is true.
- **Knowledge:** One necessary condition for having knowledge is **justified true belief (JTB)**. A *belief* is a mental state where a person holds a proposition to be true. Simply having a *true belief* is not knowledge because one could just have a “lucky guess.” Instead, the person must have good reasons, or justification, if her true belief is to be considered knowledge. [Note: Any particular piece of knowledge must be a justified true belief, but some justified true beliefs are not knowledge. In other words, JTB is a necessary condition (and not a sufficient condition), for having knowledge.]
- **Argument:** Offering reasons (premises) to believe that a particular proposition (conclusion) is true. In a successful *deductive* argument the premises absolutely prove the conclusion. In a successful *inductive* argument the premises probably support the conclusion. Observe how the pro-life position is formulated into a deductive argument:
 - **Premise 1:** It is generally wrong to intentionally kill innocent human beings
 - **Premise 2:** A human fetus is an innocent human being
 - **Premise 3:** Abortion intentionally kills a human fetus
 - **Conclusion 1:** Abortion intentionally kills an innocent human being
 - **Conclusion 2:** Therefore, abortion is generally wrong.

In the above argument the first three premises are assertions of moral or empirical fact. The first conclusion is the logical outcome of premises two and three. The second conclusion is the logical outcome of the truth of the first premise and the first conclusion.

To summarize: Anyone who makes a claim must provide evidence to satisfy the burden of proof. This evidence can take the form of true assertions and arguments composed of assertions, which help us gain

objective knowledge about the world. In the following dialogue between a pro-life advocate and a skeptical pro-choice advocate, note how the pro-life advocate clarifies the essence of an argument and defines abortion as an objective issue that can be resolved with rational arguments.

IMITATE

Pro-Choice: I don't like it when you people use shock tactics like this exhibit. These are just emotional images designed to gross people out about abortion.

Pro-Life: Can I offer you a rational argument to justify my position on abortion?

C: Okay.

L: If the unborn are growing they must be alive, and if they have human parents, they must be human, and shouldn't we treat human beings humanely and not kill innocent human beings through abortion?

C: It might be a human being, but unless you can prove a fetus is a person we can kill it with abortion.

L: Are you making the claim that the fetus is not a person, so it's okay to kill it? If that's the case, since my argument never mentioned persons, isn't the burden of proof on you to show that being a person makes someone valuable and that the unborn are not persons?

C: Well, a fetus can't even live outside of the womb, so it's not a person.

L: Let me see if I understand your argument. *Anyone who cannot live outside of the womb is not a person, and a fetus cannot live outside of the womb. Therefore, the fetus isn't a person.* But why should I believe your first premise that "a person is anyone who can live outside of the womb"? A sea urchin can live outside of the womb. Is it a person?

C: A person is any **human being** who can live outside of the womb.

L: But can you help me understand why that assertion is true? What evidence do you have to support the claim that being able to live outside the womb makes humans more valuable?

C: Because humans that can live outside of the womb can survive on their own!

L: Isn't "Living outside of the womb" and "surviving on your own" the same thing? I don't think you've given me a reason to explain **why** that makes someone a person. With that logic, I could invert your argument and say that anyone who can't live **inside** the womb is not a person. If you can't justify your arbitrary requirement for human value, why should I give up my belief that all human beings are intrinsically valuable?

C: But how can you know that what you believe is true? We make mistakes all the time, so we can never know when we're not making a mistake. You could be in error right now about being pro-life!

L: That's possible, but you could also be making a mistake in being pro-choice. The fact that we can identify mistakes also shows we can sometimes be right; otherwise if we always erred, we would be unaware of the concept of "error." Since I could be right, can you give me a good reason to think I'm in error now?

C: But you could be wrong. A lot of people think abortion is okay and disagree with you.

L: If someone believes it should be legal to kill certain human beings, then the burden of proof is on her to justify that claim. I've presented what I believe to be a sound argument that justifies making abortion illegal. If someone can give me good evidence that shows one of my premises is false or that I've reasoned incorrectly, then I'll abandon my argument. But why should I give up my argument just because people disagree with me? Maybe those people are mistaken!

IMPROVISE

Pro-Choice: I hate pro-lifers because they just use gross images and they don't even know how to rationally argue for their position.

Pro-Life: May I give you a rational argument for my position on abortion?

C: Sure.

L: ???

How Does an Argument Fail?

Understanding the Basics of Fallacies and Invalid Arguments

Trent Horn

There are two ways a deductive argument can fail to support its conclusion.

1. At least one of the premises is false.

An argument could have perfect reasoning, but if one of the premises is false, then the argument will be unable to support the conclusion. For example:

*All pro-choice advocates are men.
Steve Wagner is a pro-choice advocate.
Therefore, Steve Wagner is a man.*

The argument correctly uses the logic of deduction so there is no error in the reasoning, but because both of the premises are false the argument fails to support the conclusion (even though the conclusion is true).

2. The argument contains a fallacy, or error in its reasoning.

All of the premises of an argument could be true, but if there is an error in the reasoning, or the “chain of logic” that connects the premises and the conclusion, the argument is *invalid*. For example, let's attempt a similar argument to the one above, but this time with true premises:

*All members of the Justice for All team believe abortion kills a human being.
Steve Wagner believes abortion kills a human being.
Therefore, Steve Wagner is a member of the Justice for All team.*

Even though both the premises and the conclusion of the argument are true, the argument is *invalid* because it commits a fallacy. In particular, it commits the fallacy of **the undistributed middle**. The undistributed middle is a fallacy because the middle term (or the term that appears twice in the argument – in this case, “believe abortion kills a human being”) is not exhausted by the other terms in the argument (the Justice For All team and Steve Wagner). The *fallacy of the undistributed middle* can be represented this way:

*All A's are C
All B's are C
Therefore, all A's are B's*

Or,

*All A's believe C
B believes C
Therefore, B is part of A.*

In the previous example, Term A (members of the Justice for All Team) and Term B (Steve Wagner) are not the only examples of Term C (people who believe abortion kills a human being). After all, members of other pro-life groups, and even some pro-choice advocates, believe abortion kills a human being but *they* are not members of the Justice for All team. This shows that just because Steve Wagner believes abortion kills a human being it does not necessarily mean he is a member of the Justice for All team.

Summary: An Argument Is Like a Table

The legs of the table (premises, propositions) must be true in order to support the weight of the tabletop (conclusion). The reasoning is like the glue that connects the legs to the table. If there is an error in the reasoning (also called a fallacy), the legs will not be properly connected to the table and the table will collapse. If an argument does not have any fallacies we say it is *valid* (but not necessarily true). If the argument is valid and contains all true premises, then we say the argument is *sound*.

The next section contains examples of five *informal fallacies*. While I've illustrated these fallacies from pro-choice arguments, pro-life advocates sometimes make arguments that contain the same fallacies. Unlike *formal fallacies*, such as "the undistributed middle," *informal fallacies* occur when the premises do not support the conclusion as a result of ambiguities inherent to human language, and not solely from a mistake in the structure of the argument.

FIVE COMMON FALLACIES IN PRO-CHOICE ARGUMENTS

1. Begging the Question/Circular Reasoning

This fallacy occurs when the conclusion of an argument is found in one of the premises. This causes the premise to rely on the conclusion and the conclusion to rely on the premise, which forces the person to "argue in a circle."

- Women should have a right to choose. Therefore, abortion should be legal.
- A fetus is not a person because a person is anyone who is born. Until a human being is born they are simply a fetus and not a person like you or I.

If in the first argument "the right to choose" means "the right to have a legal abortion," then the argument merely says that, "women should have the right to obtain a legal abortion, therefore abortion should be legal." This makes the argument little more than the repetition of an assertion, and not an actual argument with premises that support a distinct conclusion.³

The second argument claims that a fetus is not a person because fetuses lack the property of being born. In other words, anyone who is born is a person because they are not a fetus. Or if they were a fetus, then they would not be a person because they have not been born. But because no independent reason has been given to demonstrate **why** being born makes someone a person (other than "you are no longer a fetus," which is the same thing as "being born") it is merely the conclusion restated in the premise. That's a form of circular reasoning.

2. Shifting the Burden of Proof

This fallacy occurs when a person making a claim demands that another person disprove her claim, instead of offering evidence to support the claim she has made.

- Abortion should remain legal unless pro-life advocates can scientifically prove that the unborn is a person.
- Second trimester abortion doesn't cause a fetus pain because no studies have ever conclusively shown that fetuses at that stage of development can feel pain.

The person making the first argument is claiming that the quality of being a "person" is a truth that can be discovered or proved with the scientific method. By making this claim he has the burden of proof in defending the proposition that moral personhood is a scientific truth. He cannot compel pro-life advocates to answer an argument that he has not defended himself.

The second argument is advancing the claim that "fetuses do not feel pain" but it unfairly shifts the burden of proof by saying, "since no one has disproved the fact that fetuses don't feel pain, they do not feel pain." This is comparable to claiming that aliens exist because no one has proven they don't exist. It may be possible that fetuses do feel pain but no one has been able to prove this fact yet. The argument could be salvaged by claiming, "There is no compelling evidence to suggest fetuses feel pain, therefore it is reasonable to not believe fetuses feel pain."

³ Editor's note: By "right to choose," the pro-choice advocate might mean a "moral right to choose" (a "just claim to choose abortion") rather than a "legal right to choose." If she does, her argument is not circular because she is claiming that because women have a moral right to choose, abortion should be legal. You may call her moral assertion into question, but at least her argument is not circular.

There is a crucial difference in *not believing fetuses feel pain*, and *believing fetuses feel no pain*. The first is a rejection of the claim, “fetuses feel pain,” while the second is an assertion of a claim and must satisfy “the burden of proof.”

3. Equivocation

This fallacy occurs when a term in an argument is used in two different ways to misleadingly support the argument’s conclusion. For example,

- Pro-lifers say that because a fetus is human it should have a right-to-life. My skin cells are human. Therefore, pro-lifers say my skin cells should have a right-to-life.
- An action is only wrong if it hurts other people. Abortion does not hurt an embryo in the first trimester. Therefore, it is not wrong to abort a first trimester embryo.

The first argument equivocates on the word “human.” In the first premise “human” refers to, “A human being or member of the human species,” while in the second premise “human” refers to, “having the property of possessing human DNA.” The first premise uses human as a noun, while the second uses it as an adjective so the conclusion remains unsupported.

The second argument equivocates on the word “hurt.” The first premise is true if it is interpreted broadly enough to mean that it is wrong to *harm* other people, or to make them worse off. The second premise refers to the narrow meaning of “hurt” which means to cause another physical pain. Since each premise uses a different meaning of the word “hurt,” they fail to work together to support the conclusion. While a first trimester embryo may not be hurt by abortion, it is certainly harmed, or made worse off, by being aborted.

4. Straw Man Argument

This fallacy occurs when a critic misrepresents an opponent’s position to make it easier to refute. A straw man of the pro-life position would be:

- “Pro-life advocates say that they’re “for life,” but animals are alive and trees are alive but pro-life advocates don’t oppose killing that “life.” Instead, these people are anti-choice because they don’t want women to be able to control their own bodies. But in our pluralistic society we should tolerate other people’s decisions about what they do with their bodies even if we disagree with those decisions. Therefore, the anti-choice position should be rejected and abortion should remain legal.”

The argument is a straw man because the pro-life position is not that all living things have a right to life, but only that human beings, or human organisms, have a right-to-life. The straw man thus makes the pro-life position appear to be indefensible. The pro-choice advocate then attempts to summarize the pro-life advocate’s position by misrepresenting the pro-life position again (“[they] don’t want women to be able to control their bodies”). Like a man made out of straw, it takes relatively little effort to criticize or “knock down” this weakened pro-life argument.

5. Fallacy of the Beard

This fallacy claims that just because a dividing line cannot be found in a continuum, no dividing line exists. One example would be to claim that because no non-arbitrary point divides when stubble ends and a beard begins, no one can ever determine if another person has a beard and not stubble. The fallacy is exposed when we realize that even if we cannot determine the break in a continuum, we can clearly discern the two sides of the continuum, or in this case, bearded faces and clean-shaven ones. Since the question of “when life begins” is focused on justifying a certain point on a continuum, it is often subject to this fallacy.

- Pro-life advocates say a fetus is human because it has human DNA. There are extinct animal species with DNA that is 99.9% similar to human DNA. Since we can’t determine whether those species were human or not, we cannot determine if a fetus is human or not.

Just because we cannot determine whether an extinct species was human does not mean we cannot clearly define whether some species, like *homo sapiens*, are human. The fact that any debate about being human is happening shows that there exists an objective dividing line on the continuum between human and non-human that can be refined with the accumulation of new evidence. Reasonably doubting whether **something** is human does not justify reasonably doubting whether **anything** is human.

EXERCISE

Match one of the five fallacies in the previous two pages (begging the question, shifting the burden of proof, equivocation, straw man, fallacy of the beard) with the pro-choice argument (below) it most closely resembles. Use each fallacy once.

Justice Harry Blackmun – *Roe v Wade* (1973) [Fallacy: _____]

“We need not resolve the difficult question of when life begins. When those trained in the respective disciplines of medicine, philosophy, and theology are unable to arrive at any consensus, the judiciary, at this point in the development of man’s knowledge, is not in a position to speculate as to the answer . . . In view of all this, we do not agree that, by adopting one theory of life, Texas may override the rights of the pregnant woman that are at stake.”⁴

Leonard Peikoff – “*Abortion Rights are Pro-life*” (2003) [Fallacy: _____]

“That tiny growth, that mass of protoplasm, exists as a part of a woman’s body. It is not an independently existing, biologically formed organism, let alone a person. . . Rights belong only to individuals, not to collectives or to parts of an individual . . . ‘Rights,’ in Ayn Rand’s words, ‘do not pertain to a potential, only to an actual being. A child cannot acquire any rights until it is born.’”⁵

David Boonin – *A Defense of Abortion* (2003) [Fallacy: _____]

“For while it is common to refer to the “moment of conception,” this is importantly misleading. Fertilization is itself a gradual process that typically takes about twenty-two hours from beginning to end. As such, it is no more instantaneous than other potentially important points in fetal development such as the point at which the fetus becomes sentient or viable. If the claim is that we should draw the line at conception because it is the only place to draw it precisely, while drawing it at, say, viability or brain activity emergence will leave an unacceptable gray area, then that claim seems to be false. We can’t draw a precise line here either.”⁶

Joyce Arthur – “*The Fetus Focus Fallacy*” (2005) [Fallacy: _____]

“If you point out that a fetus consists of human tissue and DNA, anti-choicers triumphantly claim you just conceded it’s a human being. Now, a flake of dandruff from my head is human, but it is not a human being, and in this sense, neither is a fertilized egg. Anti-choicers will respond that a fertilized egg is not like dandruff, because the egg consists of a unique set of chromosomes that makes it a distinct human being. But with cloning, a cell from my dandruff is enough to create a new human being. Although it would have my identical genetic make-up, it would still be a unique individual, because human beings are much more than our genes.”⁷

Amanda Marcotte – “*What does football have to do with abortion again?*” (2010)

[Fallacy: _____]

“I’m far from the first person to point out that the religious right has fallen into the habit of celebrating women who made the choice they approve of, and by accident, this puts them in the position of celebrating choice. But it really goes deeper than that. This strategy of celebrating women who have babies when others might not really points out how the dignity of all women---including anti-abortion women---requires the right to choose . . . The common denominator in all these stories is that the woman at the center is being celebrated for her bravery in making a specific choice---and that if she didn’t have the right to choose, then she wouldn’t be a hero at all.”⁸

⁴ Blackmun shifts the burden of proof and essentially argues that the unborn are not persons because no one has proven beyond question that they are a person. Available online at http://www.law.cornell.edu/supct/html/historics/USSC_CR_0410_0113_ZS.html

⁵ Peikoff begs the question by assuming dependent humans are not persons in order to prove that fetuses (which are simply dependent humans) are not persons. Available online at: <http://www.abortionsprolife.com/abortion-rights-are-pro-life.htm>

⁶ Boonin commits the fallacy of the beard. Just because a precise line does not exist in the fertilization process does not mean one cannot determine when this short process is completed (and do so with greater accuracy than drawing the line on brain development or viability). See David Boonin, *A Defense of Abortion* (New York: Cambridge University Press, 2003), p. 37.

⁷ Arthur presents a strawman of the pro-life position. Pro-life advocates do not believe anything with human DNA has a right-to-life, but that all human organisms, or human beings like embryos and fetuses, possess a right-to-life. Available online at: <http://www.prochoiceactionnetwork-canada.org/articles/fetus-focus-fallacy.shtml>.

⁸ Marcotte equivocates on the word “choice.” In one sense she uses “choice” as a euphemism for access to legal abortion. In another sense she uses “choice” to mean the ability of an agent to select and carry out a course of action. Therefore she claims that without legal abortion women could not be praised for making any choices, which is false. Available online at: <http://www.rhrealitycheck.org/blog/2010/01/25/what-does-football-have-do-with-abortion-again>

A Simple Argument Against Abortion

Presentation for Use in Any Audience Aged 12 and Up (25 Minutes)

Stephen Wagner

Note: This article was originally published at www.str.org. It draws heavily on the basic pro-life case presented by Greg Koukl (www.str.org) and Scott Klusendorf (www.prolifetraining.com) in *Making Abortion Unthinkable* (available from Stand to Reason), Scott Klusendorf, *Pro-Life 101* (Signal Hill: Stand to Reason Press, 2002), and *Scott Klusendorf, The Case for Life* (Wheaton, IL: Crossway Books, 2009).

Summary

Here's a short presentation that includes all of the basics of defending the pro-life position. You can use it in almost any setting. Included below is an outline and a detailed script of the presentation.

Bullet Point Outline (for speaking)

Topic and Significance

- The stakes
- Three tasks: simplify, make case, answer objections

Simplify the Issue

- “Daddy, can I kill this?”
- Common arguments that assume unborn is not human
- Trot out a Toddler
- Right to choose?
- Pictures clarify truth...
- Video: *This Is Abortion*: See www.abort73.com
- Emmett Till; pictures open casket on abortion

Make Your Case

- Living
- Distinct and Whole Organism
- Human
- Summary: *10-second pro-life apologist*
- The moral logic of the pro-life position

Answer three objections

- Three objections: 1) not a person, 2) morals are relative, 3) what if the woman was raped?
- “It’s human but it’s not a person” – Why not? SLED Test
- Relativism: cultural & individual
- The Question of Rape

Conclusion

- Abortion is seriously wrong
- Oscar Schindler; Proverbs 24:11-12
- Equip yourself
- Public opinion → public policy
- “It will take an eternity for the unborn to defend themselves.” – J.W.
- Comments and Questions: “Who would like to be first?”

Detailed Outline (for study)

I. Topic and Significance

- a. Why have we not resolved the abortion issue?
- b. Answer: we haven't spent time giving and listening to *reasons*.
- c. The stakes are high for both sides of the debate.
- d. Let's come to the debate with an open mind, evaluating the *reasons*.
- e. Three tasks today: I'll simplify the issue, make my case, and I'll answer three objections

II. Simplify the Issue

- a. Psychologically Complex? Yes.
- b. Morally complex? No.
- c. "Daddy, can I kill this?"
- d. Privacy and poverty aren't the issue: they don't justify killing.
- e. The question we must answer first: "What is the unborn?"
- f. Women have a right to choose? Choose what? Aren't some choices wrong?
- g. What is the choice of abortion? Pictures help clarify the truth.
- h. Show video (*This Is Abortion: See www.abort73.com*)
- i. Emmett Till (his mother opened the casket); pictures open the casket on abortion
- j. So, what is the unborn?

III. Make Your Case

- a. The unborn is a living, distinct, whole, human organism (human being)
- b. Summary: *10-second pro-life apologist*
- c. The moral logic of the pro-life position

IV. Answer three objections

- a. Three objections: 1) not a person, 2) morals are relative, 3) what if the woman was raped?
- b. "It's human but it's not a person" – Why not? SLED
- c. Size
- d. Level of Development
- e. Environment
- f. Degree of Dependency
- g. So what makes us valuable? We're human.
- h. "Morals are relative to culture!"
- i. "Morals are relative to individuals!"
- j. No, some moral rules are absolute (e.g. it's wrong to kill the innocent human beings)
- k. "What if the woman is raped? Should she be able to have an abortion?"
- l. Only 1% of abortions result from rape. 90% are for socioeconomic reasons.

V. Conclusion

- a. So abortion is seriously wrong and we should oppose it.
- b. A lesson from Oscar Schindler: do all you can to save people in danger
- c. Proverbs: save those being carried away to slaughter. Are we serious about this?
- d. What you can do: equip yourself to give reasons for the pro-life view
- e. Changing public opinion is the only way to change public policy
- f. "It will take an eternity for the unborn to defend themselves." – Jon Wagner
- g. Comments and Questions: "Who would like to be first?"

Topic and Significance

- I.a. Good morning. A few weeks ago activists on both sides of the abortion debate converged on Washington to make their voices heard. But if you're like me you wonder why we're still debating this issue after decades of legal abortion. If the pro-choice side is correct, why have they failed to persuade the pro-life side? And if the pro-life side is correct, why doesn't everybody think abortion is wrong?
- I.b. I have an explanation: both sides have not come to the debate in an intellectually honest way, considering the possibility that they might be wrong, looking at the evidence to see where it leads. In fact, the activism we saw a few weeks ago included more yelling and chanting than reasoned argument. But yelling and cheering for our side won't get us anywhere. Whichever side we're on, we need to examine the reasons we can give for our position, then explain them carefully, so that all of us can get a clearer picture of the truth.
- I.c. And we must help our culture do this, since the stakes are so high. After all, if the pro-choice side is right, pro-lifers everywhere are trying to control women's bodies and keep them from having meaningless surgeries. Few things are more patronizing and demeaning. But if the pro-life side is right, we're allowing more than 3,000 human beings to be killed every day for reasons like "choice" and "unwantedness." If that's not genocide, it's surely a serious wrong.
- I.d. So I invite you to examine the reasons for the pro-life position today. If you are pro-life, I'll help you explain your beliefs. If you are pro-choice, I'll give you some ideas to consider. I trust that all of us will come to the discussion with an open mind, realizing how weighty and important it is for us to not only have true beliefs, but to have good reasons for holding those beliefs.
- I.e. I'll structure my remarks in three sections. First, I'll simplify the abortion issue to focus on one key question: "What is the unborn?" Then I'll make my case that the unborn is a human being and that killing her is seriously wrong. Finally, I'll answer three common objections to my arguments and suggest some things all of us can do to actually protect the unborn and their mothers from abortion. After making my case, I'll give you a chance to ask a question or make a comment. (2:30)

Simplify the Issue

- II.a. So let's begin. Is the abortion issue complex? I think it is. Women who get pregnant at a young age struggle to decide what to do. Few people think abortion is the ideal. And many are concerned about women's liberty and privacy. Some babies will likely be abused and neglected, or their mothers will struggle to make enough money to provide for them. The abortion issue is psychologically complex.
- II.b. But is it morally complex? No. It comes down to just one question. Let me borrow an example from Gregory Koukl to show you what I mean.

- II.c. Imagine that you are at the sink washing dishes and your son comes up behind you and asks, “Daddy (or mommy), can I kill this?” What is the first question you must ask in response? That’s right: “What is it?” If he says “it’s a black bug – I think they call it a roach,” you’ll have one answer – “fine here’s a hammer.” But if he says, “It’s the neighbor kitty,” you’ll say, “Whoa, hold on there.” See, you can’t answer the question, “Can I kill this?” unless you answer a prior question, “What is it?” Everyone in the abortion debate agrees that abortion kills something. But whether or not it’s right to kill any living thing depends on what it is.
- II.d. So the question, “What is the unborn?” trumps the other questions in the debate. Here are two examples. People say, “Women should have a right to privacy.” But do we allow women to abuse their two-year-olds, so long as they do so in private? Of course not. But why? Because privacy doesn’t justify harming another human being. So if the unborn is human, like the toddler, then we must protect her too. People also say, “Some women can’t afford the child.” But if your two-year-old gets too expensive, can you kill her? Of course not! So poverty is not the issue.
- II.e. If the unborn is a human being, like your toddler, we must protect her. We’ll have to find some other way to solve the money concern. You see, any reason given for abortion must show that the unborn is not a human being. For if the unborn is not a human being, then no other justification is necessary. And if the unborn is a human being, adequate justification will be very hard to find. So the critical question is, “What is the unborn?”
- II.f. This is why I am always interested to hear people say, “Women should have a right to choose.” That’s an incomplete sentence. Isn’t it reasonable to ask, “Choose what?” We all agree women should be able to choose her husband, career, school, and what’s for dinner. But some choices are wrong, like killing toddlers. What is the choice of abortion?
- II.g. In a moment, I’m going to show a short video clip that features the results of abortion procedures. Although you won’t see abortion in progress, the video is extremely graphic; I don’t want to coerce anyone into watching it. We’ll dim the lights to make it easy to avoid the contents. But let me clarify that the purpose of showing the clip is not to condemn anyone who has had an experience with abortion, but to show exactly what the choice of abortion is. And if you have had an experience with abortion and this video causes feelings of guilt or pain to rise to the surface, I hope you will talk to me so I can introduce you to someone who understands. Remember that Jesus Christ is just as eager to forgive the sin of abortion, as he is any other sin. This doesn’t need to be a day of condemnation; it can be a day of healing. Again, the video is extremely graphic. It begins with a textual introduction followed by about 90 seconds of graphic material. (6:30)
- II.h. Show Abort73.com “This Is Abortion” video. (4:00; show 90 seconds of graphic footage)
- II.i. Watching this video reminds me of a very dark day in the civil rights movement: Emmett Till’s funeral. His mother Mamie Till decided to “open the casket” so that “the whole world could see what they did to my boy.” For the first time, thousands at the funeral and thousands who saw a Jet magazine photograph of the body in the casket, for the first time they saw the face of racism because Ms. Till had the courage to open the casket on the brutalized body of her lynched son. And when we show abortion pictures, we are simply

opening the casket on abortion. And many of you saw the face of abortion for the first time today.

II.j. This is why we must answer the question “What is the unborn?” – for abortion is certainly the killing of something. If the unborn is just a tissue mass, then abortion is not a serious wrong, even though it looks bloody. But if the unborn is a human being, the bloody body parts you saw were human beings who were dismembered. So what is the unborn? (9:00)

Make Your Case

III.a. The science of embryology has a clear answer to this question: from the moment it comes into existence at conception, the unborn is a living and distinct, whole human organism. The unborn is growing, metabolizing food for energy, and reacting to stimuli. How can we say it is not alive? And it has a unique DNA “fingerprint” and integrates its own body systems for the good of the whole. How can we say it’s not a distinct organism? It’s DNA is distinctly human and its parents are human beings. How can this living organism not be human? In fact, if it is not human, how is it possible for two human parents to produce offspring that is not a human being, but later becomes one? No, it is clearly a living, distinct, whole human organism. What else can we call that, but a “human being”?

III.b. In short, we can say this: If the unborn is growing, it must be alive. If it has human parents, it must be human. And living humans, or human beings, like you and I are valuable, aren’t they?

III.c. So that is my simple case against abortion. First, the question we must resolve is “what is the unborn?” Pictures help us realize how important that question is, since they clearly show the unborn is dismembered in abortion. And the answer to that question is, “From conception, the unborn is a human being.” Since it’s wrong to kill innocent human beings, and the unborn is an example of a human being, then it’s wrong to kill the unborn through abortion. (11:00)

Answer Objections

IV.a. But there are three key objections that people raise. Some abortion advocates claim the unborn may be human, but it’s not a person; some claim morals are relative; and some ask, “what if the woman was raped?” and believe that rape justifies abortion.

IV.b. Let me respond to each of these briefly. First, many abortion advocates say, “Hold on there. I’ll agree that the unborn is a human being, an organism, but it’s not a person.” But what is the difference between a human being and a person? Abortion advocates always offer differences that fall into one of four categories: Size, Level of Development, Environment, and Degree of Dependency. Let’s look at each of these differences. (Philosopher Stephen Schwartz refers to this as the SLED Test, since the first letters of the differences form the acronym SLED.) If I can show that all of the differences between the unborn and the rest of us are irrelevant to value, then the unborn must share the value we have. If that’s the case, we should protect them.

- IV.c. First, size. I agree that the unborn are smaller than other humans. They're smaller than you and I, they're smaller than newborns. But is size relevant? Basketball players are usually bigger than toddlers, but do they have more value? Men are generally larger than women but that doesn't mean they have more rights. So size is irrelevant to value.
- IV.d. Second, level of development. Sure, the unborn is less developed than other humans, like newborns or toddlers. But toddlers are less developed than adolescents and adults. Is a three-year-old girl with an immature reproductive system less valuable than her mother? Her mother can have children, she can't. But don't we say that both are equally valuable regardless of the differences? Sure the unborn haven't developed even self-awareness. But newborns haven't either. And if we say developing self-awareness makes you valuable, wouldn't we be forced to say that those who are very self-aware are more valuable than those who are not very self-aware? But we know all of these human beings are equally valuable. So the unborn can't be disqualified for being less developed.
- IV.e. Third, Environment. Does where you are have a bearing on who you are? I've changed locations many times today, but I've been the same person the whole time. How does a journey of a few inches down the birth canal change a formless tissue mass into a human being worth protecting? How could a change of location make a non-person into a person? No, the unborn's value can't be gained or lost by a change in environment.
- IV.f. But this leaves one more characteristic that is different between the unborn and the rest of us: Degree of Dependency. Sure, the unborn is more dependent. But does being dependent make you less valuable? Does it change whether you're a person? If it does, we'd have to say John Glenn is not valuable when he's in his spacesuit. We'd be forced to say that those who depend on insulin or heart pacemakers or medication are not valuable. But we know dependency is irrelevant to value. But isn't the unborn dependent in a different way? She's dependent on only one other person, her mother. But if you were the last to leave a swimming pool area and heard a toddler fall into the deep end, we would go and save that two-year-old, even though he is totally dependent on only one person: you.
- IV.g. So we can't disqualify the unborn for any of these reasons: Size, Level of Development, Environment, or Degree of Dependency. If we do, we will have to disqualify many human beings that are outside the womb also. We'll have to say smaller, less developed, more dependent toddlers are less valuable. And we'll have to say that toddlers in certain locations may not be valuable too. But that is very counterintuitive. We know that human beings are equally valuable regardless of their differences. They're valuable simply because they're human. So what these differences have shown is not that the unborn is less valuable or "not a person." They've shown the opposite: what gives us value is "being human." So, to borrow from Francis Beckwith, the unborn is not a potential human, but a human with great potential. (16:00)
- IV.h. But there's another objection many people raise, that morals are just relative. In other words, we can't know what's right for another person or culture. Let's look at culture first: if morals are relative to culture, then we cannot criticize another culture for its moral rules. But doesn't this reduce morality to conventions like whether to eat your food with a fork or chopsticks? In Nazi Germany, killing Jews was considered virtuous. If morals are relative to culture, we would have to agree. But we know the Nazi's were hideously immoral.

Morals can't be relative to culture because some things are wrong even if a culture says differently: like killing whole groups of people because of their race.

- IV.i. Well, are morals relative to individuals instead? Let's see. If morals are relative to individuals, then a person who acts according to his own preferences or moral code is virtuous. If morals are relative, then we would have to say the father who molests his daughter and the father who feeds his daughter are morally equivalent. One likes to molest, one likes to provide. We could not say one is right or wrong, or better or worse. But we know that molesting is horribly wrong, and feeding one's child is virtuous. It is obvious after a little reflection that morals aren't relative.
- IV.j. So what's this have to do with abortion? We believe it's wrong to kill human beings, even unborn ones. But is this moral rule relative? No, we can be confident the rule that it's wrong to kill the innocent is a rule that transcends time, culture, and place.
- IV.k. But there is one other concern that abortion advocates raise: "What if a woman is raped and gets pregnant? Shouldn't she be allowed to get an abortion?" I hope that you hear my heart in my response. I grieve for the women who are raped and get pregnant. Rape is seriously evil and the rapist should be punished to the fullest extent of the law. But even if we catch him and punish him, I don't think we've done enough. For if the woman gets pregnant, the rapist not only forced himself on her. He also forced her to become a mother, such that if she wants to do what's right, like everyone does, she has to carry to term. Her only alternative is to dismember her own child. And no woman should be forced into that kind of decision. But not only that, the rapist also forced her into nine months of difficult pregnancy, hours of painful labor, and an agonizing decision to keep a child she didn't consent to create or to place the child that came from her own body in an adopting home. But the rapist is responsible for all of these things and I think he should be punished more severely than our laws allow. But why should the child pay with his life for the crimes of his father?
- IV.l. So I don't think rape justifies abortion. But it's important to realize also that only 1% of abortions take place because of rape. About 90% of the time, women say they are aborting for social or economic reasons. So even if we granted that abortion was a virtuous response to rape, it would not justify abortion on demand through all nine months, which is the current law in our country. (19:30)

Conclusion

- V.a. So once we answer the question, "What is the unborn?" it becomes clear that abortion is seriously wrong because it kills an innocent human being. And it's clear after a little reflection that morals like this one are not relative to culture or individual. It's also clear that what makes humans valuable is being human, not functioning in a certain way or having a certain size or location. And finally, although rape is seriously wrong as well, aborting the product of rape simply adds another wrong to a situation that is already very troubling.
- V.b. Let me close with a suggestion for what we should do with this case against abortion. Do you remember the last scene in the movie "Schindler's List"? Oscar Schindler is saying

goodbye to all of the people he saved from the concentration camps and he sees his car and begins to cry: “I could have sold this car and bought a few more!” He continues: “This lapel pin! I could have sold this pin and bought one more person.” He collapses in agony as he realizes that people died because he did not do all he could. And he did a lot to save many.

V.c. Oscar Schindler was not content to sit on the sidelines and do nothing. He wasn’t satisfied to sit by and watch people being carried away to the slaughter (Prov. 24:11-12). So let me borrow a question from Scott Klusendorf at the Life Training Institute: “Are we taking our holocaust as seriously as Schindler took his?”

V.d. In a moment, I’ll take some questions. But first, let me give you one practical way to take this holocaust seriously, something all of us can do. You don’t have to be anything special, or a speaker to advocate for the unborn. Why learn to make our case? Because that’s the only way to change minds. And changing minds among rank-and-file Americans, changing public opinion, is essential to changing public policy. Please learn to defend your views and help save the unborn and their mothers from abortion. I’d like to help.

V.g. As one young pro-life advocate named Jon Wagner likes to say, “It will take an eternity for the unborn to defend themselves.” Thank you.

V.h. I am happy to hear your questions and comments now. I’ll do my best to respond if I’m able. But I trust you realize that I’m still learning as well. Who would like to be first? (22:30)

Activity 14: “Trotting Out the Toddler” Dialogue Examples

Realistic Conversations about “Stressful Unplanned Pregnancies” and “Overpopulation”

Matthew McKinley

ANALYZE

Every person is unique, so every conversation you have about abortion will be unique. Sometimes, however, conversations *do* follow a standard pattern almost word for word. Other times, it’s more complicated.

Consider, for example, two reasons pro-choice advocates give for abortion: “unplanned pregnancy is stressful” and “the world is overpopulated.” Both of these reasons for abortion sidestep the question, “What is the unborn?” and simply assume the unborn is not a human being. To refocus the discussion on the question, “What is the unborn?” you can “Trot Out the Toddler” by following four simple steps (AGREE – APPLY – ASK WHY – AH!). The basic dialogues below illustrate this. (See Chapter 1, *Activity 2* for more explanation of these four steps.)

In many conversations, though, refocusing on the question, “What is the unborn?” requires combining “Trot Out the Toddler” with the “Three Essential Skills” (ask *what* and *why* questions, listen, find common ground) or “Trotting Out the Toddler” multiple times or in creative ways. The intermediate and advanced dialogues below illustrate these concepts. (See Chapter 1, *Activity 1* and *Activity A* for more explanation of the “Three Essential Skills.”)

The goal in all of these cases is the same: First, acknowledge the pro-choice advocate’s concern as legitimate. Then move the conversation back to the question, “What is the unborn?”

IMITATE: “UNPLANNED PREGNANCY IS STRESSFUL, SO ABORTION SHOULD BE LEGAL.”

Basic: Trot Out the Toddler (Agree – Apply – Ask Why – Ah!)

Pro-Choice: Some women don’t want to be mothers. That is going to be a lot of stress on them.

Pro-Life: I agree with you. Having a child can be challenging, especially if a woman doesn’t want to be a mom. [*Agree*] But I have a question: *Imagine I have a toddler here and he’s stressing his mother out. Would it be okay for this mother to kill her toddler to alleviate her stress?* [*Apply*]

C: Of course not.

L: Why do you think she can’t kill her toddler? [*Ask Why*]

C: Because the toddler is human.

L: Ah, I see. So it doesn’t seem like being a stressed-out mother is the issue then but whether or not the unborn is a human being. If the unborn is human, like the toddler, then wouldn’t abortion be wrong because it would be killing a human being? [*Ah!*]

C: I guess you’re right. But the unborn is just a fetus.

L: When do you think a fetus becomes a human being?

C: I don’t think anyone knows that.

L: (See *Activity 3: “No One Knows When Life Begins.”*)

Intermediate: Combine “Trot Out the Toddler” with “Three Essential Skills”

Pro-Choice: Some women don't want to be mothers. That is going to be a lot of stress on them.

Pro-Life: I agree with you. Having a child can be challenging, especially if a woman doesn't want to be a mom. [*Agree*] But I have a question: *Imagine I have a toddler here and he's stressing his mother out. Would it be okay for her to kill her toddler to alleviate her stress?* [*Apply*]

C: That's sick!

L: Why do you think that's sick? [*Ask Why*]

C: Because you can't kill toddlers. She should give her child up for adoption at that point if it's stressing her out.

L: I agree with you that she should choose adoption at that point [*Common Ground – Three Essential Skills*], and I know my question may seem absurd, but why can't she choose to kill the toddler? [*Ask Why* again]

C: Because the toddler is human.

L: Ah, I see. So it doesn't seem like being a stressed out mother is the issue, then, but whether or not the unborn is a human being. If the unborn is human, like the toddler, wouldn't abortion be wrong because it would be killing a human being? Wouldn't adoption be the only solution available besides parenting without violence? [*Ah!*]

C: I guess you're right. But the unborn is not human. It's just a fetus

L: When do you think a fetus becomes a human being? [*Clarification - 3 Essential Skills*]

C: I don't think anyone knows that.

L: (See *Activity 3: “No One Knows When Life Begins.”*)

Advanced: Trot Out the Toddler Several Times

Sometimes moving from an off-topic statement to the question, “What is the unborn?” requires you to “Trot Out a Toddler” several times, giving different scenarios each time. It may be hard for some people to grasp the concept you're trying to show them. Be patient and remember the times you've had trouble understanding a new concept too. For many people this is the first time they've had their pro-choice views challenged in a reasonable manner like this.

Pro-Choice: Some women don't want to be mothers. That is going to be a lot of stress on them.

Pro-Life: I agree with you. Having a child can be challenging, especially if a woman doesn't want to be a mom. [*Agree*] But I have a question: *Imagine I have a toddler here and he's stressing his mother out. Would it be okay for her to kill her toddler to alleviate her stress?* [*Apply*]

C: That's sick!

L: Why do you think that's sick? [*Ask Why*]

C: Because you can't kill toddlers. She should give her child up for adoption at that point if it's stressing her out.

L: I agree with you that she should place her child in a loving adoptive family at that point [*Common Ground* - 3 Essential Skills]. I know my question may seem absurd, but why can't she choose to kill her toddler instead? [*Ask Why* again]

C: Because the toddler is human.

L: Ah, I see. So it doesn't seem like being a stressed-out mother is the issue then. Isn't the issue whether or not the unborn is a human being? [*Ah!*]

C: What do you mean?

L: If the unborn is human, like the toddler, then abortion would be wrong because it would be killing a human being. Wouldn't adoption be the only solution available besides parenting without violence? So the question is, "Do you think the unborn is a human being?" [*What? Question*" - 3 Essential Skills]

C: You talk about adoption like it's easy, but it's not easy to give your kid up like that and most women don't. Since she probably won't give her child up for adoption, that means she either has an abortion before the kid is in the world or she becomes a stressed out mother who can't give her child the care it needs.

L: I think you've made some good points. I think we can both agree that she should parent with love, not violence. [*Agree*] Do you think abortion is violent? [*What? Question*" - 3 Essential Skills]

C: No, you're aborting a pregnancy before a kid is ever in the world.

L: So why do you believe that abortion is *not* violent but killing a kid who is "already in the world," like the toddler of a stressed-out mom, *is* violent? [*Apply*]

C: Because you can't just kill toddlers.

L: Do you think there is something about the toddler that gives him a right to life? [*Ask Why*]

C: Yes, the toddler is a human being. Abortion just aborts a fetus.

L: Ah, I see. So it doesn't seem like being a stressed out mother is the issue, then, but whether or not the unborn is a human being. If the unborn is human, like the toddler, then abortion would be wrong because it would kill a human being. [*Ah!*] Why do you think the unborn isn't a human being?

C: Because no one knows when a human being comes into existence.

L: (See *Activity 3: "No One Knows When Life Begins."*)

IMITATE: "OVERPOPULATION JUSTIFIES ABORTION"

Basic: Trot Out the Toddler (Agree – Apply – Ask Why – Ah!)

Pro-Choice: Do you know how many people live in the world? Think about overpopulation!

Pro-Life: For the sake of the argument, I'll agree that the world is overpopulated. It would be hard on many people in society to be burdened beyond our means. [*Agree*] But I have a question. *If the world is overpopulated, wouldn't it be better for women to avoid*

an invasive surgical procedure and instead kill their infants and toddlers to lessen the burdens on society? [Apply]

C: Of course not. You can't kill children.

L: Why do you think we can't kill children? [Ask Why]

C: Because it's illegal.

L: Why do you think it should be illegal? [Ask Why]

C: Because killing a child is killing a human being.

L: Ah, I see. So it doesn't seem like overpopulation is the issue, then, but whether or not the unborn is a human being. If the unborn is human, like the toddler, then wouldn't be wrong because it would be killing a human being? [Ah!]

C: Sure, but the unborn isn't a human being.

L: When do you think the unborn becomes a human being?

C: After the first trimester, yes.

L: Why do you believe the unborn *is* a human being after the first trimester?

C: Because that's when all the organs are developed.

L: (See Activity 4: "It's Human, but It's Not a Person!")

Advanced: Trot Out a Different Type of Already-Born Human

Sometimes people may not understand why you're trotting out a toddler. Some people may even assume you're *trying* to be offensive. Our goal then is to clarify our intent, and if necessary, trot out another already-born human being (like the homeless, imprisoned, or disabled) to help this person see that we first need to answer the question "What is the unborn?"

Pro-Choice: Without abortion the world will be a horrible place. So many people will be impoverished.

Pro-Life: Help me understand you. What did you mean when you said the world would be impoverished without abortion? ["What Question" - Three Essential Skills]

C: Do you know how many people live in the world? Think about overpopulation!

L: For the sake of the argument, I'll agree that the world is overpopulated. It would be hard on many people in society to be burdened beyond our means. [Agree] But I have a question: *If we are overpopulated, wouldn't it be better for women to avoid an invasive surgical procedure and instead kill their infants and toddlers to lessen the burdens on society?* [Apply]

C: You're being ridiculous. You're acting like women who get abortions are cold-hearted killers who want to take the lives of their children!

L: I'm sorry if I've given that impression. That's not how I feel. Can we both agree that women who choose abortion are many times making a difficult decision and *trying* to do what's best [Common Ground - Three Essential Skills]?

C: Yes. Nobody wants an abortion.

L: Tell me if I understand your original concern correctly: It sounds like you're saying that we need to reduce the number of people in the world and abortion would accomplish that goal. Is that correct? [*What Question* – *Three Essential Skills*]

C: Yes.

L: Then if we need to reduce the number of people in the world, why do you think we can't start eliminating groups some people view as being unwanted, like the homeless or criminals? [*Apply*]

C: Because you can't kill people that are already born. That's illegal. It's wrong.

L: I agree with you, and I think it would be wrong to kill the homeless or criminals to solve overpopulation. Why do you think it should be illegal? [*Ask Why*]

C: Because it kills a human being.

L: Ah, I see. So it doesn't seem like overpopulation is the issue, then, but whether or not the unborn is a human being. If the unborn is human, like the toddler or homeless person, wouldn't abortion be wrong because it would be killing a human being? [*Ah!*]

C: I guess. But the unborn isn't human.

L: When do you think the unborn becomes human?

C: After the fetus has a heartbeat, yes.

L: Why do think the heartbeat is significant?

C: Think about it: When you die, it's because your heart stops beating. How could you be alive without a heartbeat? Is a fetus without a heartbeat technically alive yet?

L: (See *Activity 4: "It's Human, but It's Not a Person!"*)

Got Ten Seconds?

That's plenty of time to defend your pro-life views.

Stephen Wagner

One morning at 1:30 AM, a car carrying five young women pulled alongside mine at a stoplight on Pacific Coast Highway. They were in a rather rowdy mood, and were yelling out the open window to a man on the corner, "Get us a pizza!" Then one blond in the back seat turned her attention to me, making a motion with her arm for me to roll down my window. This might be interesting, I thought, as I obliged. Following is the conversation that ensued:

"What does your bumper sticker mean?"

"Which one?"

"We can do better than abortion? What does that &%\$# mean?"

I fumbled for a response. "Um..."

"Have you ever been pregnant?" one of the others asked.

"You don't even know what your bumper sticker means?" the first woman chided.

"Well, I think it's pretty self-explanatory."

Then as they turned the corner, one fired her final volley: "What would Jesus do?"



My car at the time of this incident. On the left: "Some choices are wrong." On the right: "We can do better than abortion."

Now, these may not have been the most formidable opponents to the pro-life cause. But as I drove home, I was a bit embarrassed because I did not have the quick answer ready for the situation. When I closed the garage door, I went upstairs and a short brainstorming session produced a number of possible responses. One of those responses is especially useful in other situations as well. It can help you to express your pro-life views, defend them with evidence, and ask your audience to come to the appropriate moral conclusion; all within ten seconds. I call it the *10-Second Pro-Life Apologist*:

If the unborn is growing, it must be alive.

If it has human parents, it must be human.

And living humans like you and I are valuable aren't they?⁹

Notice we are not only saying "I'm pro-life!" We're giving the substance of that moniker: the unborn are human beings¹⁰ who are valuable. But in these three sentences we are doing something else that is just as important: we are giving reasons for others to take us seriously. We are seeking to persuade with evidence. And we're giving that evidence in sound bite form – this keeps the listener engaged and the conversation moving forward. It puts the ball back into their court in a gracious but incisive way.

Certainly the 10-Second Pro-Life Apologist is not the only tool you should have in your toolbox. You should be ready to make a sophisticated case for your pro-life views by reducing the issue to only one question, showing there is no significant difference between the newborn and the unborn, and responding to attacks on your character and appeals to relativism. You should also be able to make a more substantive case that the unborn is a living whole human organism distinct from the mother along with reasons to think a functional view of human value is inadequate. In any case, the 10-Second Pro-Life Apologist will give you a rock-solid starting point anytime you are asked to make sense of your view on abortion.

Sometimes opportunities come with a strict time limit. The person you are talking to interrupts, or changes the subject, or leaves to catch the bus. You don't want to be caught by surprise when you are presented with a chance to stir up thought on the issue of abortion. But as we've seen today, you can easily get them thinking. All you need is ten seconds!

⁹ An alternate formulation turns each statement into a question (good to engage your listener): "If the unborn is growing, isn't it alive? And if it has human parents, how can it not be human? And aren't living humans like you and I valuable?"

¹⁰ I don't know what else to call a "living human" than a "human being." This is simply our common-sense term.

The stopwatch was set. I felt the weight of the lives of the unborn in the balance as the crowd fixed their eyes on me. Here's what I said:¹¹

If the unborn is growing, it must be alive. And if it has human parents, it must be human. And living humans, or human beings like you and me, are valuable, aren't they? From fertilization, all that's added to the unborn is a proper environment and adequate nutrition. So if you are an organism now, you must have been an organism from the time of fertilization. And not only that. There's one thing all of us have equally that demands equal treatment: we all have a human nature. Racism and sexism are wrong because they pick out external differences and ignore the underlying similarity between men and women, blacks and whites. And my concern is for your rights as a woman, that you can vindicate them against the will of the majority, but you can only vindicate your rights if you base them on your human nature. But the unborn also has that same human nature, so shouldn't we protect him from discrimination just like we protect minorities and women?

I remember sharing a version of this argument with a young woman named Lynette at the University of Texas in 2005. Her response: "That's the best argument I've heard for the pro-life position. If I were pregnant, that's the argument I'd have to grapple with." (Lynette and I went on to correspond by email. A note she wrote about our conversation became the final section of my book, *Common Ground Without Compromise*.)

Notice why the argument is so powerful: First, it shows that the unborn is a living, whole organism of the human species. Then, it shows that if we oppose racism and sexism (which almost everyone does), then the reason we oppose them must be due to the underlying similarity we all share: our human nature. It's our common human nature that demands equal treatment. The argument then points to the unborn as another being with that same human nature and asks this question: Don't the unborn deserve our best efforts to protect them?

OUTLINE OF THE ONE-MINUTE PRO-LIFE APOLOGIST

1. The unborn is a human being.
2. Born or unborn, all of us need only a proper environment and adequate nutrition.
3. There is one equal quality among all valuable human beings: human nature
4. To vindicate women's rights we must base our case on human nature.
5. If human nature is the valuable thing about women, and the unborn has it, we should protect the unborn just like we protect women.

¹¹ I owe this approach to framing the issue ("equals should be treated equally, so if we believe in equal treatment, then there must be something the same about us") to J.P. Moreland. See www.jpmoreland.com for more on Dr. Moreland.

“No One Knows When Life Begins!”

Responding to Uncertainty about Human Beginnings

Stephen Wagner

The Assertions

- “No one knows when life begins.”
- “There are no satisfactory definitions of life. If scientists don’t know, how can we say?”
- “The unborn is not a living thing!”

Response 1: Ask a Clarifying Question First

Many times people say the unborn is not alive (or that they don’t know if it’s alive) but really mean that the unborn is not a human being or human person. In order to clarify, ask this question first:

- “Do you mean the unborn is not even a living organism – that it isn’t biologically alive?”

Often the person will respond by clarifying that she did not mean “biological life.” She meant that no one knows when rights, value, or personhood begins. Some philosophers call this “biographical life.” If she is referring to “life” in this sense, the rest of this article will not help you, since it helps defend only the idea that the unborn is a living whole organism of the human species. See the entries on the Equal Rights Argument for help on these other claims.

Response 2: Ask Two More Clarifying Questions

In 2004, Allison Martinez, a high school student in Albuquerque, was discussing the question of when life begins with a male college student. She asked two questions:

- “If we don’t know if the unborn is alive, why take the risk?”
- “If it’s not alive, then why is an abortion necessary?”

The second question stopped the young man in his tracks. He said, “I think you’ve made me realize that maybe I don’t know everything about this, and I should probably think it over.”

Response 3: Answer with a Sound Bite (“10-Second Pro-Life Apologist”)

“If the unborn is growing, it must be alive.

If she has human parents, she must be human.

And living humans, or human beings like you and I, are valuable aren’t they?”

Response 4: Is the Definition of Life in Flux? Not for Most Things, Including the Unborn.

Scientists generally agree that anything that exhibits all of the following characteristics is alive:

- Irritability: reaction to stimuli
- Metabolism: converting food to energy
- Cellular Reproduction: growth

There is some disagreement about exactly what defines life, mainly because certain objects have only some characteristics of living things (e.g. viruses). But the fact that we don’t know if *certain things* are alive does not mean we cannot know if *anything* is alive. The unborn is obviously alive because anything that exhibits the three qualities above is alive.

Response 5: Ask the Person for Insight

- “If the sperm and ovum were both living cells from living human beings, and the being that results from their coming together (at least at birth) is living, how can the embryo or fetus be something other than living?”

- “Are you saying that every time we reproduce, we bring into being an unborn entity that is not alive, but that it somehow gains life somewhere along the line? At what point?”
- “If we don’t know what the characteristics of life are, how do we know if anything is alive? Are you alive?”

Response 6: Quote Scientists and Embryology Textbooks

Note on Responses 6 & 7: Appealing to scientists or philosophers is not in itself an argument. Sure, they have studied these things and they should know, but they also can be mistaken. This is why I have left these sections until last, since they are to be used when it is tactically appropriate in some conversations to give support to the reasons we’ve offered (responses 3 & 4). – SW

Respected textbooks affirm that the unborn is a living, whole, human organism (a human being).

- *Human Embryology & Teratology, 3rd Edition*: “Although life is a continuous process, fertilization ... is a critical landmark because, under ordinary circumstances, a new, genetically distinct human organism is formed when the chromosomes of the male and female pronuclei blend in the oocyte.” (p. 8)
- *Before We Are Born*: “Zygote. This cell, formed by the union of an oocyte and a sperm, is the beginning of a new human being (i.e., an embryo).” (p. 2)
- *Langman’s Embryology*: “Development begins with fertilization, the process by which the male gamete, the sperm, and the female gamete, the oocyte, unite to give rise to a zygote.” (p. 3)

Respected scientists affirm that the unborn is a living, whole, human organism (a human being).

- Ralph P. Mieh (Brown University): “Human embryos and human fetuses are human beings, each with their own unique genetic DNA.”
- C. Christopher Hook (Mayo Clinic): “When fertilization is complete, a unique genetic human entity exists.”— quoted by Richard Ostling in an AP news story, 9/24/99

(Note: Mieh’s & Hook’s quotes are found on Side 1, Panel 1 of the Justice For All Exhibit.)

Response 7: Quote Pro-Abortion Philosophers

Leading pro-abortion thinkers affirm that the unborn is a living, whole, human organism (i.e. a human being).

- David Boonin: “Perhaps the most straightforward relation between you or me on the one hand and every human fetus from conception onward on the other is this: All are living members of the same species, *homo sapiens*. A human fetus, after all, is simply a human being at a very early stage in his or her development.” (p. 20)
- Peter Singer: “It is possible to give ‘human being’ a precise meaning. We can use it as equivalent to ‘member of the species *Homo sapiens*’. Whether a being is a member of a given species is something that can be determined scientifically, by an examination of the nature of the chromosomes in the cells of living organisms. In this sense there is no doubt that from the first moments of its existence an embryo conceived from human sperm and eggs is a human being; and the same is true of the most profoundly and irreparably intellectually disabled human being, even of an infant who is born anencephalic –literally, without a brain.” (pp. 85-86)
- Wayne Sumner: “A human fetus is not a nonhuman animal; it is a stage of a human being.” (p. 10)

Full Source Citations for Quotes in this Article:

- Christopher Hook quote: Richard Ostling, AP news, 9/24/99: www.ardmoreite.com/stories/092499/09E_moral.shtml
- Roman O’Rahilly & Fabiola Müller, *Human Embryology & Teratology, 3rd ed.* (New York: Wiley-Liss, 2001), p. 8
- Keith L. Moore and T.V.N. Persaud, *Before We Are Born: Essentials of Embryology and Birth Defects, Sixth Edition* (Philadelphia: Saunders, 2003) p. 2
- T.W. Sadler, *Langman’s Embryology, 9th Edition* (London: Lippincott Williams & Wilkins, 2004), p. 3
- David Boonin, *A Defense of Abortion* (New York: Cambridge University Press, 2003), p. 20
- Peter Singer, *Practical Ethics*, 2nd ed. (Cambridge: Cambridge University Press, 1993), 85-86.
- Wayne L. Sumner, *Abortion and Moral Theory* (Princeton: Princeton University Press, 1981), p. 10

Activity 15: “It’s Just a Mass of Tissue!”

Common Statements that Dehumanize the Unborn

Stephen Wagner

ANALYZE

The sample dialogues below feature common statements that dehumanize the unborn by describing her in a misleading way. Ask a question that helps clarify that the unborn is living human organism.

IMITATE

Pro-Choice: **It’s just a mass of tissue.**

Pro-Life: What kind of mass of tissue is it? Aren’t you also a mass of tissue?

C: This is different. It’s tiny and undifferentiated.

L: You’re saying it’s undeveloped?

C: Yes.

L: How does development affect whether one is valuable or not? Would you say that a 3-year-old girl is less valuable than a female college student simply because the 3-year-old doesn’t have a mature reproductive system?

C: No. But this is too undeveloped. The three-year-old is conscious.

Pro-Choice: **It’s just a zygote.**

Pro-Life: What kind of zygote is it?

C: What do you mean, “What kind of zygote is it?” It’s a zygote.

L: Is there such a thing as a cow zygote?

C: Sure.

L: What about a beaver zygote?

C: Yes. But what does that have to do with anything?

L: Zygotes are a stage of an organism. So it always makes sense to ask what kind of organism is the zygote. So what about these zygotes? (Point to a fetal development picture on the Justice For All Exhibit.)

C: I don’t understand.

L: What species designation would you give to these zygotes? What kind of parents did it have?

C: Humans.

L: So would you agree that these are human beings in the zygote stage?

Pro-Choice: **It’s just a clump of cells.**

Pro-Life: Can you help me understand what you mean by that? Aren’t you also just a clump of cells?

C: My cells are differentiated. The embryo’s cells are undifferentiated.

L: How does that change whether it’s a valuable human being?

C: It’s not a human being.

L: But do you have a reason for thinking it is not a human being? Why would we discriminate against it because of the kind of body it has?

C: That’s not my argument. It’s so undeveloped that it can’t think or feel anything. It doesn’t even know it exists!

The SLED Test – Four Top Arguments

How to Use the SLED Test in Real Conversations

Stephen Wagner

THE SLED TEST¹²

We all agree that toddlers are valuable human beings with rights. Yet the unborn differ from toddlers in only four ways: Size, Level of Development, Environment, and Degree of Dependency (the first letters of each of these differences spell an acronym, SLED).

- The unborn is smaller than the toddler, but toddlers are smaller than adults.
- The unborn is less developed than the toddler, but toddlers are less developed than elementary school kids.
- The unborn is in a different location than the toddler, but toddlers can change environments without changing their value.
- Finally, the unborn is more dependent than a toddler, but toddlers are more dependent than adolescents (even if some parents would deny this). And many other born people depend on medications, caregivers, and spacesuits to sustain their lives. They are more dependent than those who don't need these things.

So, there are only four ways the unborn differ from toddlers, but many toddlers and other born humans differ in exactly the same ways. So how can we justify killing the unborn on these grounds, when we protect born humans who have the same deficiencies?

THE SLED TEST MEETS THE REAL WORLD

Anyone who has talked with an abortion advocate knows that the dynamics of real conversation many times make it impossible to give a four-step argument like the SLED Test. Sometimes people have a short attention span or want to focus on just one of these points. Even still, items from the SLED test come up frequently in any conversation on abortion. All you have to do is keep watch for them, then respond with a response from the SLED Test.

Here are the SLED concerns I hear repeated most frequently on campus, followed by my most favored response(s). Learn these and you'll be in good shape!

Size: "How Can Something So Small Be a Person? It Looks Like a Clump of Cells."

"Why should we believe that microscopic human beings aren't persons? Are you saying those who are larger have the right to determine whether those who are smaller deserve to exist? Doesn't that sound like discrimination? Would that be called **sizism**? And to disqualify someone because her body is undeveloped sounds mean. How is your statement different from saying to a disabled person that he doesn't count because of how his body looks or functions? Should we call that **developmentalism** – discrimination against someone for the body she's developed?¹³ Think of a two-year-old: Isn't she smaller than the rest of us? But she has equal value to adults in spite of her small stature. If she's valuable, size is irrelevant to value, right? Isn't the embryo valuable too?"

¹² See Steven Schwarz, *The Moral Question of Abortion* (Chicago: Loyola University Press, 1990), pp. 15-19. See also Steve Wagner, "The SLED Test: Who Created It" at str.typepad.com/weblog/2006/11/the_sled_test_w.html.

¹³ Trent Horn related to me that some have suggested there's a form of discriminatism called "ableism." According to Harvard professor Thoms Hehir, "Ableism is essentially like racism and sexism and homophobia. It's a societal prejudice against people with disabilities, some of which is blatant – like when disabled people aren't able to attend an event because they use a wheelchair – and some of which is more subtle, such as the desire for disabled people to perform life tasks in the same ways as non-disabled people." See <http://www.hepg.org/hel/article/299>.

Level of Development: “The Unborn Can’t Think or Feel Pain or Know That It Exists.”

“Well, in the earliest stages at least, I agree. There’s a debate about when we develop these abilities, but the embryo can’t do any of these things. But is our value really based on our abilities? After all, even adults differ in how well they think or how sensitive they are to pain or how self-aware they are. How can you value all of these people the same even though some of them can’t think well? And some children, like Gabby Gingras,¹⁴ can’t feel pain at all. Are they disqualified? Some severely disabled people aren’t self-aware. People in a reversible coma aren’t thinking, feeling pain, and they definitely aren’t aware of themselves. In order to be consistent, aren’t you going to have to disqualify all of these people with disabilities too? And if not, shouldn’t we value the unborn who is also a human being?”

Environment: “It’s Not in the World Yet. It Doesn’t Even Breathe Air.”

“What do you mean by saying the unborn isn’t ‘in the world’? Surely the unborn is in the world – it’s simply hidden from view. It doesn’t interact with you and I like a toddler does, but isn’t he interacting with his mother in exactly the way someone at his stage of development should? It’s interesting that you claim the unborn is not breathing air. Do you mean that he isn’t even undergoing oxygen exchange, or respiration? All of us did that from the moment we began to exist as zygotes. But you must think breathing air into the lungs is critical for value. What is it about the unborn’s method of respiration or the location of her respiration that diminishes her value? Let me ask you a question. How long can you breathe under water?¹⁵ For about one swallow of water, right? Well, did you know that the unborn is not only surrounded by amniotic fluid, she is breathing it in and out of her lungs? If you can’t survive in her world, why do you expect her to survive in yours? Isn’t that a bit arbitrary and unfair?”

Degree of Dependency: “The Unborn Is Totally Dependent on Only One Person.”

“So let me see if I understand your concern. Are you saying that since the unborn can’t survive without the mother, that it’s dependent in a different way than a toddler, who can survive with any caretaker? So, being dependent on only one person is what disqualifies the unborn? Imagine that you are the last person to leave a swimming pool area and you know everyone else has left and are miles away. As you’re closing the gate, you hear a splash as an infant falls into the pool. Evidently, her parents forgot her and left her at the pool. How are you going to respond? You would save that infant, right? But why? She’s dependent on only one person – You. Isn’t it the case that human beings are valuable even if they’re dependent on only one person? If we don’t disqualify the infant that’s totally dependent on only one person, why disqualify the unborn? Dependency is irrelevant to value...and doesn’t dependency usually signal that we have an obligation to the dependent person, not a right to terminate them?”¹⁶

“But I’m Making a Cumulative Case”

Once you’ve shown that the unborn can’t be disqualified by each of SLED criteria, beware of a possible next move: “You’ve only refuted these qualities when taken by themselves. My argument is that the embryo is the only human being that doesn’t have any of these qualities. So it makes sense to disqualify the unborn on account of the fact that she has none of the important qualities.” See the “The SLED Test – Four Leaky Buckets” article for a response to this argument.

¹⁴ See news stories about Gabby at http://www.usatoday.com/news/health/2005-05-08-chronic-pain-cover_x.htm and <http://www.msnbc.msn.com/id/4788525>.

¹⁵ I owe this question and the ensuing discussion to David Lee.

¹⁶ I owe the pool story to David Lee.

The SLED Test – Four Leaky Buckets

Responding to a Cumulative Case Argument Against the Unborn

Stephen Wagner

Note: I first heard the “leaky bucket” response to cumulative case arguments from Scott Klusendorf or J.P. Moreland. – SW

The SLED Test Isolates Criteria and Responds with a Clear-Case Counter-Example

When someone disqualifies the unborn, she usually references one of the four criteria found in the SLED acronym (Size, Level of Development, Environment, Degree of Dependency). To respond, simply show that a consistent application of the criterion will leave many born people out “in the cold” as well. For example, if someone says the unborn are not developed enough to be persons, bring out a clear-case example of a person who also lacks development but is still valuable (e.g. a toddler or newborn). Counter the abortion advocate’s claim by showing that level of development is irrelevant to the value of the toddler, so it is also irrelevant to the value of the unborn (since both are human beings).

The Rejoinder: “But I’m Making a Cumulative Case!”

I listened to a debate once where the abortion advocate countered the SLED Test strategy by claiming that he was making a cumulative case. Every time a counter-example was used against his criterion for value, he claimed that although any one aspect of his case might be refuted with counter examples, taken together they made one strong reason for disqualifying the unborn. Sounds reasonable, right? Actually, his mistake is easy to see if we just think of four leaky buckets.

Four Leaky Buckets

To carry water from my well to my home, I use a bucket. Now let’s say I have a leaky bucket that has a large hole in the bottom so that it holds no water. I find another bucket that happens to have a very large hole as well. I put one inside the other and take off toward the well. But I soon find out that two leaky buckets won’t hold any more water than one. Being a bit dense in the bucket department, I stack two more leaky buckets inside the original two. Now I have four leaky buckets, but have not succeeded in supplying any water to the parched lips of my wife and kids. I’ve learned my lesson the hard way: four leaky buckets can’t hold any more water together than one by itself.

What’s true of buckets is also true of arguments. Four bad reasons don’t support a position any better than one bad reason. Adding bad reasons doesn’t help a person’s case. With the SLED criteria, adding all of the elements together doesn’t disqualify the unborn any more than one of the elements in isolation. If size or level of development or environment or degree of dependency aren’t relevant to the moral status of the unborn by themselves, putting them together just means we have four criteria that are irrelevant to value, not one. How do a whole set of poor reasons make any better case than one poor reason?

Cumulative Case Arguments and the Hidden Fifth Criterion

Some cumulative case arguments are legitimate. But in order to be legitimate, each case must be valid on its own terms, lending support to a larger argument. We pile valid case upon valid case until it becomes more probable to believe one position than another.

This is not what happens with the cumulative SLED argument though. The abortion advocate isn’t multiplying examples of cases. Really, he is simply asserting a fifth criterion, the size-and-level-of-development-and-environment-and-degree-of-dependency criterion. He says the unborn must be a certain size and level of development and environment and degree of dependency in order to count.

My response? This criterion seems specially constructed just to disqualify the unborn. In fact, it only disqualifies the unborn. Doesn’t that seem like an ad hoc argument (one in which premises are added solely to explain away each challenge)? Why should I take seriously this elaborate criterion for value?

“My Body, My Choice”: Introduction

Is abortion permissible even if the unborn is a human being?

Trent Horn

Pro-life advocates should make it their first priority to defend the claim that the unborn are human beings who possess the same intrinsic value, or rights, that you and I possess. As they do, they should be ready to respond to two common ways of arguing in favor of legal abortion.

1. Arguments that **ASSUME** the unborn are not human (see “Only One Question”)
2. Arguments that actually **ARGUE** that the unborn are not human beings (see “No One Knows When Life Begins!” and “It’s Human, but It’s Not a Person!”)

Once the pro-life advocate has focused the conversation on the one question (“What is the unborn?”) and used biology and philosophy to show that the unborn are human beings, though, is her job finished? Perhaps. But the job is not finished if the pro-choice advocate invokes a third type of argument in favor of legal abortion.

3. Arguments that **ADMIT** the unborn *are human*.

This third type of argument affirms (for the sake of the argument) that the unborn are human beings who possess the same basic rights and intrinsic value that you and I have. The argument then appeals to a woman’s right to control her body in order to justify killing unborn human beings through abortion. These arguments are known as **bodily rights arguments** and they provide the intellectual force behind the common slogan “My Body, My Choice.”

How common is this kind of argument? Think of the seemingly nonsensical, but ubiquitous slogan, “I’m personally opposed to abortion, but I don’t want to take away another person’s right to choose.” If abortion does not kill a human being, then what is there to be personally opposed to? And if abortion *does* kill a human being, then why let someone “choose” to do that? If we take abortion to be an act that kills a human being only as an unintended consequence of “controlling one’s body,” though, then it could be considered a choice that should be legal, even if it’s morally ambiguous. It would be like saying, “I would donate a kidney to save my child’s life, but people should have the right to choose to not do that for their child.”

Before Roe v. Wade, There Was “A Defense of Abortion”

The most famous articulation of the bodily rights argument is Judith Jarvis Thomson’s “Defense of Abortion,” published in 1971 in the first issue of the journal, *Philosophy and Public Affairs*.¹⁷ Thomson seeks to show that even if abortion does kill a human being with a right to life, this does not necessarily mean abortion is wrong. She then appeals to a fictional case where a person finds her body connected to a stranger who will die if she does not stay plugged into him for nine months. Thomson concludes that just as you have a right to refuse to render aid to the dependent stranger, pregnant women have a right to refuse to render aid to their dependent unborn children. We will consider a response to Thomson’s argument in a moment. But first we should consider why bodily rights arguments like Thomson’s are so powerful.

¹⁷ Thomson’s essay is available online at <http://spot.colorado.edu/~heathwoo/Phil160,Fall02/thomson.htm>

1. **Bodily rights arguments admit the claim for which pro-life advocates most strongly argue: the humanity of the unborn.** Pro-choice advocates Frances Kissling and Kate Michelman sum up the dilemma for defenders of legal abortion. They write, “Advocates of choice have had a hard time dealing with the increased visibility of the fetus. The preferred strategy is still to ignore it and try to shift the conversation back to women. At times, this makes us appear insensitive . . .”¹⁸ But the bodily rights argument ingeniously treats the unborn like every other human being. The argument boldly claims, “Yes, the unborn are human beings, but no human being has the right to use another person’s body without that person’s consent.”
2. **Bodily rights arguments allow pro-choice advocates to consistently claim that wanted fetuses should be protected, but unwanted fetuses can be aborted.** If the unborn are human beings who may only live in the womb with the woman’s permission, then this resolves numerous puzzles for the pro-choice advocate. It explains why some pro-choice advocates mourn miscarriages as the death of a child but support abortion. That would be tantamount to mourning the death of a sick person to whom I donated bone marrow, but believing I have a right to not donate bone marrow in the first place. It also might explain why a wanted fetus who is killed in a violent crime is treated like a human being (the fetus’s killer is punished). If I let a needy person use my body in order to live, it would be wrong for someone else to kill the needy person. But I would still have a right to not let the needy person use my body, even if that decision resulted in the needy person’s death.
3. **Bodily rights arguments ground the pro-choice advocate’s position on moral principles with which most people already agree.** In *McFall v. Shimp* a Pennsylvania District Court ruled that no one can be forced to donate an organ or bodily tissue in order to save the life of another person.¹⁹ Indeed, most people would find it absurd to think that the government could treat our bodies like public property and appropriate the use of our bodies without our consent. Bodily rights arguments attempt to use this same justification to keep abortion legal so that women’s bodies are not non-consensually “appropriated” in order to keep the fetus alive.

While bodily rights arguments appear to be strong defenses of abortion, they rest on faulty premises. Typically they either rely on principles about bodily autonomy that are controversial, or they treat pregnancy like an ordinary case of organ donation, ignoring key differences between the two cases. In this section I identify two different bodily rights arguments used to justify abortion and I give some suggestions for responding to each one with secular arguments that can be accepted by most pro-choice advocates.

¹⁸ Frances Kissling and Kate Michelman, “Abortion’s Battle of Messages,” *Los Angeles Times* (January 22, 2008). See <http://articles.latimes.com/2008/jan/22/opinion/oe-kissling22>.

¹⁹ *McFall v. Shimp*, 10 Pa.D. & C. 3d 90 (1978) Summary: <http://people.brandeis.edu/~teuber/lawmcfall.html>

“My Body, My Choice”: The “Sovereign Zone” Argument

Do women have the right to do whatever they want with their bodies?

Trent Horn

The “Sovereign Zone” Argument

The central moral claim of this argument is that women (and presumably men) have an absolute right to control whatever happens within their bodies. Here’s an example of the argument from pro-choice blogger Amanda Marcotte:

“For our purposes, however, pregnancy is an event that happens inside a woman's body, and the right to abortion is a right that women have to control their own bodies.”²⁰

Hence, the human body is a “sovereign zone,” or a place that is exempt from the normal moral constraints society places on people’s actions. Only the owner of a human body can ultimately determine the morality of actions that happen within that body.

Clarify: What Does “My Body” Mean?

When pro-choice advocates claim women can “do whatever they want with their bodies,” does the person mean the unborn is a literal “part of a woman’s body” like an arm or kidney? If this is the case, refer to biological evidence to show the unborn is a human being that is physically *dependent* on his mother, but whose identity as a human being is *distinct* from his mother. For example, you could ask, “Doesn’t the fact that the unborn directs his own development and possesses a unique genetic code different than his mother’s show he is a distinct human being living inside his mother and not a body part like a kidney or appendix?”

Find Common Ground: Can We Really Do Anything We Want with Our Bodies?

Affirm that you care about people’s privacy and their right to bodily integrity. You could say, “I don’t want the government treating our bodies like public property, but should the government have a say in what we do to *other people* who live inside our bodies?”

Challenge: We Can’t Do Anything We Want with Our Bodies.

The premise “One can do *anything* she wants with her body” is controversial. In fact, if the pro-life advocate can present even one successful counterexample to this claim, then the honest pro-choice advocate should admit that even in the “sovereign zone” of the human body some actions are still objectively wrong to the degree that they should be illegal. Some counterexamples include:

- **Intentionally Causing Birth Defects:** The drug thalidomide was once used to ease nausea during pregnancy. After researchers discovered that it causes children to be born without arms or legs, it was withdrawn from the market. If the sovereign zone argument is correct, then women have the right to use thalidomide, even if it harms a child in their

²⁰ Amanda Marcotte, “Really Sex Really?” RH Reality Check Blog. Available online at: www.rhrealitycheck.org/blog/2009/06/28/really-sex-really. This is not to say that this excerpt represents Marcotte’s entire defense of abortion. In the past, Marcotte has also argued that because a fetus typically lacks sentience then it is not a person and would not have a right to life. However, the right to bodily autonomy is a major, perhaps crucial, part of Marcotte’s case.

womb. If bodily autonomy doesn't justify hurting children with drugs like thalidomide, can it justify killing them through abortion?²¹

- **Repeat Intended Abortions:** In 2008, Yale university student Aliza Shvarts allegedly impregnated herself multiple times in order to have multiple abortions and use the remains for her senior art project.²² While mystery surrounds Shvarts's claims and some believe she was purposefully deceiving people, if women have complete bodily autonomy, then what would be morally objectionable about her actions if they really had occurred? (Even the national pro-choice organization NARAL Pro-Choice America condemned Shvarts's actions as being inconsiderate and offensive.)
- **Imprisoning The Unborn:** Pro-choice blogger Paul W. believes bodily rights arguments fail to justify abortion because they lead to unacceptable consequences. He asks us to imagine a case of a woman choosing to not end her pregnancy (it's her body after all) and her fetus, while staying the same size, continues to develop and becomes conscious like the rest of us. She then keeps the conscious fetus imprisoned in her uterus until she dies a natural death at the age of 90 and the 70-year-old fetus dies along with her. Paul W. comments, "Supposing a woman had the ability to do that, would she really have the right to? I really don't think so. You do not have a right to voluntarily create a person and then refuse to grant that person human rights, to the point of creating a helpless slave and keeping it in that situation indefinitely."²³

As Scott Klusendorf notes, this situation is not farfetched. Consider Melissa Ann Rowland, who was pregnant with twins in 2004. Confronted with the prognosis that both of the unborn children would die if she didn't have an emergency cesarean section, she refused. One report said she was concerned about the scar the surgery would leave. After doctors and nurses pleaded with her, Rowland eventually consented to the surgery. The delay caused one baby to die and caused the other to need medical intervention. But if women can do *anything* they want with their bodies, then what would be wrong with Rowland's actions?²⁴

- **Deadly Transfer:** If it is possible to remove a late-term fetus and keep him alive in an incubator, then theoretically, if the technology existed, one could take a premature infant from an incubator and transfer him into a woman's uterus. Nearly everyone agrees that it would be wrong to kill the child in the incubator. But according to the "Sovereign Zone" argument, it would not be wrong to kill that child after he was transferred back into the sovereign zone of the womb. Of course, it seems patently ridiculous that an infant could be treated like a human being in one location (the incubator) and then be moved to another location (the uterus) and be treated like disposable property. This is reminiscent of the situation in the United States prior to the Civil War where African Americans were considered property in the South but persons (or at least second-class citizens) in the North. Does this make the birth canal, or the lining of the abdomen, the new "Mason-Dixon line"?²⁵

²¹ I borrowed the thalidomide example from Rich Poupard of the Life Training Institute. See Rich Poupard, "Suffer the Violinist: Why the Pro-Abortion Argument from Bodily Autonomy Fails," *Christian Research Journal*, Issue 30-04. Available online at: <http://journal.equip.org/articles/suffer-the-violinist-why-the-pro-abortion-argument-from-bodily-autonomy-fails>

²² See <http://www.yaledailynews.com/news/university-news/2008/04/18/reaction-to-shvarts-outrage-shock-disgust/>

²³ Both Paul W.'s thought experiment and the case of Melissa Ann Rowland are taken from Scott Klusendorf, *The Case for Life* (Wheaton, IL: Crossway Books, 2009), pp. 194-195.

²⁴ Ibid.

²⁵ I owe this observation to Justice for All's Executive Director, David Lee.

Sovereign Zone Arguments from the Past

Compare this line of moral reasoning to similar arguments that used “sovereignty” to justify moral wrongs in the past. For example, defenders of racial segregation frequently appealed to the right of owners of private businesses to refuse service based on race simply because they had a right to control what went on in their stores. They claimed, “My lunch counter, my choice.”²⁶ 19th century defenders of legal spousal abuse justified their actions as taking place within the sovereignty of their own homes.²⁷ They essentially claimed, “My home, my wife, my choice.” The sovereign zone argument, while it claims that the unborn are human beings, in reality treats them like disposable property. Pro-life advocates should ask the questions, “Is it ever okay to treat people like property?” and “Does sovereignty justify harming a human?”

“My Body, My Choice”: “Right-to-Refuse” Arguments

Do women have the right to refuse to use their bodies to support the lives of the unborn?

Trent Horn

The “Right to Refuse” Argument

While the “sovereign zone” argument claims normal moral constraints do not apply to actions inside the human body, the “right to refuse” argument claims that *because* normal moral rules *do apply* to the human body, abortion *is* morally permissible (should be legal). This argument has its origins in a famous thought experiment first proposed by Judith Jarvis Thomson in 1971 that has come to be known as “The Violinist Argument.”²⁸ Here’s a paraphrase of the argument:

Imagine you wake up one morning in a hospital bed and your kidneys have been connected to a famous unconscious violinist. It turns out the Society of Music Lovers has kidnapped you and has connected you to this violinist in order to filter the rare blood type you both share. They must do this for nine months and only then will the violinist recover and no longer need your assistance. The hospital director apologizes for what the Society of Music Lovers has done to you, but insists that the violinist is a person with a right to life and therefore you cannot unplug yourself from him without killing him and violating his right to life.

Nearly everyone agrees that in the above situation it would be very kind of you to stay plugged in and let the violinist use your body for nine months. But most people would also agree that no one should be forced to do such a thing, even if the violinist dies as a result of you “unplugging from him.” Defenders of this argument claim that just as we cannot compel people to donate the use of organs or body tissue to save the life of another person, we cannot force pregnant women by law to donate the use of their bodies to sustain the life of their unborn children.

²⁶ In a newspaper editorial describing the first sit-ins protesting segregated lunch counters in Greensboro, North Carolina, the editorial writer claimed that racial segregation was about conflicting “moral principles.” He writes, “Involved are moral, legal and economic questions, and they impinge on one another. Negro students have a sound moral position when they protest a policy which caters to their business at nine counters and slaps them in the face at the 10th. Stores have a sound legal position when they say the law allows them to choose their clientele and serve or reject whomever they see fit.” Source: “Common Sense and the Public Safety” *Greensboro Daily News* (Saturday February 20, 1960), p. 6 (Section A). Retrieved online at: http://www.sitins.com/clipping_022060b.shtml

²⁷ See *State of North Carolina vs. Jesse Black 60 N.C. 266 (June 1864)* “A husband is responsible for the acts of his wife and he is required to govern his household, and for that purpose the law permits him to use towards his wife such a degree of force as is necessary to control an unruly temper and make her behave herself; and unless some permanent injury be inflicted, or there be an excess of violence, or such a degree of cruelty as shows that it is inflicted to gratify his own bad passions, the law will not invade the domestic forum, or go behind the curtain.” Available online at: http://sobek.colorado.edu/~mciverj/2481_60NC266.html

²⁸ Judith Jarvis Thomson, “A Defense of Abortion,” *Philosophy and Public Affairs*, (1971), Vol. 1, No. 1, pp. 47-66. Available online at <http://spot.colorado.edu/~heathwoo/Phil160.Fall02/thomson.htm>

Find Common Ground: The “Right to Refuse” is a Reasonable Claim

Do you support the “right to refuse” in contexts outside of abortion? For example, if someone told you that he needed a donation of one of your kidneys to live, do you believe it should be illegal for you to refuse to donate one? If not, point out to the pro-choice advocate that you too believe in the right to control one’s body and refuse to donate organs or tissue to other people. However, you believe pregnancy is a different circumstance than organ or tissue donation.

The Violinist Story Is Not Analogous to Pregnancy: Summary

The pro-life advocate must show that the moral rules surrounding the right to refuse to donate one’s body do not apply to the case of pregnancy. It’s helpful to point out the following differences between Thomson’s violinist thought experiment (or other cases of organ donation) and cases of pregnancy.²⁹

- The “Responsibility” Objection
- The “Parental Obligation” Objection
- The “Organ Use” Objection

The Responsibility Objection

In the case of a stranger who will die unless I donate blood or bone marrow, I am not obligated to help him because I was not involved in how he became ill. Likewise, if I’m the one who’s been kidnapped in Thomson’s violinist scenario, the reason the violinist is dying has nothing to do with my actions. He has been connected to my body by the plotting of the “Society of Music Lovers.” But why is the fetus connected to a woman’s body in pregnancy? Approximately ninety-nine percent of the time, it is because she engaged in an act (sexual intercourse) that is known to create dependent people (i.e. unborn children). In normal cases of pregnancy, both the mother and father resemble the “Society of Music Lovers” more than the kidnapped kidney donor in creating an innocent child and causing that child to be dependent on a woman’s body to live. If I am **responsible**, or freely engaged in an activity that I knew had the possibility of creating a helpless human life, then I owe that human life whatever assistance she needs to survive. The following two examples help further clarify the responsibility objection.

- **The Reverse Violinist:** One way to illustrate the responsibility objection is to invite the person to take part in a thought experiment first devised by JFA volunteer Tony George that could be called, “The Reverse Violinist.”³⁰

Imagine you wake up in a hospital to discover that your kidneys have been connected to Thomson’s unconscious violinist. You decide that the violinist has no right to the use of your kidneys and you subsequently unplug yourself and begin to walk out of the room. The director of the hospital sees you and shouts, “Oh no! You have to plug yourself back in or you will die!” Feeling extremely lightheaded and nauseous, you struggle back into the bed and re-plug yourself into the violinist. The hospital director explains to you that the violinist is a member of the “Society of Musical Pranksters.” In exchange for being able to participate in very pleasurable group activities, all members of this society know that they run the slight risk of one of the other pranksters connecting their kidneys to some innocent person. The connection always damages the innocent person’s own

²⁹ The names of these objections come from David Boonin, *A Defense of Abortion* (New York: Cambridge University Press, 2003). I am aware that there are other objections to Thomson’s argument that have been made by pro-life advocates. However, for the sake of space and clarity, I have only included what I believe to be the most powerful objections to Thomson’s argument.

³⁰ Tony George, “Good Samaritan on Life Support,” Justice for All, 2009. Available online at: www.jfaweb.org/Training/George_Anthony_GSonLifeSupport.pdf.

kidneys and forces her to rely on the use of the member's body she are connected to for nine months. After hearing this, the stress of the entire situation causes you to pass out just as the violinist wakes up. The violinist decides that because you have no right to use his body without his consent, he unplugs from you. He then walks out of the hospital, you die from kidney failure, and your lifeless body is then disposed of in the hospital incinerator.

But surely there is something terribly wrong with this situation! The violinist engaged in an activity that he knew could cause someone like you to need the use of his body (after all, if he had not joined the society, this would have never happened). Therefore, it seems outrageous to say he has the right to withhold the support you need to live, when he is responsible for placing you in need of his support in the first place. One quick response to Thomson's argument is to simply ask, "**What if you were the violinist?**" This shows that Thomson's analogy only works when viewed in a particular way that allows us to identify with pregnant women, but not with the dependent unborn children. Tony George observes that, "Because we are asked to participate in the analogy, it has a subjective element that can easily be manipulated to work in the opposite way Thomson intended."

- **The Baby-Making Machine**³¹: One objection to the previous example could be that while you already existed and were made worse off by being plugged into the violinist, in pregnancy the fetus never had a previous existence so it is not made worse off (or harmed) by being plugged into a pregnant woman, and then "unplugged" through abortion. Let us grant the questionable claim that this is a morally relevant difference and imagine a case where a person is responsible not just for a needy person's neediness, but also his existence. Scott Klusendorf writes in his book *The Case for Life*, "Suppose I walked up to a baby-making machine and pressed the START button. Would I be responsible for the ensuing child?"³² While this may be a fanciful science-fiction scenario, our moral intuitions still function. Abandoning this infant to die would never be tolerated and if you could find no one else to care for her, you would become the guardian or "parent" of this child. Why? Because you engaged in an act that you knew could create a helpless human being and now that human being stands in need of your assistance. Common-sense morality dictates that we be held **responsible** for our actions.

The "Parental Obligation" Objection

It's one thing to cause a stranger to need my assistance, but what if I negligently cause *my own child* to need my assistance? When a man fathers a child, he is expected to care for the child even if he no longer wants to be a father. The man is expected to use his body to work and earn money in order to make child-support payments, even if he openly claims he no longer wants to be a parent to the children he has created. Simply put, he is a father whether he desires to be one or not. If fathers are expected to shoulder significant burdens to provide for the children they create, shouldn't mothers be expected to provide child support in the form of maintaining a safe environment in the womb?

The "Organ Use" Objection

At this point a critic could object that because we would never legally mandate men to donate their bodies as a form of child support (such as donating a kidney or bone marrow) we should not legally mandate women to provide child support through pregnancy.

³¹ You should be tactful when presenting this objection so as not to give the impression that you think women are merely "baby-making machines."

³² Scott Klusendorf, *The Case for Life* (Wheaton, IL: Crossway Books, 2009), p. 195.

In response, we might distinguish between acts that we are legally obligated to perform and acts that are good to perform but are not legally obligatory. For example, it would be *very kind* for a woman to adopt a starving child from a foreign country, but it isn't something we would say she is legally *obligated* to do. But what about the woman who chooses not to breastfeed her own hungry child because she supposedly has a "right to refuse" to "donate her body" to sustain his life? Rather than a mere "act of kindness," we consider a mother's act of breastfeeding (if she can find no other way to provide her child nourishment) to be a moral and legal duty. Why? Because parents have an obligation to provide their children with *ordinary care* such as nutrition and shelter. This case of breastfeeding, along with the feeding and sheltering of already-born children in general, involves a minimum level of ordinary care we expect parents to provide for their offspring. Because of the severity of the burden involved and the rareness of its occurrence, acts like the donation of kidneys are *extraordinary care* that we do not legally obligate parents to undergo for their offspring.

Therefore, we should ask if pregnancy constitutes *ordinary care* that parents are legally obligated to provide, or if it constitutes *extraordinary care* that parents are not obligated to provide. One way to answer this question is to examine the nature of the kidneys and the uterus.³³ My kidneys were made to filter my own blood and do not serve a natural purpose for anyone else. Therefore, I have a just claim in saying that I own them and have the right to refuse to give them to other people. But for whom is the uterus designed? If the uterus is designed to sustain an unborn child's life, don't unborn children have a right to receive nutrition and shelter through the one organ designed to provide them with that *ordinary care*? Because the uterus is designed for this function and pregnancy is not a rare occurrence (we all required this level of care at some point in life) this makes pregnancy an *ordinary* and therefore legally obligatory means of providing children with their basic needs for life.

A Cumulative Case

The "Organ Use" Objection may not be powerful enough to overcome Thomson's argument on its own, but when presented together with the "Responsibility" and "Parental Obligation" Objections, this trio of objections forms a powerful *cumulative case* against Thomson's violinist argument.

³³ See Stephanie Gray, "A Kidney Versus the Uterus" *Ethics and Medics*, Volume 34, Number 10, October 2009. Available online at: http://www.unmaskingchoice.ca/pdf/Publications_A%20Kidney%20versus%20the%20Uterus.pdf

“My Body, My Choice”: What About Rape?

Does the woman have the “Right to Refuse” if she never consented to sex in the first place?

Trent Horn

Defenders of “right-to-refuse” arguments sometimes concede that their argument only justifies abortion in the case of rape, or cases where the mother is not responsible for the fetus needing to use her body to live. Because she did not freely take part in causing the pregnancy, it is argued that she has no duty to continue a pregnancy that results from rape. Pro-life advocates, while sympathizing with the horror of rape and the injustice of any pregnancy that follows from it, must show that violence is still not an acceptable solution to an unjust situation.

What’s the difference between pregnancy resulting from rape and the woman kidnapped so her kidney can be used to help the violinist? The cases seem on the surface to be exactly parallel. On further investigation, though, the two cases are different in one important way. The woman who was kidnapped for her kidney is not the parent of the stranger who is in need. The woman pregnant from rape, however, *is* the parent of the fetus who is in need. Two stories help show why this familial relationship is a difference significant enough that the woman pregnant from rape does not have the moral or legal right to “unplug” herself from the fetus.

Unjust Paternity

While sexual assault of men is much less frequent than sexual assault involving women, it can still help clarify the moral logic of this difficult case through the use of the following analogy.

Imagine a man’s sperm is stolen and used to help a woman give birth to a baby boy.³⁴ Then, an unjust court forces this man to pay child support in an amount that could possibly bankrupt him.³⁵

It does seem insulting that this man should have to be burdened with supporting a child he had no part in creating. But should it be legal for him to kill his son so that he no longer has to provide burdensome child support payments? Even if this child doesn’t have a right to the man’s financial support, the man is still his father and killing his own son is not an acceptable solution to this unjust situation.

Even if the woman is not responsible for creating the unborn child, the woman is still the boy’s mother. Even when we are not responsible for another being’s existence, the fact that we are biologically related to a helpless person obligates us to provide them with ordinary care such as nutrition and shelter. Mothers provide this ordinary care through a hospitable environment in the womb.

Abandoned Infants

Imagine while hiking in the backcountry you discover an infant who has been abandoned by her parents. Like pregnancy that results from rape, or unjust paternity, you are now in a position where if you refuse to spend time, energy, and possibly your own finances, this child will die. You have no special obligations to this child, but surely the fact that this child is a human being would motivate you to contact the authorities and make sure the child was placed in a safe

³⁴ Example from Francis Beckwith, *Defending Life* (New York: Cambridge University Press, 2007), p. 195.

³⁵ See *S.F. v. Alabama ex rel. T.M.*, 695 So. 2d 1186 (Ala. Civ. App. 1996) for a real-life example of a man being compelled to provide child support payments to a woman that sexually assaulted him. Even men who cannot consent to sex, because they are too young or unconscious at the time of the act, can still be held liable to pay child support.

environment. But suppose that you have no way to contact the authorities because you have no cell phone reception. After all, the child's parents have abandoned her in a place they were certain no one else would find her. It will take you several weeks, maybe even a month, to reach another person. Caring for the infant during this time will be very difficult and require a tremendous sacrifice on your part. But leaving the child to die in the wilderness will involve asking *her* to make an even *larger* sacrifice, namely her own death. Even if you were not legally required to aid this infant (because the burden was very great on your part) would you not be morally required to care for them?

Let's make things more interesting. You discover the infant lying in a basket, and that basket is one you believe you've seen somewhere else before. Upon closer inspection you see that the basket has *your* name on it, and upon closer inspection this infant looks familiar. It appears that the parents who abandoned this infant are *your* parents, thus making the child your *sister*! Even though you were not responsible for the creation of this child, her basic humanity and your familial relation should be sufficient to compel you to make the necessary sacrifice to keep her from dying from exposure. Even though it cannot be fully explained, it may simply be a brute fact of existence that biological familial relations, even those that do not arise from our own actions, carry with them special moral obligations.

An Objection to the Case of the Abandoned Infant

A pro-choice critic may object that cases involving abandoned infants do not parallel cases of pregnancy that result from rape because the aid you give the abandoned infant is social in nature, while in pregnancy the aid is more intimate and biological. Rich Poupard offers this example for us to consider:

Suppose that a woman who faces an unplanned pregnancy decides to gift her child for adoption to another couple. In other words, she agrees to allow the child use of her body during the period of gestation but explicitly states that she is unwilling to care for the child after the birth event.

This mother takes a vacation in a cabin in the mountains when a freak snowstorm strikes and closes down all the roads in and out of the area for at least two weeks. The cabin has adequate food and water stores for the mother, but there is no baby formula, and there are no baby bottles or supplements available for a newborn child. As the storm strikes, the mother goes into labor and delivers a healthy baby girl.

The only way the newborn can survive is to feed on the milk that her mother's breasts naturally provide. There is no formula to feed her, and no means to give the child hydration except for breastfeeding. Does the mother have any moral obligation to use her body (against her stated desire) to feed this child?³⁶

It seems clear that she *does* have the moral obligation, and indeed the legal obligation, to provide ordinary care for her child. Even though she didn't consent to the burden of caring for the child, she still stands in special relation as a parent to her offspring and the only person who can care for him. In the same way, the woman pregnant from rape also stands in that special relation as a parent to her offspring and the only person who can care for him. Therefore, she is morally and legally obligated to do so.

A Final Thought

Pregnancy that results from rape is not like Thomson's violinist example. If you let the violinist use your body, you may gain a new friend who is now indebted to you, but if you continue a

³⁶ Rich Poupard, "Suffer the Violinist: Why the Pro-Abortion Argument from Bodily Autonomy Fails," *Christian Research Journal*, Issue 30-04. Available online at: <http://journal.equip.org/articles/suffer-the-violinist-why-the-pro-abortion-argument-from-bodily-autonomy-fails>.

pregnancy that results from rape, the result will be the birth of a son or daughter. What makes Thomson's argument in the case of rape so successful is that she conceals within her argument assumptions about the human person with which many people do not agree.³⁷ Thomson portrays a "person" as an individual who is not morally obligated to anyone he does not explicitly choose to be obligated to. This may be Thomson's idea of a person, but it is very controversial. Many people identify with an alternative account of the human person, summarized by Frank Beckwith:

*The pro-life view is that human beings are persons-in-community and have certain natural obligations as members of their community that arise from their roles as mother, father, citizen, child, and so on.*³⁸

Pregnancy that results from rape is a tragic injustice, but the child created through this crime is not an unrelated third-party, but a member of a family unit. Men and women contemplating the abortion of a child conceived in rape should not think of him like a violin-playing stranger, but as a son or daughter who, though barely known by us now, will grow into his or her role within the sacred bonds of the family.

"My Body, My Choice": Further Study

Resources to Help You Prepare to Dialogue about Bodily Rights

- Scott Klusendorf, *The Case for Life* (Wheaton, IL: Crossway Books, 2009), pp. 185-201.
- Francis Beckwith, *Defending Life: The Moral and Legal Case Against Abortion Choice* (New York: Cambridge University Press, 2007), pp. 172-199.
- Patrick Lee, *Abortion and Unborn Human Life* (Washington D.C.: Catholic University of America Press, 1996), pp. 105-130.
- Rich Poupard, "Suffer the Violinist: Why the Pro-Abortion Argument from Bodily Autonomy Fails," *Christian Research Journal*, Issue 30-04. Available online at: <http://journal.equip.org/articles/suffer-the-violinist-why-the-pro-abortion-argument-from-bodily-autonomy-fails>
- Stephanie Gray, "Does the Unborn Unjustly Use Another's Body?" Available online at <http://www.unmaskingchoice.ca/unborn.html>
- Greg Koukl, "Unstringing the Violinist." *Stand to Reason Website*, 2003. Available online at: <http://www.str.org/site/News2?page=NewsArticle&id=5689>
- Francis J. Beckwith, "Personal Bodily Rights, Abortion, and Unplugging the Violinist," *International Philosophical Quarterly*, Volume 32, Issue 1 (March 1992), pp. 105-118 Available online at: <http://homepage.mac.com/francis.beckwith/Thomson.pdf>
- Keith J. Pavlischek, "Paternal Responsibilities And Abortion Logic," *Center for Public Justice*, 1998. Available online at: [http://www.cpjjustice.org/stories/storyReader\\$426](http://www.cpjjustice.org/stories/storyReader$426)

³⁷ I owe this point and the following discussion to Frank Beckwith. See Francis Beckwith, *Defending Life* (New York: Cambridge University Press, 2007), pp. 175-176.

³⁸ *Ibid.*

“What If She Was Raped?”

How to Respond in Real-World Interactions

Stephen Wagner

In April 2004, after eight days on the road, five training sessions, and two days in the sun talking with students, I found myself in the middle of a huge crowd of people on a Colorado university campus. One after another, the students complained that the fetus is not fully human and expressed frustration with the Justice For All Exhibit.

After about an hour, a female student spoke up. Exasperated, she said, “I was raped. It’s only because I’ve gone through counseling that I can say that to all of you right now. I was raped and then had an abortion. What do you think about that?”

Although this question strikes fear in many pro-lifers’ hearts, the intellectual response to this argument is rather simple. The real challenge here is the interpersonal element in every new situation. Sure, I didn’t want to waste this opportunity to clarify the logic of the pro-life position as this large crowd of pro-life and pro-choice listened intently. But more importantly, I did not want to fail this test.

Why do I say this is a test? When I teach pro-lifers to respond to the rape challenge, I point out that when people offer this challenge, it is not so much to show the fetus isn’t human; it is a test to see if the pro-lifer is human. Too many times have I watched from the sidelines as pro-life people fail to show a real understanding and concern for women who are hurting. Their points are valid but they make no impact.

I said, “I think rape is seriously evil. It’s horrible what was done to you. And I think the rapist should be punished to the fullest extent of the law. I’ll bet the man who raped you was not punished, was he?” She said, “No.” I replied, “I’m so sorry. That shouldn’t happen. We should punish the rapist severely for his crime. But even when we do punish him, if the woman gets pregnant, I think we’ve let the rapist off easy. If the woman gets pregnant, the rapist not only perpetrated an act of violent assault; he also forced her to become a mother, such that if she wants to do what’s right, like everyone does, she has to carry to term. It’s wrong to put her in the position where she either has to carry a baby she didn’t consent to create (followed by giving birth and going through the pain of adoption) or she has to do this (I pointed to the pictures of aborted children) to the child. But it’s the rapist who did all of this. We’re too easy on him. He should be punished for all of these things.” My response here was totally centered on the woman and the injustice done to her. There’s one other point I needed to make explicitly, though, in order for the crowd to see the moral logic of our position.

After a few responses from the crowd, I said, “Why should the child pay for the crimes of his father?” I can easily use this sentence at the beginning of my response, but I know it will not be heard or understood. That’s why I always place it in the context of concern for the mother; then the audience can focus on its intuition that those who commit injustice are the ones who should be punished.

Even this careful approach to the rape question isn’t always easily accepted. Women many times protest that it’s very wrong for them to have to carry a child when they didn’t do anything to be placed in the situation— that the pregnancy makes the rape worse. I agree with them, but I point out that all of the unthinkable horrors of rape – including any forced pregnancy that results – are the rapist’s fault, not the child’s. They may struggle with the fact that the rapist isn’t punished and won’t be punished (I struggle with this too!), but because I acknowledge the serious wrong done to the woman, they are more likely to see the sensibility of the pro-life position.

“What if the Mother’s Life is in Danger?”

Is killing the unborn always wrong?

Stephen Wagner

Compassion: Easy to Forget in the Process of Intellectual Discussion

Just as there is an underlying test of your compassion when people bring up abortion in the case of rape, when people ask, “**Would you say that abortion is wrong when used to save the mother’s life?**” they are testing whether you are a reasonable, compassionate human being. Do you simply respond with a disinterested intellectualism? And not only must you be careful to express your compassion for both mother and child in these circumstances, you also must actually be the sort of person who has genuine concern. You can’t pass this test by faking it. If you aren’t heartbroken over these circumstances, I suggest you spend more time listening to the stories of those personally affected.

An Initial Question

“I think cases in which the pregnant woman’s life are in danger are important to consider. What life-threatening conditions are you referring to?” (The person may not have any specific cases to share; you can then offer him or her the information in the following paragraphs.)

Step 1: Find Common Ground

“If a pregnant woman’s life is in danger, and the unborn is a human being, then there are actually two human beings whose lives are in danger (the mother and the child). I’m very concerned about the mother whose life is in danger, but shouldn’t we also be concerned about the unborn child? I agree with the authors of the classic *Williams Obstetrics* when they note, “An important result is that the status of the fetus has been elevated to that of a patient who, in large measure, can be given the same meticulous care that obstetricians provide for pregnant women.”³⁹ Can we agree that we should avoid abortion if possible?”⁴⁰

Step 2: Clarify How Doctors Should Approach Threats Late in Pregnancy

“Late in pregnancy, the most important question is, ‘Do we need to kill the child to save the mother’s life?’ I know of no threats late in pregnancy that require *killing* the child to *save* the mother’s life. The doctor should seek to save both the life of the mother and the child using Caesarean section or other medical management. Even in the rare case in which the doctor believes the woman will die if the child is not delivered immediately, and the child is too young to survive outside the womb (prior to approximately 22 weeks gestation), the doctor can still do a Caesarean section and allow the parents to care for their baby while he is dying (this is what we do with any other dying person – we give him hospice care).”⁴¹

Step 3: For Life Threats Early in Pregnancy Intervention Is Similar to Triage

“I’m aware of only one threat to the woman’s life that occurs early in pregnancy. I’m referring to ectopic (“out of place”) pregnancy, and specifically the sort of ectopic pregnancy in which the child implants in the fallopian tube rather than in the uterus (also called a “tubal pregnancy”). In some cases, the child dies naturally before the tubal pregnancy becomes a threat to the mother’s life. In many cases, however, the

³⁹ F. Gary Cunningham (et. al.), *Williams Obstetrics*, 23rd ed., (New York: The McGraw-Hill Companies, Inc., 2010), p. 78. A portion of this quotation appears on Side 1, Panel 1 of the Justice For All Exhibit.

⁴⁰ See Stephen Wagner, *Common Ground Without Compromise* (Signal Hill, CA: Stand to Reason Press, 2008), pp. 45-48

⁴¹ See a reprint of Thomas Murphy Goodwin's excellent article on high-risk pregnancy management at <http://www.leaderu.com/ftissues/ft9603/articles/goodwin.html>. According to Goodwin, in most other cases of life endangerment in pregnancy, we can treat the mother and save the child. For example, a pregnant woman with cancer can be treated while the baby tolerates the chemotherapy given to the mother. The sad thing, Goodwin notes, is that many obstetricians are not well-versed in the current literature on high-risk pregnancy management, so they are not as confident as they should be to avoid abortion in these circumstances.

child does not die naturally and the mother will likely die if the doctor does not intervene. In these cases, as in other cases of triage, we must think of the child as a real human being, but we must also seek to save as many lives as we can. Because the life of the child cannot be saved (this is not a case of “child *or* mother”), the doctor should intervene. The mother and father will surely feel a mix of emotions, but they should not believe they are doing the wrong thing to allow intervention.”

Step 4: Note the Disagreement about Which Means of Intervention Are Appropriate

“Among those who take the humanity of the unborn seriously, there is some disagreement as to the appropriate way to intervene, whether through salpingectomy (removal of a portion of the tube), salpingostomy (removal of the embryonic child through an incision in the tube), or methotrexate (a drug, traditionally used to treat cancer, that stops the cellular development of the child). All of these advocates, though, agree that the mother and child are equally human and should be treated as such.”⁴²

One Key Distinction: Life Versus Health

Note: See the article entitled, “Is Abortion Legal Through All Nine Months for Any Reason?” for a review of the legal importance of distinguishing between life and health threats.

Should we allow abortion for a threat to the *health* of the mother? If so, we are placing the *health* of one human being (the mother) over the *life* of another (the child). This seems clearly wrong. There is no other circumstance in which we would allow someone to kill an innocent person to protect herself from a health threat. We don’t allow those who are exposed to disease to kill those who exposed them, do we? No. When someone’s health is threatened by the existence of another, we attempt to remove the one threatening and treat the one threatened. We can do this in the case of the pregnant woman whose health is affected by her child. We can remove the child (as soon as it is possible for him to live outside the womb) and treat the mother’s condition.

Threats That Are Not Threats

We agree that there are a number of conditions that threaten the pregnant woman’s life. But with many of these threats, we can treat the mother and save the child:

- **Preeclampsia (Toxemia):** Occurs in 1 in approximately every 12 pregnancies (5% - 8%). This is a condition of swelling, elevated blood pressure, and protein in the urine. This condition can be effectively treated either by delivery (after 36 weeks) or by bed rest (prior to 36 weeks). Delivery can also be attempted after 24 weeks with reasonable assurance the fetus will live. In some cases delivery prior to 24 weeks may be necessary although the likelihood of the child’s survival is reduced.
- **Eclampsia (Toxemia with Seizures):** Occurs in 1 in approximately 2000 pregnancies (.05%). This condition is marked by seizures that are caused by pregnancy (as opposed to some other known factor). Treatment is the same as for Preeclampsia, but this condition is more severe, usually requiring delivery either naturally or by C-section.
- **Placenta Previa:** Occurs in 1 in 200 pregnancies (.5%). The placenta covers all or part of the cervix. Although this condition has the potential to be life-threatening, with proper medical management (usually bed rest, but sometimes hospitalization), both mother and child can be protected from harm. In the case of an early placenta previa, sometimes the baby does not survive. There is no moral wrong here; this is simply a specific case of miscarriage, in which no person causes or intends the child’s death. Click on www.babycenter.com/refcap/830.html#0. Helpful information on placenta previa, including drawings, can be found on this page as well as the March of Dimes page linked under *Placental Abruption*, below.
- **Placental Abruption:** Occurs in 1 in 100 pregnancies (1%). The placenta detaches from the uterine wall. If not treated, this can harm both mother and child. See www.marchofdimes.com/professionals/681_1154.asp⁴³

⁴² I do not mean to imply, however, that there is no right answer to the question, “Which interventions are appropriate?” I am simply not weighing in on that question in this article.

⁴³ See Medline Plus (www.nlm.nih.gov/medlineplus/highriskpregnancy.html) for more information about pregnancy risks.

Activity 16: “Women Will Die in the Back Alley!”

An Advanced Poll Table Activity

ANALYZE

When people claim that women will die in the back alleys if abortion is made illegal, pro-life advocates typically attempt to show the claim is factually false. This inevitably leads to an unproductive argument over carelessly tossed-around facts of history and unfounded projections into the future. In addition, you may appear callous if you choose to argue this way. (Is your first concern proving you’re right?) Instead, follow these four steps:

1. Build common ground by showing concern for women dying. (“That would be tragic.”)
2. Instead of trying to prove the facts wrong, assume for the sake of argument that women would die.
3. Show that women don’t have only two options (kill a child through legal abortion, or kill a child and themselves through illegal abortion). They can also give birth. Isn’t it demeaning to assume that some women *can’t* follow the law or choose to avoid abortion?
4. Show that a law to protect human beings from assault is legitimate even though some may choose to endanger themselves by breaking it. Our real disagreement is about whether the unborn are human beings.

IMITATE

Pro-Life: What do you think will happen if abortion is made illegal?

Pro-Choice: Women will still do it. They’ll have unsafe abortions in the back alley.

L: If a woman did that, would you agree with me that it’s tragic?

C: Of course. That’s why abortion should be legal.

L: But it sounds like you’re saying there are only two options, that either the child gets killed in a legal abortion clinic, or the child and his mother gets killed in an illegal back alley clinic. Isn’t there a third option?

C: What would that be?

L: Isn’t it possible for the woman not to get an abortion at all? Couldn’t she give birth?

C: Sure, but I still think it should be her choice. She shouldn’t have to be subjected to an unsafe surgery.

L: I think that makes sense, if abortion is simply a surgery like tonsillectomy. We should certainly keep it safe. But is abortion safe for the baby?

C: I don’t think it’s a baby.

L: Do you see, though, that this is where we really disagree? We have different views on whether abortion should be legal because we have different views on what the unborn is. If the unborn is a human being, abortion can never be made safe for him. If the unborn is not a human being, it makes no sense to make abortion illegal, unless it’s really unsafe for the woman having the abortion. Do you agree?

C: Yes, I see your point...

IMPROVISE

Turn to your neighbor and pick *Pro-Life* or *Pro-Choice*. Imagine you are standing at the “Should Abortion Remain Legal” poll. The Pro-Choice Advocate is writing on the YES side of the poll.

Pro-Life: What do you think will happen if abortion is made illegal?

Pro-Choice: Women will die from unsafe abortions.

Pro-Life: ???

Considering Graphic Pictures

Two Key Questions: Which Pictures? Which Contexts?

Stephen Wagner

Note: Because we live in a visual culture, there is probably no more important topic of discussion for pro-life advocates than this: Which visual images should be shown in which contexts? This document orients pro-life advocates to this discussion.

Why is there so much controversy surrounding the use of graphic pictures?

Pro-life advocates tend to lump all graphic picture displays together in one group, as if it's simply good or bad to show graphic pictures. They see a graphic picture display in public that virtually forces people to look at graphic pictures and they decide they aren't going to use graphic pictures at all. Even if public displays are bad, should we make all uses of graphic pictures guilty by association?

When I discuss graphic pictures with pro-life advocates, I make two clarifications: (1) In what venue were the pictures shown? (2) Did the audience have adequate warning? My colleagues and I find that audience members (pro-life and pro-choice) almost never object to the presentation of graphic pictures where adequate warning is given (lectures and one-to-one conversations). If you don't know what you think about graphic pictures in public exhibits with little warning, can you at least start using them in public presentations and private conversations?⁴⁴ If you always give a warning, almost no one will object. On the contrary, many people will appreciate being encouraged to look at the truth about abortion.

What about the public displays that force unsuspecting onlookers to view graphic pictures? These can be divided further into two categories: those shown on college campuses (exhibits) and those shown in places where the general public travels or recreates (box-body trucks, planes with tow-banners, hand-held signs, stationary exhibits).

I've spent hundreds of hours in front of one college campus display, the Justice For All Exhibit. Many people criticize the Justice For All Exhibit for forcing students to look at graphic pictures. While understandable, this criticism is unwarranted. JFA (and another exhibit called the Genocide Awareness Project, or GAP) displays warning signs that alert students so they can take a different route and avoid the graphic pictures. It's true that the warning signs are dwarfed by the large JFA Exhibit, so even with the warning, it's reasonable to say that the Exhibit forces students to look for, shall we say, one second. After that, of course, viewers can look away. Many don't, because they are fascinated by pictures they've never seen before. Recently, I heard one student blame the JFA Exhibit for being so interesting she couldn't look away! She was angry about being forced to look, but when pressed, it became clear that she was looking by her own choice.

Is it wrong, then, for these exhibits to force a one-second glance on people? If abortion really kills an innocent human being, and our laws allow doctors to kill unborn human beings over one million times a year, isn't the graphic nature of the procedure being forced on those unborn children? Isn't that the real injustice? How can it be immoral to show someone pictures of legal injustice? Sure, there's the pragmatic question of whether these exhibits actually change hearts

⁴⁴ Contact Justice For All (800-281-6426, ADDhelp@JFAweb.org) for training in how to use pictures effectively in conversations.

and save lives. Testimonies from JFA⁴⁵ and GAP⁴⁶ show that they do. I personally have seen these exhibits change hearts and minds. These testimonies have convinced me that the public display approach, while controversial, presents us with one of the best opportunities to engage college students in dialogue about abortion. Unless there's a good reason to think that it's wrong to display a picture in public, we should certainly not oppose these displays. In fact, we should heartily encourage them.

Consider this: the college campus is the one remaining venue in which large groups of students gather for the purpose of discussing ideas. For most college students, free speech is valued and expected. If we want to change hearts and minds, we best go to the place where dialogue is expected and encouraged (at least in principle). It's especially sad when pro-life advocates, wary of offending *anybody*, totally avoid the opportunity to help *somebody*. I'd prefer they came to the exhibit and used the fact that they oppose the exhibit as an item of common ground to help create dialogue. At these exhibits, it's easy to find someone who's offended. Great! Agree with them and use the opportunity to create good dialogue!

What about the displays shown in places where the general public travels or recreates? These are even more controversial, because they invade public space where unsuspecting adults and kids see them. Apart from a specialized adult environment like the college campus, they seem especially out of place.

Again, how could these displays be immoral, given the injustice they are showing? How can we make the argument that the feelings of the people offended by the display trump the lives of the people who might be saved by the display?⁴⁷

We are left with two questions: (1) Do these displays in fact save the lives of children? View the testimonials for yourself.⁴⁸ (2) Do the benefits of saving lives outweigh the cost of people being offended and children seeing the images?

JFA takes no official position on these displays to the general public, but we believe this approach is worth discussing. As you dialogue about this, keep one thing in mind: We should carefully consider arguments both for and against these tools and not simply dismiss the tools because they make us uncomfortable. Vague discomfort with the idea of offending people isn't a strong enough argument to rule out a tool that saves lives.

I fear that sometimes, without realizing it, we discuss these tools from a perspective that assumes the unborn is not fully human. In other words, these tools seem more extreme to us because we live in a world that treats unwanted unborn children like medical waste, and we have accepted some aspects of that idea system, without purposefully choosing to.⁴⁹ Imagine that one out of every four toddlers were being systematically killed in preschools around the country, by law. Over the years, the public has come to believe that toddlers aren't human beings. A group has found that showing people pictures of dead toddlers in public has caused some to recoil in horror and actively oppose the killing. The tactic is controversial because it offends many other people. Should we as pro-life advocates oppose this display of their bloody corpses in public? Does the

⁴⁵ See www.jfaweb.org/Conversions/Cass.pdf

⁴⁶ See www.abortionno.org/GAP/gap_quotes.html

⁴⁷ See <http://www.unmaskingchoice.ca/rcc-faq.html>, Question 4

⁴⁸ See www.abortionno.org/RCC/feedback.html

⁴⁹ Ironically, wanted unborn children are treated like real humans. When they're sick we call them patients. When they're the subject of discussion, we call them babies.

discussion seem different when it's toddlers and not the unborn? If so, isn't there an assumption working under the surface that says the unborn is not fully human?

Do you use different graphic visual tools in conversations and presentations?

In conversations, my favorite tool is the Justice For All Exhibit Brochure.⁵⁰ During many public presentations, I show *This Is Abortion*, which you can download in high resolution for free at www.abort73.com.

Do you show only graphic pictures during abortion presentations and discussions?

No! While showing the reality of abortion is essential, showing non-graphic pictures of the unborn in different stages of development (video, ultrasound, still images) helps people grasp the wonder and beauty of human development (sometimes for the first time). While some people and audiences are opposed to showing pictures of the unborn after abortion, almost no one opposes showing pictures of the unborn after abortion. Both the Justice For All Exhibit and Abort73.com include these non-graphic, non-controversial pictures which can help clarify the facts and focus your audience on the question, "What is the unborn?"⁵¹

Is it appropriate for pregnancy resource centers to use graphic visuals sometimes?

Yes. See Scott Klusendorf's article, "Should Crisis Pregnancy Centers Use Graphic Visuals?"⁵² It provides the definitive discussion of whether or not pregnancy resource centers should develop a protocol for using graphic pictures in certain counseling situations at the center. He makes an excellent case that while pregnancy centers shouldn't force pictures on anyone and shouldn't use pictures with every client, they should use abortion pictures with some clients (always with their consent). I highly recommend this article.

What about women who have had abortions? Why trouble them with the pictures?

Stand to Reason's *Making Abortion Unthinkable*⁵³ curriculum includes an excellent approach to showing pictures. STR suggests showing pictures in presentations with a warning that tells people exactly what they're going to see (graphic pictures of the results of abortion), encourages people to look away if they prefer, explains that the purpose is to clarify the facts about abortion rather than condemn women who have had abortions, and reminds those who have personal experience with abortion that Christ is eager to forgive.

If pictures of abortion are true representations of what abortion is, and women who have had abortions are troubled by the pictures, isn't it the abortion itself that is causing the women grief or distress? Showing the pictures either clarifies the facts for the woman (sometimes for the first time, which is understandably disturbing) or brings to the surface feelings the woman already had about her abortion. We believe that both of these effects, while difficult, are ultimately positive because they help her move from denial or ignorance to the next stage of a healing process.

⁵⁰ Go to www.jfaweb.org/brochure.html for your complimentary copy.

⁵¹ See www.ehd.org for beautiful video and still photos of unborn children in the womb.

⁵² See www.priestsforlife.org/resources/abortionimages/graphcpc.pdf

⁵³ This article was originally written when I was employed by Stand to Reason. I heartily recommend STR's excellent speakers and resources. For more information about STR, see www.str.org.

4

Seat Work,
Level II
(Facts &
Reference)



ABORTION: FROM DEBATE TO DIALOGUE *THE INTERACTIVE GUIDE*

4

Chapter

Seat Work, Level II (Facts & Reference)

Edited by Stephen Wagner • Produced by Justice For All

**Train thousands
to make abortion unthinkable for millions,
ONE person at a time.**

Abortion: From Debate to Dialogue – The Interactive Guide

Edited by Stephen Wagner

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Note: Throughout this material, references to organizations and authors should not be construed as a blanket endorsement of everything those organizations and authors have said or done.

Authorship

Justice For All attempts to give credit where credit is due whenever possible. Please see Page 2 (Chapter 1) for an important note about authorship throughout the *Abortion: From Debate to Dialogue* materials.

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One of the distinctives of the *Abortion: From Debate to Dialogue* training program is Justice For All's team of mentors who walk with our volunteers through the learning process. Please see Page 3 (Chapter 1) for a special invitation to learn more about the JFA Training Certification program.

Acknowledgements

Please see Page 4 (Chapter 1) for an important note from Justice For All's Founder giving thanks to all who participated in making these *Abortion: From Debate to Dialogue* materials possible.

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Table of Contents

Human Development Before Birth	116
How Should Pro-Lifers Think About Fetal Pain?	119
Abortion: Facts and Figures	121
“How Are Abortions Done?” (Summary)	126
“How Are Abortions Done?” (Detail).....	127
Talking Points on D&E	134
“Is Abortion Legal Through All Nine Months for Any Reason?”	136
“Is Abortion Legal?” – Supreme Court Documents.....	137
Does Abortion Harm Women?	139
Does Abortion Affect Women and Men Psychologically?.....	141
Does Abortion Cause Breast Cancer?	142
Activity 17: “Abortion Doesn’t Cause Breast Cancer!”	144

Human Development Before Birth

What is the unborn...biologically?

David Lee and Stephen Wagner

DEFINITIONS

- Chromosomes: the vehicles used to transmit genetic information from parent to child
- DNA: the material used to encode information in chromosomes
- Mitosis (mitotic): the division of a diploid cell into two daughter cells (both diploid)
- Diploid and Haploid cells: In humans, diploid cells have 46 chromosomes and account for every cell in the body except the haploid germ cells (sex cells) which have 23 chromosomes and are made to combine with another haploid germ cell during reproduction.
- Sperm and Oocyte: Male and female sex cells, respectively.
- Zygote: the first stage of a human organism (just after the sperm enters the ovum).
- Embryo and Fetus: Generally, the embryo is the unborn human organism up until 9 weeks post-fertilization age. Beginning with the 9th week, the unborn human is called a fetus.
- Endometrium: the inner lining of the uterus that enables an embryo to implant and find nourishment throughout the pregnancy.
- Fallopian Tube: the tube leading from the ovary (where an oocyte is released) to the uterus (where an embryo implants). This is the site of fertilization, if it occurs, and is an organ specially designed to move the embryo into the uterus.

MILESTONES

Fertilization-Conception: The Beginning of the Human Organism

“Although life is a continuous process, fertilization ... is a critical landmark because, under ordinary circumstances, a new, genetically distinct human organism is formed when the chromosomes of the male and female pronuclei blend in the oocyte.” (O’Rahilly, 8)

Fertilization is a process through which a new human organism comes into being. The sperm penetrates the ovum. The sperm loses its tail and its head swells. The pronuclei of sperm and ovum (which contain 23 chromosomes each) replicate and the DNA strands align. O’Rahilly and Müller place the beginning of the life of a new organism here (O’Rahilly, 8; see also the description of fertilization on page 31). The first mitotic division takes place as the DNA strands mingle, forming a two-celled zygote (the first mitotic division into two diploid cells). The human individual at this stage has at least two key characteristics:

- Unique DNA Fingerprint: From this point on, each cell of the developing human has a unique, complete genome of 46 chromosomes (unless there is a chromosomal anomaly like Down syndrome, in which the child has 47 chromosomes).
- Whole Human Organism: Although the human individual at fertilization-conception is microscopic, she needs only a proper environment and adequate nutrition **to develop herself as an individual member of the species**. Note that this is all that is required for infants, toddlers, adolescents, and adults to develop themselves as well. In other words, there is no substantial change in the human organism from conception until natural death. It is an organism whose development is being driven from within. It is developing itself to the next stage of the organism according to the nature of the organism.

Embryonic Period (from Fertilization to 8 Weeks Post-Fertilization)

Week 1-2: Differentiation is a Slow Process

- The body is composed of stem cells (embryoblast) and an outer covering (trophoblast)
- Mom's body releases an immunological response but soon realizes the child belongs

Week 1: Traveling to Implantation in the Uterus

It takes the developing human being (sometimes called a morula and blastocyst as it develops in this period; the term *embryo* is used to denote all of the first eight weeks) about 6 days to travel from the fallopian tube (the site of fertilization) to the uterus. The endometrium (lining of the uterus) is built up to coincide with arrival of the developing human being (called an *embryo* at this stage). If the endometrium is not built up (whether by natural causes or hormonal contraceptives), the embryo will probably fail to implant, resulting in a miscarriage (the woman may not even realize she has conceived or miscarried).

Week 2: Twinning and Recombination Possible

During the first week and second week of development, the human being can reproduce asexually by dividing itself into two human beings (twinning). Some scientists believe that when this happens the twins can also recombine into one human individual.

Weeks 3-8: Heart and Brain Begin to Function

- Heart begins to beat at about 21 days (end of week 3): "By the end of the third week, the blood is circulating, and the heart begins to beat on day 21 or 22..." (Moore, 56)
- Primitive heart muscle begins pulsations at the beginning of week 4
- A regular heartbeat becomes established at the beginning of week 5
- Heart is partitioned into four chambers at eight weeks gestation. (Moore 273)
- Brain begins functioning at about 6 weeks: "Synaptic function is sufficiently developed by the eighth week of gestation [6 weeks post-fertilization-ed.] to demonstrate flexion of neck and trunk." (Williams, 182)
- By the end of the embryonic period (end of week 8), the foundation of all the major anatomical systems have been laid down; growth and refinement of these systems occur thereafter until birth (the fetal period).

Fetal Period (from 9 Weeks Post-Fertilization to Birth)

- The fetus is called a "well-proportioned small-scale baby" by the Amicus Curiae (Friend of the Court) brief to the court that decided *Roe v. Wade*. Development is all that takes place from this point on.
- Fingers (53 days) and toes (55 days) are no longer webbed (Moore, 68)

Newborn Period (After Birth)

Note: It's legal in the United States to kill the unborn until birth. While it's illegal to directly kill newborns, disabled newborns are sometimes starved to death. In addition, philosophers like Peter Singer argue that newborns have no intrinsic value and that killing them would not be wrong.

- Neural connections in the brain increase significantly after birth.
- Self-awareness (the ability to see oneself existing over time) is only gained months after birth. Some philosophers see this ability as essential to moral standing. So, if self-awareness is the thing that gives us value, then it's not only unborn children who can be harmed, but also children who are already born.

FURTHER STUDY

- Photographs of the Embryo at Each Stage of Embryonic Development: <http://embryology.med.unsw.edu.au>
- Good Summary of Fetal Development: http://abort73.com/abortion/prenatal_development
- Video and Photographs of the Embryo at Various Stages: www.ehd.org, www.ehd.org/science_imagegal_3.php#MRI

SOURCES

- (O'Rahilly): O'Rahilly, Ronan and Müller, Fabiola, *Human Embryology and Teratology*, 3rd ed. (New York: Wiley-Liss, 2001)
- (Moore): Keith Moore and T.V.N. Persaud, *Before We Are Born: Essentials of Embryology and Birth Defects*, 6th ed. (Philadelphia: Saunders, 2003)
- (Williams): Cunningham, F.G., et. al., *Williams Obstetrics*, 19th ed. (Norwalk, CT: Appleton & Lange, 1993)

How Should Pro-Lifers Think About Fetal Pain?

Originally Published at www.str.org (Updated 2010)

Stephen Wagner

Summary: Both abortion advocates and abortion critics use the idea of fetal pain to bolster their cases. Abortion advocates claim the fetus doesn't feel pain until late in gestation, rendering early-term abortions unproblematic. Abortion critics attempt to gain sympathy for fetuses, realizing that many who think killing is sometimes justified are much more reticent to allow procedures that inflict suffering. How should abortion critics view fetal pain? What resources can we use to study when the unborn begins to feel pain? What strategic concerns should pro-lifers consider when using fetal pain arguments in conversation? This short article answers these questions and cites a number of Internet resources for the study of fetal pain.

Recently, someone asked me about fetal pain and wanted resources for discussing it. My view is that the fetus probably doesn't feel pain until, at the earliest, 20 weeks post-fertilization. It may be later and possibly earlier. There is a significant debate on the topic in the medical community and I will suggest resources for reviewing it in a moment. Every time this question is raised in relation to abortion, however, I feel a few important qualifications are necessary.

First, it is important to remember that the value of the unborn does not depend on whether or not it can feel pain. The value of the unborn depends on whether or not it is a human being. There are many born human beings who can't feel pain. Some can't feel pain temporarily (under anesthetic or reversibly comatose) while others will never feel pain (see Gabby's story cited below). Can we abuse or kill these folks because they can't feel pain? Of course not. So we know pain sensation is not necessary for human beings to be protected as valuable entities.

In addition, it is clear that animals feel pain in much the same way that humans do. Yet there is a qualitative difference between killing an animal and killing a human being. The latter is certainly worse because the human has special worth and dignity.⁵⁴ Although animals may feel pain, killing them in many cases is not morally wrong. Pain sensation is not a sufficient reason to think of animals as having the dignity of humans. So pain sensation is neither a necessary nor a sufficient condition for value.

Because of this, I don't bring up the issue of fetal pain when I am making a case *for the value of the unborn*. We can't know if the unborn is or isn't valuable based on its ability to feel pain. But inflicting unnecessary suffering is certainly an evil in itself, so if the unborn feels pain, this fact is *helpful* to the discussion of abortion in two ways:

- It helps us establish common ground in order to ease tension in a conversation and build consensus. Even if people disagree that the unborn have the right to life, most will agree that inflicting unnecessary suffering is wrong.
- It helps us sway public opinion against late-term abortion so that some abortions can be outlawed. People not only identify more easily with a late-term fetus that feels pain but also are horrified at the thought of dismembering an innocent living thing. I believe this horror grows in intensity the older the fetus becomes.

So a working knowledge of when the unborn can feel pain will help any pro-life advocate. It is important that the concern about pain does not dominate pro-life strategy, however, for the reason I mentioned earlier: *Abortion is wrong primarily because it kills an innocent human being, not because it causes that human being pain.*

⁵⁴ This, of course, doesn't mean we can treat animals any way we like. Not only do we know directly that inflicting pain on animals without cause is wrong, but there is also a Scriptural mandate to be good stewards of all of God's creation.

In addition, an inordinate focus on fetal pain is dangerous because many abortions cause little or no pain. If I'm correct in assessing the fetus as incapable of feeling pain until about 20 weeks gestation, then 99% of fetuses subjected to abortion do not feel it (99% of abortions take place before week 21 according to the Alan Guttmacher Institute: www.guttmacher.org). In addition, late-term techniques may be developed that will cause the fetus little or no pain. Before his death in 2009, Dr. George Tiller in Wichita, Kansas, claimed that his injection into the late-term fetus will "assure that it will be stillborn and will not experience any discomfort during the procedure" (source no longer available: <http://www.driller.com/procedure.html>). It is not clear what he believed about the pain sensation of the fetus from the time of injection until the death of the fetus. Even if Tiller's digoxin technique causes some pain to the fetus, we can imagine that an abortion technique that causes no pain even in the late-term may be developed at some point.

With these concerns in mind, I offer the following article citations for the study of fetal pain. I have listed them in the order I would study them.

Peer-Reviewed Journals:

1. K.J.S. Anand And P.R. Hickey, "Pain and its Effects in the Human Neonate and Fetus," *The New England Journal Of Medicine*, 317 (21): 1321-1329, 19 November 1987. (available at <http://www.cirp.org/library/pain/anand/>)
2. Giannakouloupoulos, et al., "Fetal plasma cortisol and Beta-endorphin response to intrauterine needling," *The Lancet*, 344(8915): 77-81, 9 July 1994.
3. British Medical Journal – many articles appeared in 1996 and 1997 in a debate on fetal pain – search "fetal pain" at <http://bmj.bmjournals.com/search.dtl>
4. Fisk, et al., "Effect of Direct Fetal Opioid Analgesia on Fetal Hormonal and Hemodynamic Stress Response to Intrauterine Needling," *Anesthesiology*, 95(4): 828-835, October 2001. (Search for the article at www.anesthesiology.org)
5. Garg and Rovnaghi, "Fetal Response to Intra-Uterine Needling: Does it Matter? Is it Pain?" *Pediatric Research*, Vol. 51, No. 1. 2002 (review the Fisk *Anesthesiology* article cited above)
6. Anand, K. J. and Maze, Mervyn, "Fetuses, Fentanyl, and the Stress Response: Signals from the Beginnings of Pain?" *Anesthesiology*, 95(4): 823-825, October 2001 (www.anesthesiology.org)
7. Strumper, et. al., "Fetal Plasma Concentrations after Intraamniotic Sufentanil in Chronically Instrumented Pregnant Sheep," *Anesthesiology*, 98(6):1400-1406, June 2003.
8. Wolf, "Treat the babies, not their stress responses," *Lancet*, Volume 342 (8867), (August 7, 1993), 319-320

Other Articles:

- "Rare nerve disorder leaves girl pain-free," Associated Press, 4/26/2004, <http://www.msnbc.msn.com/id/4788525>. Also Google Search: "Gabby Gingras"
- William F. Colliton, Jr., M.D. and John Cavanaugh-O'Keefe, "Fetal Pain: An Agonizing Reality" (<http://www.catholicculture.org/culture/library/view.cfm?recnum=2674>)
- The Telegraph, "Foetuses 'may be conscious long before abortion limit,'" October 10, 2003. See <http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2003/03/10/nfoet10.xml&sSheet=/news/2003/03/10/ixhome.html>.
- President Reagan's Quote on Abortion and Fetal Pain and Confirmation by Various Doctors (http://www.mpomerle.com/NoAbort/Reagan_Fetal_Pain.shtml)
- National Right to Life Committee's links on fetal pain: http://www.nrlc.org/abortion/fetal_pain/index.html

Abortion: Facts and Figures

How Many, When, Where, By Whom, and for What Reasons

HOW MANY ABORTIONS ARE PERFORMED IN THE US?

Source: Lawrence Filner and Stanley K. Henshaw, "Abortion Incidence and Services in the United States in 2005," *Perspectives on Sexual and Reproductive Health*, Volume 40, No. 1, March 2008. (www.guttmacher.org/pubs/journals/4000608.pdf)

	2005	2001	2000*	1996*	1980-1992*
Total Abortions Per Year, US	1,206,200		1,313,000	1,360,000	≥1,500,000
Total Abortions Per Day, US***	~3866		~4208	~4359	
Total Abortions Per Minute, US***	~ 8				
Total Medical Abortions Per Year, US	161,000?	74,000 (est.)**			

* *Note:* These numbers come from survey data. There are no uniform reporting requirements for abortion in the US. Although these numbers are the best available estimates, they shouldn't be taken as exact or perfectly representative of the actual number. These numbers also include only surgical abortion and chemical abortion at or after 4 weeks gestation. Killings of the unborn before 4 weeks gestation, whether for ectopic pregnancy, embryo research, cloning research, in vitro fertilization (IVF), or selective reduction (too many embryos implanted through IVF), are *not* included here. Some menstrual extraction abortions (early suction abortions) are probably not included either. The possible abortifacient effect of oral contraceptives (taken by an estimated 11,000,000 women) and emergency contraception (morning-after pill) is not accounted for either. So, if all unjust killing of the unborn from conception to birth is taken into account, the number is probably much higher, perhaps well over 1.5 million (about 4,000 per day).

** The FDA approved the use of RU-486 in the fall of 2000, enabling researchers to report the number of these abortions from the first half of 2001. Filner and Henshaw define medical abortions as those using mifepristone (RU-486)/misoprostol or methotrexate/misoprostol combinations (p. 13). Medical abortion techniques are used between four and seven weeks gestation.

*** Any attempt at estimating the number of abortions in the U.S. per day is an estimate. The daily estimates above are based on abortions being done 8 hours a day, 6 days a week, 52 weeks a year. (In other words, these estimates are based on the estimate that abortions are done for 312 days of the year, 2496 hours of the year, and 149,760 minutes of the year.)

WHEN ARE ABORTIONS PERFORMED?

Source: AGI Fact Sheet www.agi-usa.org/pubs/fb_induced_abortion.pdf, accessed August 25, 2007

Age (Based on doctor estimates.)		Percentage in 2001	Number in 2000 (estimated)	
Embryo	younger than 7 weeks	59.2%	775,520	1st Trimester Total: 88.6%
	7-8 weeks	19.3%	252, 830	
Fetus	9-10 weeks	10.1%	132,310	Early 2nd Trimester Total: 10.2%
	11-13 weeks	6.4%	83,840	
	14-18 weeks	3.8%	49,780	
	older than 18 weeks	1.2%	15,720	

WHERE ARE ABORTIONS PERFORMED?*

Source: Lawrence Finer and Stanley K. Henshaw, "Abortion Incidence and Services in the United States in 2000," *Perspectives on Sexual and Reproductive Health*, Volume 35, No. 1, Jan./Feb. 2003, Table 5 (www.guttmacher.org/pubs/journals/3500603.pdf)

Provider** Type	Definition of type****	# of Providers	% of Providers	# of Abortions	% of Abortions
<i>Abortion Clinics</i>	"non-hospital facilities in which half or more of patient visits are for abortion services"	447	25%	927,200	71%
<i>Other clinics</i>	"group practices with clinic names, surgical centers, health maintenance organizations [HMO's], family planning clinics and other facilities with clinic names"	386	21%	292,710	22%
<i>Physician's Offices</i>	"solo and group practices where fewer than 400 abortions were performed"	383	21%	27,490	2%
Hospitals	"hospitals where one or more abortions were performed during the year"	603	33%	65,590	5%
Totals		1,819	***	1,312,990	***

* Note: These numbers reflect the provider situation in 2000 but are likely similar now.

** A "provider" is defined as "a place where abortions are performed." The number of providers is greater than the number of doctors (one doctor may do abortions at more than one "provider").

*** May not add up to 100% due to rounding

**** Stanley K. Henshaw, "Abortion Incidence and Services in the United States, 1995–1996," *Family Planning Perspectives*, Volume 30, No. 6, November/December 1998 (www.guttmacher.org/pubs/journals/3026398.html) These definitions are used here for clarity. They are the same in all salient aspects as the study from which the numbers come.

Significance of Where Abortions Are Performed

The numbers above show that abortion clinics make up only 25% of abortion providers in the US. Even if we combine "abortion clinics" and "other clinics" (which include HMO's), these still constitute a minority of abortion providers. This casts doubt on whether abortion can be stopped merely by causing abortion clinics to go out of business, since many private practice physicians and hospitals are *already performing abortions*. Certainly it is true that 71% of abortions are done in specialized abortion clinics, but if all clinics were closed, the abortion industry would simply shift the great majority of abortions to these other providers, especially in the early term. Most Americans believe early abortions should be permitted, so unless we change minds so that people no longer believe abortion should be an option, it will persist in doctor's offices and hospitals.

WHICH WOMEN ARE GETTING ABORTIONS?

Source: Rachel K. Jones, Jacqueline E. Darroch and Stanley K. Henshaw, Patterns in the Socioeconomic Characteristics of Women Obtaining Abortions in 2000-2001, *Perspectives on Sexual and Reproductive Health*, Volume 34, Number 5, September/October 2002 (www.guttmacher.org/pubs/journals/3422602.html). See especially www.guttmacher.org/tables/3422602t.html#t1

Race (with percentage of total population)	% of Abortions*	Approximate # of Abortions per Year in 2000*	Abortion Rate**
African-American (14%)	32%	416,000	49 (more than twice the average abortion rate)
Caucasian (68%)	41%	537,000	13
Hispanic (13%)	20%	264,000	33
Asian/Pacific Islander (4%)	6%	84,000	31
Native American (1%)	1%	13,000	NA

Religion	% of Abortions*	# of Abortions per Year*	Abortion Rate**
Protestant	43%	592,000	18
Catholic	27%	360,000	22
Evangelical/Born-Again (3/4 of these also claimed "Protestant")	13%	171,000	NA
No Religion	22%	292,000	30

Age	% of Abortions*	# of Abortions per Year*	Abortion Rate**
Under 15***	1%	9,000	NA
High School (15-17)***	7%	85,000	15
College (18-24)	45%	591,000	>42 (twice the average abortion rate)
Post-College (25-29)	23%	301,300	32
Thirty-something (30-39)	22%	288,200	NA
Over 40 (40-44)	3%	39,300	4

Marital Status	% of Abortions*	# of Abortions per Year*	Abortion Rate**
Single (Previously Married and Never married)	83%	1,089,000	NA

Lifestyle / Health Care	% of Abortions*	# of Abortions per Year*	Abortion Rate**
Cohabiting	31%	406,100	55 (nearly three times the average abortion rate)
Participating in Medicaid	24%	314,400	57 (nearly three times the average abortion rate)

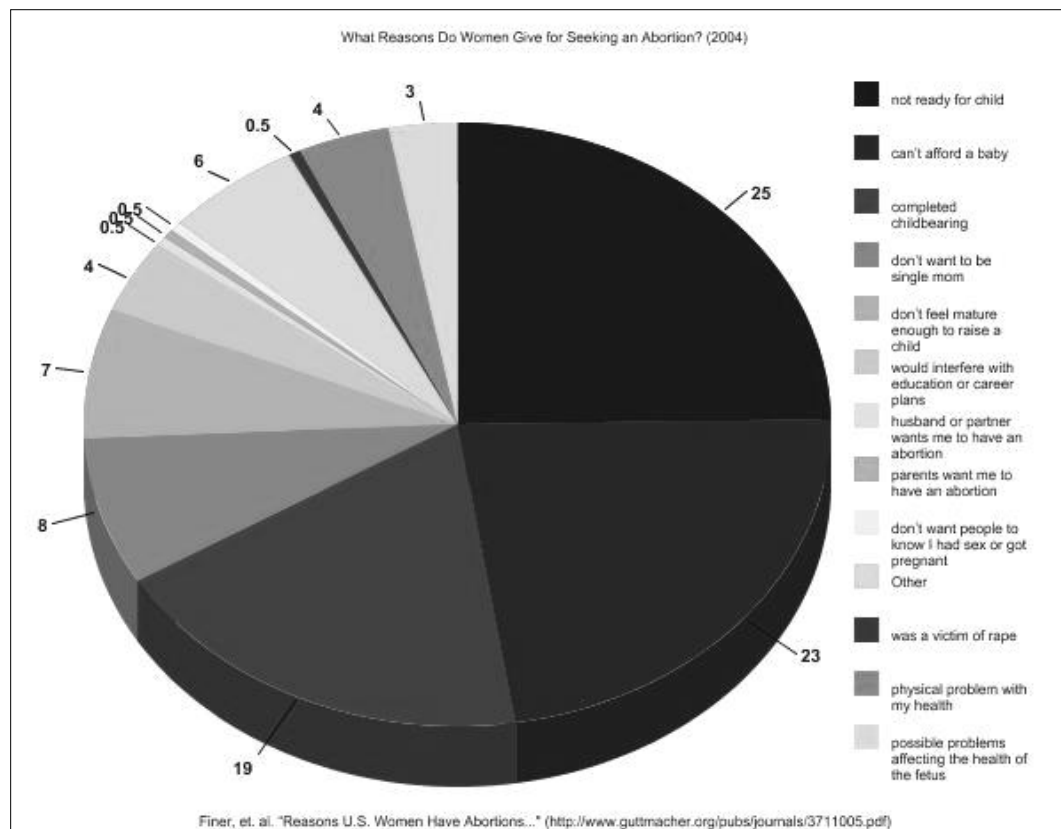
* Rounded to the nearest whole percent or nearest thousand.

** Abortion Rate: How many abortions per 1000 women in each category aged 15-44. The average abortion rate is 21.

***For more data on teen pregnancy and abortion, see U.S. Teenage Pregnancy Statistics, Guttmacher Institute. (www.guttmacher.org/pubs/teen_stats.pdf)

WHY ARE WOMEN GETTING ABORTIONS?

<i>This reason was most important in my abortion decision...*</i>	1987* %	2004** %	
I'm not ready for a child. The timing is wrong.	27	25	social, emotional, economic (87%-92%)
I can't afford a baby now.	21	23	
I have completed my childbearing. I have other people depending on me. My children are grown.	8	19	
I don't want to be a single mother. I am having relationship problems.	13	8	
I don't feel mature enough to raise a child. I feel too young.	11	7	
It would interfere with education or career plans.	10	4	
My husband or partner wants me to have an abortion.	1	<.5	
My parents want me to have an abortion.	<.5	<.5	
I don't want people to know I had sex or got pregnant.	1	<.5	
There is a physical problem with my health. (Note: This does not reflect a doctor's diagnosis; some women chose this category because of morning sickness. See page 112 of the Finer article.)			
There are possible problems affecting the health of the fetus.	3	3	"hard cases" ~7%
I was a victim of rape.	1	<.5	
Other			
	1	6	



* Source: Aida Torres and Jacqueline Forrest. "Why Do Women Have Abortions," *Family Planning Perspectives*, July/August 1988, 20 (4):169-176.

** Source: Finer, et. al., "Reasons U.S. Women Have Abortions: Quantitative and Qualitative Perspectives," *Perspectives on Sexual and Reproductive Health*, 2005, 37(3):110-118 (Table 3, which includes Torres statistics from 1987) available at <http://www.guttmacher.org/pubs/journals/3711005.pdf>.

TALKING POINTS ON REASONS WOMEN GIVE FOR ABORTION

Most Women Abort for Social or Economic Reasons (in the USA and Around the World)

The 2005 Finer article showed that when women were asked to select the most important reason for their abortion, the reasons were social, emotional, and economic in more than 87% of cases. The study also asked women to choose from a list any reasons that contributed to their abortion decision. Women could choose multiple items. Again, women overwhelmingly chose social, emotional, and economic reasons. Some of the common responses are captured in the summary below:

- 74% of abortions: the woman believes having a baby would dramatically change her life
(Women had a choice to further define how her life would be affected. Again, women could choose more than one option. 38% said the baby would interfere with education, 38% said the baby would interfere with job or career, and 32% said other children or dependents would be affected.)
- 73% of abortions: the woman believes she can't afford a baby
(Women had a choice to further define why she couldn't afford the baby. Again, women could choose more than one option. 42% said they were unmarried, 34% said they were a student, and 28% said they couldn't afford baby and child care, and 23% said they couldn't afford the basic needs of life.)
- 48% of abortions: the woman doesn't want to be a single mother

Source: Finer, et. al., "Reasons U.S. Women Have Abortions: Quantitative and Qualitative Perspectives," *Perspectives on Sexual and Reproductive Health*, 2005, 37(3):110–118 (Table 2, which also includes statistics from 1987) available at <http://www.guttmacher.org/pubs/journals/3711005.pdf>.

Warren Hern affirms this in his textbook, *Abortion Practice*, 2nd ed. (Philadelphia: Lippincott, 1990):

"A study of motivations for abortion has found that the majority are sought for socioeconomic reasons... The impression from clinical practice is that all but a few women seek abortions for reasons that can be broadly defined as socioeconomic, and many cite strictly economic reasons." – p. 10

"As a rule, women do not make decisions about pregnancy prevention or treatment on the basis of statistical evaluations and medical advice but rather on the basis of personal attitudes and necessities. At times, medical considerations enter into the picture, but decisions are usually made on the basis of such factors as desire or lack of desire for parenthood, stability of relationships, educational status, emotional status, or economic status, or others." – p. 39

A study of women in 27 countries also showed that most women around the world abort for social and economic reasons.

Source: A. Bankole, et. al., "Reasons Why Women Have Induced Abortions: Evidence from 27 Countries," *International Family Planning Perspectives*, Vol. 24, No. 3, Sept. 1998, available at www.guttmacher.org/pubs/journals/2411798.html.

Even in the Late Second Trimester, Abortion is Usually Elective

"And I'll be quite frank: most of my abortions are elective in that 20-24 week [probably LMP] range... In my particular case, probably 20% are for genetic reasons. And the other 80% are purely elective..." Martin Haskell, *American Medical News* (July 11, 1995)

OTHER SOURCES FOR ABORTION STATISTICS

- World: www.johnstonsarchive.net/policy/abortion/index.html
- Canada: www.statcan.gc.ca

“How Are Abortions Done?” (Summary)

Summary of Abortion Procedures

Collaborators: Stephen Wagner, David Lee

Early First Trimester

- *RU-486*: This is a two-pill abortion technique. The first pill (usually mifepristone) detaches the developing human being from the uterine lining, depriving it of the nutrition it needs to survive. The second pill (usually misoprostol) causes the uterus to have contractions, expelling the dead baby. A similar chemical technique (methotrexate) kills the unborn by altering her cellular development.

First Trimester

- *D & C*: The doctor uses a curette (spoon-shaped metal instrument with a sharp edge) to scrape the uterus, pulling the unborn away from the uterine wall and usually pulling its body apart in the process. The unborn and placenta are pulled through the cervix into a collection jar.
- *Vacuum Aspiration*: This is probably the most common abortion procedure. The doctor connects a tube the size of a pencil to a high-powered vacuum or manual pump and suctions the uterus. The embryo or fetus is sucked past the sharp edge of the tube and through the tube into the collection jar. Martin Haskell, who has performed about 40,000 of these procedures, admits that the fetus may be torn apart by being pulled through the tube or that the fetus may die in the collection jar. After the uterus has been emptied, the fetal body parts are removed from the collection jar and reassembled to make sure no part of the fetus remains inside the mother.

Second Trimester and Third Trimester

- *D & E*: The doctor dismembers and removes the fetus' body piece by piece. This is very common in the early second trimester and is also used into the third trimester.
- *Digoxin*: Guided by ultrasound, some doctors inject Digoxin (or some other chemical) into the heart of the fetus, stopping the heart.
- *Intact D & E (D&X, Partial Birth Abortion)*: In the second and third trimesters, some doctors deliver the child breech (feet first) until only its head remains in the vagina. The doctor then inserts surgical scissors into the base of the back of the head and opens a hole in the head. He then uses high-powered suction to remove the brain of the child. This allows the head to be collapsed more easily, facilitating the completed delivery of a dead child. One variation is described in *Stenberg v. Carhart (2000)*: if the child presents itself head-first, the doctor will collapse the skull (by the same process: opening a hole and suctioning out the brain) and deliver a dead child. A ban on this procedure was upheld in the U.S. Supreme Court decision *Gonzales v. Carhart (2007)*.

“How Are Abortions Done?” (Detail)

Abortion Procedures Described in Detail from Non-Pro-Life Sources

This Collection By Stephen Wagner

Note About Duration of Pregnancy and Post-Fertilization Age

The duration of pregnancy is usually given in menstrual weeks, as calculated from the Last Menstrual Period (LMP). This is the calculation of the length of the pregnancy from the last menstrual cycle. LMP duration is also called *gestational age* in some documents (but others use it to signify post-fertilization age, rendering the term “gestational” completely useless). The post-fertilization age for the unborn (PF) uses an estimated fertilization-conception date, approximately 2 weeks less than the LMP duration. The PF is the most precise description we have for the actual age of the child.

Abortion procedures are usually discussed using LMP dates, while embryology and abortion photos usually refer to PF. This guide refers to PF, since the guide is meant to be used alongside embryology and abortion photos. I suggest pro-lifers continually compare the abortion descriptions with abortion photos of comparable age. Otherwise, the technical wording in these quotations is likely to obscure the meaning for the average reader.

Abortion Doctors Mentioned in this Article

- Warren Hern is probably the leading abortionist in the US. On his website, www.drhern.com, he claims to have done 30,000 first trimester abortions. He wrote the textbook *Abortion Practice*, which is a standard teaching text in medical schools.
- Leroy Carhart provides abortions up to approximately 20 weeks in Nebraska. He won a case before the Supreme Court in 2000, allowing him to continue to use the D & X procedure. His website is <http://www.abortionclinics.org>.
- Martin Haskell provides abortions in Ohio. Under oath on May 27, 1999, he claimed, “I’ve performed approximately or greater than 40,000 suction curettage abortions. Roughly, you know, 10,000 D&E abortions. After the 20th week I’ve performed approximately 5,000 abortions, about 3,000 of them being D&E and about 2,000 of them being the intact variety of D&E.” (US District Court)

Sources Cited in this Article

This article sites *Stenberg v. Carhart (2000)* for summaries of descriptions of abortion techniques drawn from testimony, medical textbooks, *amicus curiae* briefs, and American Medical Association reports. This should be persuasive to most students, since this is a recent Supreme Court opinion on abortion and its abortion technique summaries cite numerous textbooks. The value of using this court case is that it is easily accessible, authoritative, and trustworthy. It should be all you need to describe abortion procedures. Other helpful sources are also included for your personal study:

- “S v C” – *Stenberg v. Carhart*, 530 U.S. 914 (2000) <http://supct.law.cornell.edu/supct/html/99-830.ZO.html>
- “US District Court” – United States District Court for the Western District of Wisconsin on May 27, 1999, Case No. 98-C-0305-S cited at www.priestsforlife.org/resources/medical/suctionexplanation.htm
- “Koop” – C. Everett Koop, M.D., and Francis A. Schaeffer, *Whatever Happened to the Human Race?* (Wheaton, IL: Crossway, 1983), pp. 18-19

4-7 WEEKS PF (EARLY FIRST TRIMESTER)

Approximate number per year: 72,600 (% of total abortions: estimated 6%)

Method: Mifepristone

- **Time frame:** up to 7 weeks LMP (up to 5 weeks post-fertilization age). The prescribing information does not say how early mifepristone can be used, but we can assume it is sometimes dispensed right after a positive pregnancy test and no earlier (about 2 weeks post-fertilization age).
- **Other Names:** RU-486, Mifeprex (US brand name, see www.earlyoptionpill.com), medical abortion, medication abortion, chemical abortion, abortion pill, pharmacological abortion, pharmaceutical abortion
- **Combines with:** Misoprostol (induces labor)
- **Primary killing mechanism:** A synthetic steroid blocks progesterone receptors, depleting the blood supply to the endometrium and causing the implanted embryo to detach from the source of its nutrition.
- **Description by the National Abortion Federation:** “Mifepristone blocks the progesterone receptor, leading to changes in the endometrial blood supply. In contrast, methotrexate inhibits DNA synthesis and primarily affects rapidly dividing cells. In early pregnancy methotrexate interferes with the process of implantation through its effect on trophoblast tissue. The net effect of mifepristone and methotrexate — detachment of the trophoblast from the uterine decidua — is the same. Mifepristone also softens the cervix to facilitate expulsion of the pregnancy. The prostaglandin analogue misoprostol accelerates the process of expulsion by stimulating uterine contractions as well as softening the cervix.” <http://www.earlyoptions.org/mifepristone.html>
- **How to describe this in everyday conversation:** Mifepristone is an abortion technique that is taken when the embryo is 2-5 weeks old. Mifepristone depletes the rich blood supply to the uterus that is necessary to keep a developing human being alive. When the lining of the uterus is depleted, the developing human detaches and dies because it was deprived of adequate nutrition and a proper environment. But nutrition and environment are the only things any of us need to survive, so this is exactly similar to depriving our toddlers of food, water, or a reasonable temperature in their bedrooms. Just as killing a toddler this way is wrong, isn't it wrong to kill a younger human being in the same way?

Method: Methotrexate

- **Time frame:** up to 7 weeks LMP (up to 5 weeks post-fertilization age)
- **Combines with:** Misoprostol (induces labor)
- **Primary killing mechanism:** A synthetic steroid injection blocks progesterone receptors, depleting the blood supply to the endometrium and causing the implanted embryo to detach from the source of its nutrition.
- **Description by the National Abortion Federation:** See description of Mifepristone, above.
- **How to describe this in everyday conversation:** Methotrexate is a cancer drug that is sometimes used as an abortion technique. It is taken no later than seven weeks into the

pregnancy (5 weeks post-fertilization age). It attacks the developing human being as if it were a cancerous tissue mass, inhibiting its DNA from causing it to continue to grow. The human being dies from this direct attack on its vital cellular reproduction and detaches from the uterine wall. Labor is then induced through misoprostol and the dead human being is expelled from the uterus. So if the embryo is a human being, as I have been claiming, this is really no different than feeding a two-year-old a chemical that will greatly slow all cellular activity. Soon that child will die. If it is seriously wrong to do this to a two-year-old, why isn't it seriously wrong to do this to a younger child?

6-13 WEEKS PF (FIRST TRIMESTER)

Approximate number per year: 1,089,000 (90% of total abortions)

“About 90% of all abortions performed in the United States take place during the first trimester of pregnancy, before 12 weeks of gestational age.” (S v C, I.B.1)

Method: Dilation and Curettage (D & C)

- **Other names:** sharp curettage, dilatation and curettage, and surgical abortion.
- **Primary killing mechanism(s):** Dismemberment and/or separation from placenta and uterus
- **Summary from Ipas:** Empties the uterus by scraping it with curettes (metal instruments). Sharp curettage is performed using mechanical dilators to open the cervix and metal curettes to scrape the uterine walls. This procedure generally requires heavy sedation or general anesthesia and, because of increased risk of complications, should only be used when neither vacuum aspiration nor medication abortion is available. (Ipas)
- **How to describe D & C in everyday conversation:** The doctor uses a curette (spoon-shaped metal instrument with a sharp edge) to scrape the uterus, pulling the unborn away from the uterine wall and usually pulling its body apart in the process. The unborn and placenta are pulled through the cervix into a collection jar.

Method: Vacuum Aspiration

- **Other names:** vacuum curettage, suction abortion, suction curettage, menstrual regulation, and mini-suction (also called *menstrual extraction* when used from 3-6 weeks post-fertilization age)
- **Primary killing mechanism(s):** Dismemberment and/or separation from placenta and uterus
- **Summary from *Stenberg v. Carhart*:** “During the first trimester, the predominant abortion method is “vacuum aspiration,” which involves insertion of a vacuum tube (cannula) into the uterus to evacuate the contents. Such an abortion is typically performed on an outpatient basis under local anesthesia.” S v C (I.B.1)
- **Doctor’s Description:** “Well, when we do a suction curettage abortion, you know, roughly one of three things is going to happen during the abortion. One would be is that the catheter as it approaches the fetus, you know, tears it and kills it at that instant inside the uterus. The second would be that the fetus is small enough and the catheter is large enough that the fetus passes through the catheter and either dies in transit as it's passing through the catheter or dies in the suction bottle after it's actually all the way out.” -

Martin Haskell (US District Court: May 27, 1999; full citation on the first page of this article.)

- **How to describe this in everyday conversation:** This is probably the most common abortion procedure. The doctor connects a tube the size of a pencil to a high-powered vacuum or manual pump and suctions the uterus. The embryo or fetus is sucked past the sharp edge of the tube and through the tube into the collection jar. Martin Haskell, who has performed about 40,000 of these procedures, admits that the fetus may be torn apart in by being pulled through the tube or that the fetus may die in the collection jar. After the uterus has been emptied, the fetal body parts are removed from the collection jar and reassembled to make sure no part of the fetus remains inside the mother.

13-24 WEEKS PF (SECOND TRIMESTER)

Approximate number per year: 121,000 (10% of total abortions)

“The most commonly used procedure is called ‘dilation and evacuation’ (D&E). That procedure (together with a modified form of vacuum aspiration used in the early second trimester) accounts for about 95% of all abortions performed from 12 to 20 weeks of gestational age.” S v C (I.B.2)

Method: Dilation and Evacuation (D & E)

- **Other names:** Dilatation and Evacuation
- **Primary killing mechanism(s):** Dismemberment
- **Summary from Stenberg v Carhart:** After 13 weeks post-fertilization age, D& E surgical techniques differ with various physicians, but the typically share these common features: (1) dilation of the cervix; (2) removal of at least some fetal tissue using non-vacuum instruments; and (3) (after the 15th week) the potential need for instrumental disarticulation or dismemberment of the fetus or the collapse of fetal parts to facilitate evacuation from the uterus.” S v C, (I.B.3)
- **Talking Points:** See “How Are Abortions Done?”– Talking Points on D & E
- **How to describe this in everyday conversation:** The doctor dismembers and removes the fetus’ body piece by piece. This is very common in the early second trimester and is also used into the third trimester.

Method: Digoxin

- **Other names:** Potassium Chloride
- **Note:** Hern uses this method from 18-24 weeks PF (20-26 weeks LMP) - www.drhern.com
- **Primary killing mechanism(s):** a chemical is used to stop the heart of the fetus
- **Summary from Stenberg v Carhart:** “Some physicians use intrafetal potassium chloride or Digoxin to induce fetal demise prior to a late D&E (after 20 weeks), to facilitate evacuation.” S v C (I.B.3)
- **How to describe this in everyday conversation:** Guided by ultrasound, some doctors inject Digoxin (or some other chemical) into the heart of the fetus, stopping the heart.

Method: Intact D & E

- **Note:** As of the *Gonzales v. Carhart* decision in April 2007, which ruled that the partial-birth abortion ban of 2003 was constitutional, this procedure is illegal in the USA. It is the only abortion procedure that is illegal.
- **Other names:** Dilation and Extraction (D & X), Partial-Birth Abortion
- Note: Leroy Carhart used this technique from 16-20 weeks (SvC, I.B.9). Martin Haskell is another abortionist who used the technique (S v C, I.B.7)
- **Summary from Stenberg v Carhart:** “The American College of Obstetricians and Gynecologists describes the D&X procedure in a manner corresponding to a breech-conversion intact D&E, including the following steps:
 - ‘1. deliberate dilatation of the cervix, usually over a sequence of days;
 - ‘2. instrumental conversion of the fetus to a footling breech;
 - ‘3. breech extraction of the body excepting the head; and
 - ‘4. partial evacuation of the intracranial contents of a living fetus to effect vaginal delivery of a dead but otherwise intact fetus.’ American College of Obstetricians and Gynecologists Executive Board, Statement on Intact Dilation and Extraction (Jan. 12, 1997)” S v C (I.B.8)
- **How to describe this in everyday conversation:** In the second and third trimesters, some doctors deliver the child breech (feet first) until only its head remains in the vagina. The doctor then inserts surgical scissors into the base of the back of the head and opens a hole in the head. He then uses high-powered suction to remove the brain of the child. This allows the head to be collapsed more easily, facilitating the completed delivery of a dead child. One variation is described in *Stenberg v. Carhart*: if the child presents itself head-first, the doctor will collapse the skull (by the same process: opening a hole and suctioning out the brain) and deliver a dead child.

24-38 WEEKS PF (THIRD TRIMESTER)

Methods: Same as used as in the second trimester

- **Note:** Dr. Hern does not describe the procedure he uses, but he does say that many times couples want the fetus removed intact. This could be done either by Caesarean delivery (following a Digoxin injection that kills the fetus) or by complete dilation of the cervix for induction of labor.
- **Is abortion legal in the third trimester?** Yes. See www.drhern.com as well as the article *Is Abortion Legal Through All Nine Months for Any Reason?*
- **Is third-trimester abortion usually done for fetal deformities?** According to late-term abortionists, yes.
- **Risks Admitted by Dr. Hern:** “At this point, termination of pregnancy is considered a far more dangerous procedure and carries with it serious risks of complication. That is why pregnancy termination at this stage requires more experience and skill in the operating physician. It also requires scrupulous attention to procedures that reduce the risk of complication.” (<http://www.drhern.com/medicalprocedures.asp>)

OTHER ABORTION PROCEDURES

(Rarely Used in the USA Now)

Method: Amnioinfusion

- **Chemicals Used:** Hypertonic Saline Solution, Prostaglandin, Urea
- **Primary killing mechanism(s):** chemical is absorbed through the lungs and the gastrointestinal tract, producing changes in the osmotic pressure; chemical burns the outer layer of skin of the baby
- **Doctor's Description:** "This method is usually carried out after sixteen weeks of pregnancy, when enough amniotic fluid has accumulated in the sac around the baby. A long needle is inserted through the mother's abdomen directly into the sac, and a solution of concentrated salt is injected into the amniotic fluid. The salt solution is absorbed both through the lungs and the gastrointestinal tract, producing changes in the osmotic pressure. The outer layer of skin is burned off by the high concentration of salt. It takes about an hour to kill the baby by this slow method. The mother usually goes into labor about a day later and delivers a dead, shriveled baby." (C. Everett Koop, prior to being named Surgeon General of the US)
- **Used in which trimester?** Second or third
- **Why is this method seldom used now?** It is considered dangerous to the mother. Fetal death is less sure than with D & E.
- **How to describe this in everyday conversation:** In the past, late-term abortion was sometimes accomplished by introducing a chemical solution into the uterus to induce labor. In the process, the chemicals burn the skin of the baby and are ingested into the lungs and gastrointestinal tract. The solution kills the unborn slowly and most likely painfully.

Method: Hysterotomy

- **Similar Methods:** delivery or child vaginally followed by starvation (infanticide)
- **Primary killing mechanism(s):** withholding proper environment and adequate nutrition (probably through direct starvation) from the infant; or a direct killing act to the infant
- **Used in which trimester?** Second or third
- **Why is this method seldom used now?** It is considered dangerous to the mother. Killing the fetus in the womb is preferable both legally and psychologically.
- **How to describe this in everyday conversation:** In the past, late-term abortion was sometimes accomplished by cutting into the uterus and delivering the child alive (similar to a Caesarean delivery). The child was then allowed to die a slow, difficult death by starvation or possibly by a direct killing act.

MORE INFORMATION ON ABORTION PROCEDURES

Descriptions of abortion procedures from the following sources should be persuasive to even the most ardent abortion advocate, since they are from pro-abortion sources (along with one state government agency). I do not recommend using descriptions from pro-life websites in public debate, even though in many cases they are accurate. Citing a pro-life source gives those we are trying to win another irrelevant detail by which to get distracted. You will notice, though, that the case for the gruesomeness of abortion procedures is just as solid (or more so – see Dr. Hern’s *Abortion Practice* textbook) regardless of which sources we use.

- Warren Hern, *Abortion Practice*, 2nd ed. (Philadelphia: Lippincott, 1990)
- Warren M. Hern, Private Practice Website: www.drhern.com/medicalprocedures.asp
- Michigan Department of Community Health (click on *Physical Health and Prevention*, then click on *Informed Consent for Abortion*): www.michigan.gov/mdch
- Ipas: Working to promote “safe” abortion (abortion is never safe for one of the parties involved) in developing countries, Ipas sells and abortion equipment and educational materials. www.ipas.org

For more information on how many abortions are done at different stages of pregnancy, see *Abortion: Facts and Figures* by Steve Wagner.

Talking Points on D&E

Abortion Procedures After 11 Weeks Post-Fertilization

Note: Some object to descriptions of D&E by saying that because these procedures make up a small percentage of abortions, focusing on descriptions of them is misleading. The Alan Guttmacher Institute reports, however, that second trimester abortions comprise about 10% of the total number (1.21 million) each year in the USA (AGI). Stenberg v. Carhart (2000) concluded that 95% of second trimester procedures are D&E procedures (SvC, I.B.2). Based on these data, approximately 114,950 D&E abortions are performed in the USA each year.

In a D&E, the doctor dismembers the fetus.

“Because the fetus is larger at this stage of gestation (particularly the head), and because bones are more rigid, dismemberment or other destructive procedures are more likely to be required than at earlier gestational ages to remove fetal and placental tissue.” (American Medical Association, Report of Board of Trustees on Late-Term Abortion, App. 490, at 491; quoted in SvC, I.B.3)

D&E sometimes requires the crushing of the skull and the oozing out of the brain.

“As the clavaria [dome of the skull] is grasped, a sensation that it is collapsing is almost always accompanied by the extrusion of white cerebral material from the external os.” (Hern, 142)

Doctors use a metal instrument and the woman’s cervix to dismember the fetus.

“Dr. Carhart: ... ‘The dismemberment occurs between the traction of ... my instrument and the counter-traction of the internal os of the cervix

”Counsel: ‘So the dismemberment occurs after you pulled a part of the fetus through the cervix, is that correct?’

“Dr. Carhart: ‘Exactly. Because you’re using—The cervix has two strictures or two rings, the internal os and the external os ... that’s what’s actually doing the dismembering... .

”Counsel: ‘When we talked before or talked before about a D&E, that is not—where there is not intention to do it intact, do you, in that situation, dismember the fetus in utero first, then remove portions?’

“Dr. Carhart: ‘I don’t think so. ... I don’t know of any way that one could go in and intentionally dismember the fetus in the uterus. ... It takes something that restricts the motion of the fetus against what you’re doing before you’re going to get dismemberment.’ ” (SvC, I.B.4)

Dr. Hern recommends removing the fetus one small piece at a time to protect the cervix.

“[At 13 weeks post-fertilization age] Too large an amount of tissue taken with the forceps may require more dilatation than has been obtained, resulting in cervical trauma. It is better to use smaller forceps and take smaller amounts of tissue each time than to deliver fetal parts intact while traumatizing the cervix.” (Hern, 150)

In some abortions, the doctor must use quick motions in order to effectively dismember the fetus, due to the strength of its body structures.

“[at 18 weeks post-fertilization age] It can be a significantly more difficult procedure accompanied by unnerving hemorrhage. Forceps use must be sure and relatively rapid. There is frequently not much time for exploring the nuances of different tissue sensations. Grasping and collapsing the calvaria [upper domelike portion of the skull] are often difficult. Stripping the calvaria of soft tissue is sometimes the first step in successful delivery of this part, followed by dislocation of parietal bones.” (Hern, 153)

Late second trimester abortion includes decapitation and dismemberment of the fetus.

“[From 19-22 weeks post-fertilization age] A long curved Mayo scissors may be necessary to decapitate and dismember the fetus, since it may be impossible to apply forceps or to do so while avoiding the thinned-out cervix.” (Hern, 153)

A picture is worth a thousand talking points.

- See www.abort73.com/abortion/abortion_techniques for medical drawings of D&E abortion.
- See Side 2, Panel 3 of the Justice For All Exhibit (p. 10 of the JFA Exhibit brochure) for a photograph of D & E abortion (21-week fetus). Available online at www.jfaweb.org/i2p4.pdf.

SOURCES

Hern: Warren Hern, *Abortion Practice* (Philadelphia: J. Lippincott, 1990), pp. 150-153

Note: Confusingly, Hern uses “fetal age” to mean “age from last menstrual period” in this section of his book. In contrast, the medical community typically uses fetal age to mean the actual age of the fetus, which is approximately two weeks younger than the date of the last menstrual period. I have used the term “post-fertilization” here to clearly denote the actual age of the fetus.

SvC: *Stenberg v. Carhart*, 530 U.S. 914 (2000).

(URL: www.law.cornell.edu/supct/html/99-830.ZO.html)

AGI: *Fact Sheet on Abortion*, Alan Guttmacher Institute.

(URL: www.guttmacher.org/pubs/fb_induced_abortion.html)

“Is Abortion Legal Through All Nine Months for Any Reason?”

The Supreme Court has made it virtually impossible to limit abortion by law.

Stephen Wagner

Perspective

Many college students I’ve observed during JFA outreaches are incredulous when pro-lifers claim abortion is legal through all nine months. Usually the pro-life advocate simply asserts that abortion is legal, and does so repeatedly. This tactic is unfortunate. It doesn’t help the student see *why* the pro-lifer believes abortion is legal for all nine months of pregnancy. In most cases, a simple *explanation* of how *Roe v. Wade* actually restricted states with respect to abortion is all that is needed.

Talking Points

- *Roe v. Wade* (1973) divided pregnancy into trimesters (periods of about 13 weeks).
- First trimester: *Roe v. Wade* said that states could not restrict abortion in any way.
- Second trimester: *Roe v. Wade* said states could restrict how abortions are done (licensed medical facility, licensed physician) but that restrictions can’t place an undue burden on the woman’s private choice to have an abortion.
- Third trimester: *Roe v. Wade* said that states could restrict abortion, but that any restriction must be accompanied by an exception for the health of the mother.
- *Doe v. Bolton* (1973), *Roe v. Wade*’s companion case, defined health so broadly that any woman seeking an abortion for any reason would fall under the definition (e.g. emotional, psychological, and familial factors are listed as health considerations).

Explanation

In *Roe v. Wade*, the Supreme Court struck down a Texas statute that prohibited abortion. In the decision, the Supreme Court said states may not prohibit abortion in any way in the first trimester, that they may only regulate abortion in the second trimester for the purpose of protecting *maternal* health, and that in the third trimester, the state may “regulate, and even proscribe, abortion” except when it is necessary to protect the life *and health* of the mother. That last phrase is the most important phrase, however, because the Court defined *health* in *Doe v. Bolton* (*Roe*’s companion case) to include “all factors - physical, emotional, psychological, familial, and the woman’s age - relevant to the wellbeing of the patient.” Chief Justice Burger added that the definition of health used must be “in its broadest medical context.”

The end result is that virtually any reason given for abortion can be construed as a health risk to the mother and therefore abortion in the third trimester is easily justified in practice. In so many words, the court decided that states could not prohibit abortion in any significant way up until the moment of birth. Not only is this the opinion of many legal scholars (references available on request) but is the fact of the matter in America today. *Casey v. Planned Parenthood* (1992) reaffirmed the basic holding of *Roe v. Wade*, although it grounded the abortion right differently and focused on pre- and post-viability rather than trimesters. Under these decisions, laws that actually restrict women from having abortions can’t withstand judicial scrutiny. One proof that abortion is legal in the third trimester is this: Some abortion providers, like Dr. Hern in Boulder, Colorado, advertise third-trimester abortions for fetal abnormalities and other reasons. Dr. Hern’s website (www.drhern.com) lists his late-term abortion services: “Outpatient elective abortion through 26 weeks from the last menstrual period” and “Medically indicated termination of pregnancy up to 36 weeks from last menstrual period (including fetal anomalies, genetic disorder, fetal demise, or severe medical problems).” See “*Is Abortion Legal?*” – *Supreme Court Documents for helpful evidence from the Supreme Court cases discussed above.*

“Is Abortion Legal?” – Supreme Court Documents

Source Material for the Article “Is Abortion Legal through All Nine Months for Any Reason?”

Note: In this article, I’ve excerpted passages from Roe v. Wade (1973) and Doe v. Bolton (1973), and Casey v. Planned Parenthood (1992). I’ve placed some of the portions relevant to this discussion in bold text. – Stephen Wagner

Source 1: Section XI of Roe v. Wade

(<http://laws.findlaw.com/us/410/113.html>)

“To summarize and to repeat:

1. A state criminal abortion statute of the current Texas type, that excepts from criminality only a life-saving procedure on behalf of the mother, without regard to pregnancy stage and without recognition of the other interests involved, is violative of the Due Process Clause of the Fourteenth Amendment.
 - (a) For the stage prior to approximately the end of the first trimester, the abortion decision and its effectuation must be left to the medical judgment of the pregnant woman's attending physician.
 - (b) For the stage subsequent to approximately the end of the first trimester, **the State, in promoting its interest in the health of the mother, may, if it chooses, regulate the abortion procedure** in ways that are reasonably related to maternal health.
 - (c) For the stage subsequent to viability, the State in promoting its interest in the potentiality of human life [410 U.S. 113, 165] may, if it chooses, regulate, and even proscribe, abortion **except where it is necessary, in appropriate medical judgment, for the preservation of the life or health of the mother.**
2. The State may define the term "physician," as it has been employed in the preceding paragraphs of this Part XI of this opinion, to mean only a physician currently licensed by the State, and may proscribe any abortion by a person who is not a physician as so defined.

In Doe v. Bolton, post, p. 179, procedural requirements contained in one of the modern abortion statutes are considered. That opinion and this one, of course, are to be read together.”

Source 2: Section IV of Doe v. Bolton

(<http://laws.findlaw.com/us/410/179.html>)

“The vagueness argument is set at rest by the decision in United States v. Vuitch, 402 U.S. 62, 71 -72 (1971), where the issue was raised with respect to a District of Columbia statute making abortions criminal "unless the same were done as necessary for the preservation of the mother's life or health and under the direction of a competent licensed practitioner of medicine." **That statute has been construed to bear upon psychological as [410 U.S. 179, 192] well as physical well-being. This being so, the Court concluded that the term "health" presented no problem of vagueness.** "Indeed, whether a particular operation is necessary for a patient's physical or mental health is a judgment that physicians are obviously called upon to make routinely whenever surgery is considered." *Id.*, at 72. This conclusion is equally applicable here. Whether, in the words of the Georgia statute, "an abortion is necessary" is a professional judgment that the Georgia physician will be called upon to make routinely.

We agree with the District Court, 319 F. Supp., at 1058, **that the medical judgment may be exercised in the light of all factors - physical, emotional, psychological, familial, and the woman's age - relevant to the wellbeing of the patient. All these factors may relate to health.** This allows the attending physician the room he needs to make his best medical judgment. And it is room that operates for the benefit, not the disadvantage, of the pregnant woman.”

Source 3: Section IV of Doe v. Bolton
(<http://laws.findlaw.com/us/410/179.html>)

“MR. CHIEF JUSTICE BURGER, concurring

I agree that, under the Fourteenth Amendment to the Constitution, the abortion statutes of Georgia and Texas impermissibly limit the performance of abortions necessary to protect the health of pregnant women, **using [410 U.S. 179, 208] the term health in its broadest medical context.** See *United States v. Vuitch*, 402 U.S. 62, 71 -72 (1971). I am somewhat troubled that the Court has taken notice of various scientific and medical data in reaching its conclusion; however, I do not believe that the Court has exceeded the scope of judicial notice accepted in other contexts.”

Source 4: Section I of Casey v. Planned Parenthood
(<http://laws.findlaw.com/us/505/833.html>)

“It must be stated at the outset and with clarity that Roe's essential holding, the holding we reaffirm, has three parts. **First is a recognition of the right of the woman to choose to have an abortion before viability and to obtain it without undue interference from the State.** Before viability, the State's interests are not strong enough to support a prohibition of abortion or the imposition of a substantial obstacle to the woman's effective right to elect the procedure. Second is a confirmation of the State's power to restrict abortions after fetal viability **if the law contains exceptions for pregnancies which endanger the woman's life or health.** And third is the principle that the State has legitimate interests from the outset of the pregnancy in protecting the health of the woman and the life of the fetus that may become a child. These principles do not contradict one another; and we adhere to each.”

Source 5: Section II of Casey v. Planned Parenthood
(<http://laws.findlaw.com/us/505/833.html>)

(Also known as “The Mystery Passage.”)

These matters, involving the most intimate and personal choices a person may make in a lifetime, choices central to personal dignity and autonomy, are central to the liberty protected by the Fourteenth Amendment. **At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life. Beliefs about these matters could not define the attributes of personhood were they formed under compulsion of the State.** [505 U.S. 833, 852]

Does Abortion Harm Women?

Factual and Strategic Considerations for Dialogue

Stephen Wagner

Note: If you've been around the abortion debate for any length of time, you know that these questions can be a lightning rod for much unproductive discussion. Here are some suggestions for positioning your concern about these questions within your broader pro-life advocacy to keep the discussion productive.

Question:

I've heard some pro-life groups saying that many women experience harmful effects from their abortions. Aren't these groups getting away from Stand to Reason's *Making Abortion Unthinkable* approach ("Only One Question") when they focus solely on these harmful effects? What kind of physical and psychological effects are there? Does abortion cause breast cancer?

Answer:

Before I can answer these questions about abortion effects, it's important that I ask a clarifying question. When you ask if "women experience harmful effects from their abortions," which women are you referring to? The born women or the unborn women? See, many fetuses are women-in-miniature and they always experience one big negative effect from abortion: they die. If abortion kills an innocent human being, it's wrong, regardless of whether or not it harms the mother. So, if we're talking morality, the effects of abortion on the born woman are really only a small part of the picture. Hypothetically, even if abortion increased a woman's life-span, helped her make more money, and had no negative effects on her health, she should still avoid it because it kills an innocent human being (her own child). So, even if abortion doesn't harm the mother at all, it is still seriously wrong.

I appreciate the tireless efforts of many post-abortion advocacy groups. While they deserve our encouragement and support, I agree that they sometimes miss an opportunity to simplify the issue. When they neglect the question, "What is the unborn?" to focus solely on the effects of abortion on the mother, they end up arguing facts ("Does this scientific study actually show that abortion increases the risk of premature birth?") rather than clarifying that how we think about abortion depends on only one question ("What is the unborn?"). If they're not careful, they will spend lots of time defending their claim that abortion hurts pregnant women and never help people see that abortion is wrong because it kills an innocent human being.

There's a more serious problem. When we focus only on the effects to the pregnant woman, we communicate to the culture that we think abortion is seriously wrong because of those effects. Although this may help an individual to not have an abortion, it's hardly persuasive if you're trying to make the case that abortion should be illegal. Here's the likely reply to a case based on negative effects of abortion: "If Susan had a bad abortion experience, why does that mean that no one should be able to have an abortion? Is abortion really so psychologically damaging or physically dangerous to the pregnant woman that it should be illegal? Many pharmaceuticals and surgeries are legal even though they carry serious risks." Rather than relying on arguments that apply equally to every person in the same situation (as *Making Abortion Unthinkable* and *Abortion: From Debate to Dialogue* does), the bad-effects-to-the-pregnant-woman-only approach relies on anecdotal stories of how bad abortion was "for me." Pro-choice advocates don't even have to relativize a "for me" story, because we've done that work for them already. We haven't made an objective claim at all. They can simply say, "That's fine if it's wrong for you, but that doesn't apply to me."

To be sure, pro-life advocacy groups using this approach don't intend to communicate that abortion is wrong only because it harms the mother. They don't intend to argue that no woman should have an abortion simply because these particular women don't prefer it. The groups certainly never say that. It's what they don't say that matters most: "If the unborn isn't a human being, no justification for elective abortion is necessary. If the unborn is a human being, no justification for elective abortion is adequate."⁵⁵ If they added this idea (if not the words) to their pro-life advocacy, their audience wouldn't misunderstand them so often.

Even if the core issue is whether abortion harms the unborn, we should certainly show concern if abortion also harms the mother. The effects of abortion can be helpful for dialogue in two ways: First, you can effectively warn women about them. Sometimes hearing the effects of abortion can be more persuasive to a self-interested woman than hearing about how abortion kills the unborn. Second, the effects of abortion can provide a bridge to create good dialogue about the core issues discussed above. Hot topics like "Does abortion cause breast cancer?" and "Do most women regret their abortions?" may be just the thing to motivate someone to care.

⁵⁵ Greg Koukl, *Precious Unborn Human Persons* (San Pedro, CA: Stand to Reason Press, 1999), p. 7. I've rephrased the quotation based on conversations with Greg Koukl during my tenure at Stand to Reason.

Does Abortion Affect Women and Men Psychologically?

Pro-life advocates should not assume abortion affects everyone in the same way.

Stephen Wagner

Avoid Making Your Case Based on Effects of Abortion

Pro-life advocates make many claims about the psychological effects of abortion. I have one suggestion: Don't forget that people are different. If people are different, it makes sense that abortion will affect them in different ways. Some effects of abortion may also be delayed so that women and men who may experience them in the future are not experiencing them right now.

If a pro-life advocate makes confident statements that abortion "always makes women depressed" or that "abortion makes people suicidal," she's likely to hear the response, "I had an abortion, and I am fine." What follows is many times an unproductive dialogue in which the pro-life advocate tries to convince the woman who had an abortion that she is, in fact, mistaken about her own subjective feelings.

If You Must Discuss the Effects of Abortion, Make Modest Claims

It may be helpful to a person to hear about the effects of abortion on women and men who are already born. Instead of claiming all people who have had abortions have a certain experience, qualify your statement to include only those people about whom you can make a confident statement. For example, "I know a woman...and here was her experience." Or, "In one study of 400 women who had abortions, 40% had the following experience." (This study is a hypothetical to illustrate the point.)

Resources for Studying the Effects of Abortion

To begin to understand the psychological effects abortion has on the pregnant woman, I suggest you begin with two websites:

- Abortion Changes You (www.abortionchangesyou.com) is an innovative site that allows people to share their stories and process their experiences. You can read first-hand accounts and even begin a healing process for your own abortion experience using the site's unique tools and peaceful environment.
- Abort73.com (www.abort73.com) describes many of the effects of abortion on the psychological and physical health of women. See http://www.abort73.com/abortion/abortion_risks and http://www.abort73.com/abortion/post_abortion_syndrome.

Does Abortion Cause Breast Cancer?

Evaluating the Evidence of Scientific Studies

Stephen Wagner

Some people especially want to know if abortion is a risk factor that can lead to breast cancer. Again, if abortion is this sort of risk factor, that isn't the primary reason we should avoid abortion. Still, this hot topic can provide a motivation for some people to engage the abortion issue. In addition, if abortion is indeed a risk factor for breast cancer, it's important to warn women who have had abortions so they can monitor themselves more closely and earlier than women normally do.

The question of whether abortion is a risk factor for breast cancer contains complicated scientific issues that usually get lost in translation when organizations create press releases and reporters create news articles. Indeed, the issue is so fascinating, practical, and plagued with misinformation, I suggest it as a great choice for high school and college biology projects. It provides a great introduction to the difficulties inherent in disease research.

Three Dialogue Suggestions

- Technically, a scientific study can't be *refuted* by other studies. If studies conflict, meta-analysis must be done to arbitrate among the studies' varied findings. The fact that a study is old can't show in itself the study is bad either. Scientific studies include two components: (1) data and (2) philosophical conclusions about the data. So, to show that a study is bad, a person must either show the data is flawed, or that the philosophical conclusions (the reasoning) from the data are flawed. Various meta-analyses have been done, some confirming and some disconfirming a link between abortion and breast cancer. The meta-analyses that disconfirm a link are fraught with two problems: (1) Some don't include the most reliable studies that show a link. (2) Some rely on "recall bias" theory to discount the findings of the study. Recall bias has been tested in at least one peer-reviewed study. No significant recall bias was found. In other words, women were not more likely to report a past abortion if they subsequently contracted breast cancer.
- "Let's assume abortion doesn't influence someone's risk for breast cancer. Does that justify abortion?"
- You might want to point out that there are other health risks linked with abortion listed on the Justice For All Exhibit, Side 3, Panel 2 (Brochure, p. 15).

Studies Listed on Side 3, Panel 2 of the Justice For All Exhibit (p. 15 of the JFA Brochure)

1994 Janet Daling study

- Daling, et. al: "Risk of breast cancer among young women: relationship to induced abortion," J Natl Cancer Inst., Nov 2; 86(21):1584-92. Abstract available at www.ncbi.nlm.nih.gov/pubmed
- **Daling concluded that women who have abortions (as a group) experience an increased risk in breast cancer.** "Results: Among women who had been pregnant at least once, the risk of breast cancer in those who had experienced an induced abortion was 50% higher than among other women (95% CI = 1.2-1.9). While this increased risk

did not vary by the number of induced abortions or by the history of a completed pregnancy, it did vary according to the age at which the abortion occurred and the duration of that pregnancy. Highest risks were observed when the abortion was done at ages younger than 18 years – particularly if it took place after 8 weeks’ gestation – or at 30 years of age or older. No increased risk of breast cancer was associated with a spontaneous abortion (RR = 0.9; 95% CI = 0.7-1.2).” (Abstract)

- **Daling found a disturbing increase** in breast cancer among the eight women in her study who had aborted before eighteen and also had a history of breast cancer in the family: All of these eight women contracted breast cancer before they turned 45.
- **Daling called for more study to confirm her findings.** “Conclusion: Our data support the hypothesis that an induced abortion can adversely influence a woman’s subsequent risk of breast cancer. However, the results across all epidemiologic studies of this premise are inconsistent – both overall and within specific subgroups. The risk of breast cancer should be re-examined in future studies of women who have had legal abortion available to them throughout the majority of their reproductive years, with particular attention to the potential influence of induced abortion early in life.” (Abstract) To date, no double-blind, peer-reviewed, interview-based study has been done due to pressure to discontinue the research. Isn’t that dangerous for women?

The 2003 Thorp Review Article

- Thorp, et. al: “Long-term physical and psychological health consequences of induced abortion: a review of the evidence,” *Obstet Gynecol Surv.* 2003 Jan; 58(1):67-79. Available here: <http://gigsby.files.wordpress.com/2007/12/evidencereview.pdf>
- **Thorp affirmed that there is some evidence for the link:** “Nonetheless, a statistically significant positive association between induced abortion and breast cancer cannot be easily dismissed...” (p. 9 of the pdf)
- **Thorp affirmed the Brind Metanalysis finding (see citation below):** “Additionally, we believe that women should be aware of the studies that support induced abortion as an independent risk factor for breast cancer, with the only quantitative analysis showing a small but statistically significant odds ratio of 1.3, while the other three reviews (which are non-quantitative) refute this.” (p. 9)
- **Thorp affirmed that it is widely believed among researchers that more study needs to be done:** “None of the reviewers seems to be comfortable with the scope and content of the current literature.” (p. 9)

Other Helpful Resources

- See Patrick S. Carroll, “The Breast Cancer Epidemic: Modeling and Forecasts Based on Abortion and Other Risk Factors,” *Journal of American Physicians and Surgeons*, Vol. 12, No. 3, Fall 2007. (Carroll claims a past abortion is the best indicator of whether a woman will contract breast cancer.) Look here: <http://www.jpands.org/vol112no3/carroll.pdf>
- Brind, et. al: “Induced abortion as an independent risk factor for breast cancer: a comprehensive review and meta-analysis,” *J Epidemiol Community Health*, 1996 Oct;50(5):481-96. Abstract available at www.ncbi.nlm.nih.gov/pubmed
- www.bcpinstitute.org (Breast Cancer Prevention Institute: See the “Fact Sheets” section.)

Activity 17: “Abortion Doesn’t Cause Breast Cancer!”

How to Respond to the Charge that the Justice For All Exhibit Misleads People

ANALYZE:

Remember that if abortion kills an innocent human being, it is seriously wrong even if abortion has no connection to breast cancer. JFA included the abortion risks panel (Side 3, Panel 2) to encourage college students to become informed about the debate about how abortion is connected to breast cancer, premature birth, and other risks.

If someone wants to debate the data and philosophical reasoning of the scientific studies but you feel unprepared, don’t worry. Introduce him or her to a JFA staff member. Or, offer your email address and ask for an email address in return. Then do some study using the “Does Abortion Harm Women?” and “Does Abortion Cause Breast Cancer?” articles.

IMITATE

Pro-Choice: These pro-lifers are misleading people. Abortion doesn’t cause breast cancer!

Pro-Life: What are you referring to?

C: It’s this page in this brochure (page 15 of the *JFA Exhibit brochure*). It says abortion causes breast cancer.

L: Actually, doesn’t it say that abortion is a *risk factor* for breast cancer?

C: What’s the difference?

L: Well, if we claim abortion is a risk factor, we’re claiming that those who have an abortion have a statistically significant increase in the likelihood of contracting breast cancer. But certainly some women will have abortions and never get breast cancer. The Janet Daling study cited in the brochure found that there was an increased risk, especially for women aborting their first pregnancy.

C: That study is from 1994. How outdated!

L: How does the fact that a study is old show that the study was flawed?

C: Don’t you know the facts? A number of studies have been published that refute Daling’s study.

L: How did those studies refute Daling’s study? As far as I know, there are only two ways you can show a study is bad: Show the data gathering is flawed, or show the reasoning of the researchers is flawed. Which is it in the case of the studies refuting Daling?

C: Actually, I don’t really know much about this. How did you learn about it?

L: I went and looked at a few of the important articles as well as a very helpful website, www.bcpinstitute.org. That website explains some of the flaws of the various studies, but in language non-scientists can understand. I would be happy to send you the citations if you’d like to give me your email address. Here’s mine.

C: Thanks.

L: I’m curious, though. Even if abortion isn’t a risk factor for breast cancer, I’ll bet you have an opinion about it.

C: Yeah. I believe women should have a right to choose.

L: To choose to do what these pictures show?

C: Well, not these abortions that look like chopped up babies! (looking in brochure)

L: Which abortions don’t look like “chopped up babies”? (looking in brochure)

C: I only believe you should be able to have an abortion in the first trimester. (*etc.*)

IMPROVISE

Pro-Choice: That’s misinformation. Abortion doesn’t cause breast cancer!

Pro-Life: ??? (Hint: Go into fact-finding mode)

5

Repeat Work
("Practice Makes
Perfect")



ABORTION: FROM DEBATE TO DIALOGUE *THE INTERACTIVE GUIDE*

5

Chapter

Repeat Work ("Practice Makes Perfect")

Edited by Stephen Wagner • Produced by Justice For All

**Train thousands
to make abortion unthinkable for millions,
ONE person at a time.**

Abortion: From Debate to Dialogue – The Interactive Guide

Edited by Stephen Wagner

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Published by Justice For All, Inc. Wichita, Kansas

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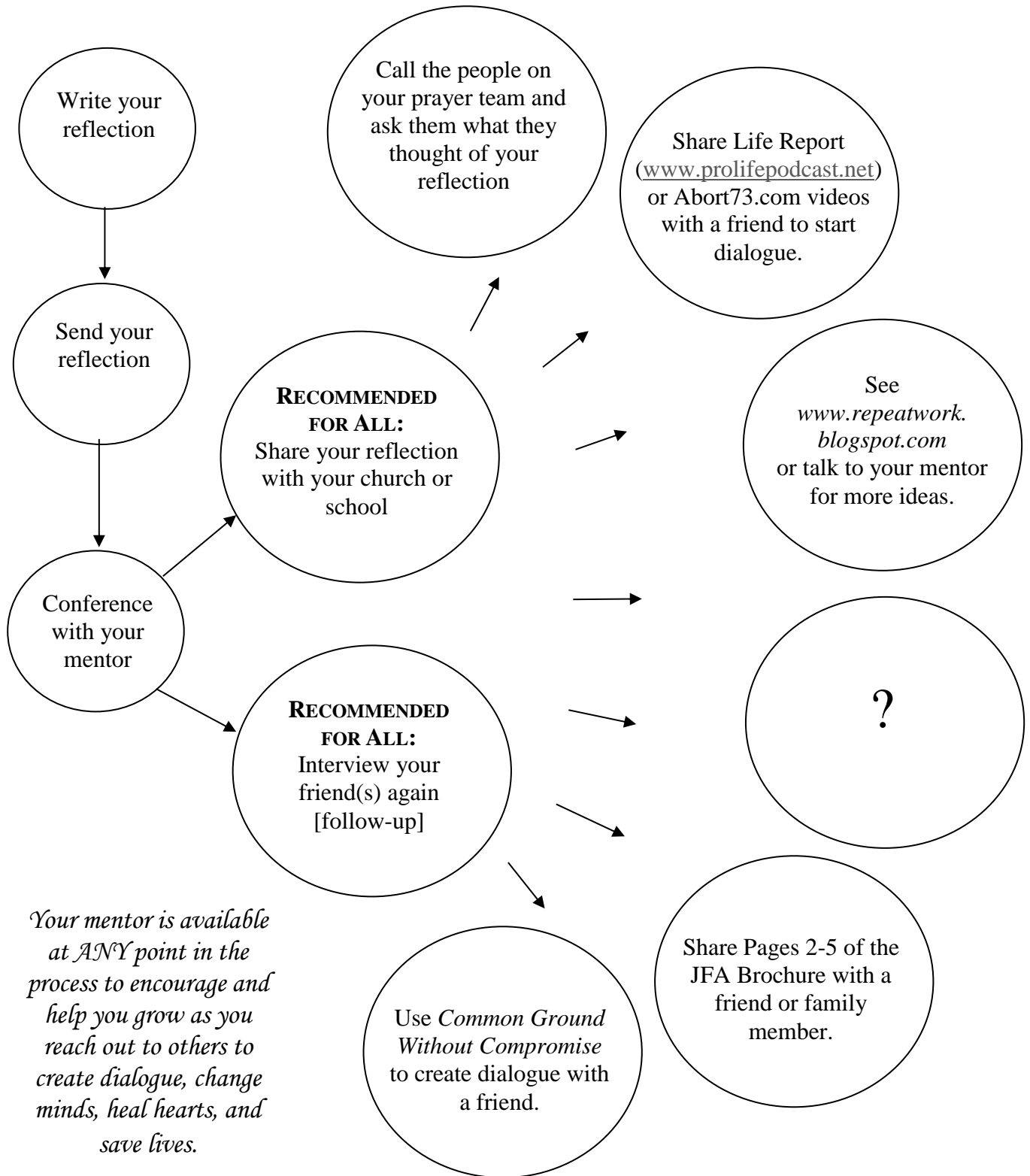
Table of Contents

Repeat Work	148
Repeat Work Everyone Can Do	149
Activity 7 (<i>reprint</i>): The Two-Minute Outreach (Exhibit Brochure)	150

Repeat Work

How to Create Dialogue that Changes Hearts and Saves Lives...In Your Own World

*Note: After the JFA outreach (Feet Work), use this space to plan with your **mentor** how you will create dialogue on abortion in your everyday life.*



Your mentor is available at ANY point in the process to encourage and help you grow as you reach out to others to create dialogue, change minds, heal hearts, and save lives.

Repeat Work Everyone Can Do

Using Your JFA Training in Your Everyday Life

Write and Send Your Reflection

Use “JFA Outreach (Feet Work) Reflection Assignment” as a guide for writing. Then, send your completed reflection to three people/lists:

- JFA (Reflection@JFAweb.org)
- Your mentor at JFA (for help, email MentorCoordinator@JFAweb.org)
- The list of people who agreed to pray for your training and outreach preparation

Share Your Reflection with Your Church Group

Email your JFA mentor for help putting your Reflection into a form that will work well as a presentation to a group.

Interview a Friend (Again)

If you interviewed a friend before attending the ADD seminar, go back to your friend(s) and ask a few more questions. This time, the purpose is not just listening (as with the first interview). The purpose here is to use the three essential skills (asking questions, listening, and finding common ground) to create productive dialogue on abortion. Start by restating what the person said during your first interview. Then ask a question that finds common ground to get the dialogue started.

Share the Brochure (Two-Minute Outreach)*

Brainstorm three people with whom you could share what you’ve learned through the JFA experience:

- With whom would it be most difficult for you to share the brochure? (feels impossible)
- With whom would it be somewhat difficult for you to share the brochure? (feels a little scary)
- With whom would it be easy for you to share the brochure? (feels comfortable)

Start by calling the person who is on your “easy” list and ask to meet and talk about what you learned in the ADD training experience.

*Other tools you can use to start the dialogue: *Common Ground Without Compromise* (by Stephen Wagner) and *Abortion: Inside the Choice* (by Trent Horn and produced by Arizona Right to Life)

Activity 7 (reprint): The Two-Minute Outreach (Exhibit Brochure)

Give an explanation of the JFA Exhibit Brochure to start dialogue.

ANALYZE

1. You can give an explanation of the Justice For All Exhibit using the Exhibit Brochure even if you aren't ready yet to create dialogue. It takes less than two minutes!
2. Like a museum tour, both people can look at the same information at the same time. Neither has privileged access.
3. You can use the exhibit brochure anywhere. It's something you've learned about that you can share with another person and ask her to share her opinion.
4. Because you can warn the person about the graphic content of the brochure beforehand (the brochure includes a handy cover with a warning), you won't have to deal with the frustration some have with the public display of graphic photos.
5. The tour/explanation below is composed of two summary questions for each side of the exhibit (every four picture pages of the brochure). To move from explanation to dialogue, simply ask, "What do you think?" after any of the summary questions.
6. After the tour/explanation (or after further conversation), ask the person to fill in the response card. Sometimes people share something on the response card that can help you create more significant conversation with them!



IMITATE, PART 1: JUST SIDE 1

Objective: While role-playing as a tour guide for Side One of the Exhibit (using the Exhibit Brochure), students will show an ability to explain two summary points (in question form) and to ask a person for his/her opinion.

Break the Ice: Everyday Life

1. [Suggestion: Invite your friend to coffee and let him or her know up front that you have a specific purpose for meeting. See #2.]
2. "I recently learned about the Justice For All Exhibit, which is a tool used to create dialogue on abortion. It's pretty controversial, and I'm thinking through what I think of the exhibit and abortion. May I give you a quick explanation of the Exhibit and get your opinion about it? It will take less than two minutes and then we can talk about it for as long as you'd like."

Pages 2-3 (Exhibit Side 1, Panels 1-2)

3. [Page 2] The exhibit shows a picture of the unborn at eight weeks from fertilization. If you think about it, each of us was once the size of a quarter, just like this embryo.
4. [Page 2] Questions at the tops of the panels signal that this exhibit is trying to encourage dialogue and listening.
5. [Pages 2-3] The exhibit shows pictures of humans through all stages of development.
6. So, with these two panels, the exhibit is asking, "**Is the unborn a human being?**"
7. [Before turning to pages 4-5] "The next two pages are graphic. Are you willing to view them?"

Pages 4-5 (Side 1, Panels 3-4)

8. This is Samuel Armas...after birth...and then also before birth. Samuel has a condition called spina bifida. The developing spinal column has a hole where it hasn't closed properly. If untreated, usually the baby in the womb will injure his spine while moving around in the womb.
9. That's his mother's uterus; it's been lifted outside of her body, and the surgeon went in to fix a hole in his spinal column. After the surgery, Sammy popped his hand out of the uterus and the doctor slipped his finger underneath. A little bit like the first doctor-patient handshake!
10. This is how we treat wanted unborn children. We treat them humanely. We give them surgeries to help them live more normal lives. But how do we treat unwanted unborn children? We give them a very different surgery: abortion [pointing to page 5 (Side 1, Panel 4)].
11. So, the question we're asking is, **“Does being wanted or unwanted change the value of a human being?”**

Move the Conversation Forward

12. [Option One] I'm curious: What do you think?
13. [Option Two] Let's go back to Side One, Panel Two (Page 3). You remember we asked the question, “Is the unborn a human being?” I'm curious, “What do you think?”

IMITATE, PART 2: WHOLE EXHIBIT (BROCHURE)

Objective: While role-playing as a tour guide for each side of the Exhibit (using the Exhibit Brochure), students will show an ability to explain two summary points (in question form) and to ask a person for his/her opinion.

Break the Ice: Everyday Life

1. [Suggestion: Invite your friend to coffee and let him or her know up front that you have a specific purpose for meeting. See #2.]
2. “I recently learned about the Justice For All Exhibit, which is a tool used to create dialogue on abortion. It's pretty controversial, and I'm thinking through what I think of the exhibit and abortion. May I give you a quick explanation of the Exhibit and get your opinion about it? It will take less than five minutes and then we can talk about it for as long as you'd like.”

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10. This is how we treat wanted unborn children. We treat them humanely. We give them surgeries to help them live more normal lives. But how do we treat unwanted unborn children? We give them a very different surgery: abortion [pointing to Side 1, Panel 4]
11. So, the question we're asking is, **“Does being wanted or unwanted change the value of a human being?”**

Page 8 (Side 2, Panel 1)

12. Let's move on to Side Two. This is the most difficult side of the exhibit to look at. It's very graphic because it shows what abortion looks like. Still, we believe it's important for people to see because pictures communicate the truth about abortion in a way that words never can. You can see dimes, quarters, and other objects in the abortion pictures. They're there for size reference.

13. So, if the unborn is a human being, this panel is asking, **“Does abortion kill a human being?”**

Pages 9-10 (Side 2, Panels 2-3)

14. And if abortion is legal, and in America we kill 3500-4000 per day, we're asking, **“Could injustice like these be happening again with abortion?”**
15. Some people misunderstand our comparison here. They think we're saying women who have abortions are genocidal maniacs...that they are like Hitler or Stalin.
16. That's not what we're trying to communicate. We're saying that if our society allows this (abortion) could it be similar to past societies that allowed these injustices.

Pages 14 and 17 (Side 3, Panels 1 and 4)

17. On Side Three of the Exhibit, we focus on why this is happening; we focus on the reasons women give for their abortions. You can see these on panel one and panel four.
18. So, the exhibit is asking the viewer to ponder the question, **“Which reasons do you think are good ones, and which ones are not so good?”**

Page 16 (Side 3, Panel 3)

19. Many people are offended by our use of graphic pictures.
20. We understand that they are difficult to look at, but we think of Annie, pictured here. Her mom came across a similar exhibit on her campus and said, “I don't know what I'm going to do...but I know what I'm not going to do.”
21. So we ask, **“If this exhibit saved the life of one child, like Annie, would it be worth offending people or making them uncomfortable?”**

Move the Conversation Forward

22. [Option One] I'm curious: What do you think?
23. [Option Two] Let's go back to Side One, Panel Two [Page 3]. You remember we asked the question, “Is the unborn a human being?” I'm curious, “What do you think?”

IMPROVISE

Objective: *Practice giving people a tour!*

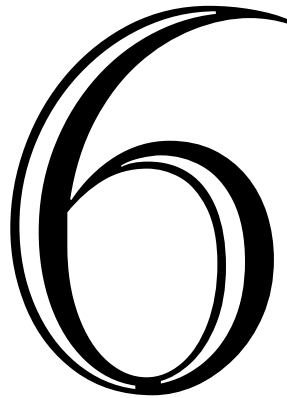
Directions: *Without referencing the script above, give a friend or relative a tour of the exhibit using the brochure! Go to www.repeatwork.blogspot.com, Justice For All's Facebook page, or email your mentor to tell JFA what happened!*



Seat Work,
Level III



ABORTION: FROM DEBATE TO DIALOGUE
THE INTERACTIVE GUIDE



Chapter

Seat Work, Level III

Edited by Stephen Wagner • Produced by Justice For All

**Train thousands
to make abortion unthinkable for millions,
ONE person at a time.**

Abortion: From Debate to Dialogue – The Interactive Guide

Edited by Stephen Wagner

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Published by Justice For All, Inc. Wichita, Kansas

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Table of Contents

Activity 18: “That’s True for You. I Think Morals Are Relative.”	156
“Do You Support Abortion in Cases of Fetal Deformity?”	160
Activity 19: “Women Will Die in the Back Alleys!” (Expanded).....	163
Activity 20: The Visual Library (Exhibit / Brochure).....	167
Activity 21: <i>Ad hominem</i> Arguments.....	169
“How Can You Claim that Abortion Is Genocide?”	173
Activity 22: From “Not Genocide” to “Not Human”	176
Activity 23: Is Genocide about Individuals or Society?	177
Activity 24: Is Genocide about Race?.....	179
“Are You Against Stem Cell Research and Cloning?”	182
Adult Stem Cell Research: 73 Therapies Now In Use	184
“Does the Bible Say Anything about Abortion?”	185
10 Proverbs for the Wise Ambassador	187

Activity 18: “That’s True for You. I Think Morals Are Relative.”

Can we know right and wrong?

Stephen Wagner

Note: I’d like to thank Greg Koukl and Stand to Reason (www.str.org) for helping me formulate many of the ideas in this article.

ANALYZE

Relativism: Different Things to Different People

I had a conversation with a young man named “Matt” at the University of Missouri once. During our dialogue, I made a case that abortion is seriously wrong because it kills an innocent human being. Instead of showing that my facts were mistaken (“The unborn isn’t a human being.” or “Abortion doesn’t kill.”) or that the moral principle was flawed (“It’s not wrong to kill human beings.”), Matt went directly after the idea of objective moral truth itself: “Morals are relative.”

Different levels of skepticism affect people’s views of moral truth. Here are the types you’ll likely encounter:

- ***Skeptical about Everything:*** Believes you can’t know what’s true about much of anything, including science.
- ***Skeptical about Objective Moral Truth:*** Believes you may be able to know things about science or history, but not morality. Moral truth is either unknowable, or the moral principles we do recognize are knowable only by cultures or individuals (which means they’re not objectively true).
- ***Skeptical about Certain Moral Truths:*** Believes in a few objective moral truths (e.g. “It’s wrong to harm someone else” or “Women have equal rights to men”) but believes we can’t know what’s true about abortion.
- ***Confused:*** Most people simply haven’t thought very deeply about issues of truth and morality. They haven’t developed a coherent set of beliefs about these things. You have an opportunity to help them enter into dialogue about issues they may never have confronted. Still, most in the *Confused* category do have a deep feeling that they shouldn’t criticize other people or cultures because that’s intolerant and narrow-minded.

Here’s how the conversation with Matt proceeded:

Steve: Is there anything that is wrong regardless of culture, time, or place?

Matt: Morals are relative; everything’s relative.

Steve: It sounds like you’re saying what’s right is up to each person’s preference, is that correct?

Matt: Yes.

Steve: If morals are up to preference, then the father who prefers to molest his daughter and the father who prefers to feed his daughter would be morally equivalent. We couldn’t say one is better or worse, or right or wrong, could we?

Matt: [Silence] That’s a good one...I like that one. I guess there is one moral rule that transcends time, culture, or place: It’s wrong to harm someone else.⁵⁶

When Matt first made his “Morals are relative” claim, he appeared to be skeptical about objective moral truth in general. It appeared he thought people’s preferences were right by definition. When I asked him a few questions, it turned out he *did* believe in objective moral truth, but was still skeptical about abortion. That’s progress. His original over-arching skepticism had less power to disarm my case against abortion, though, since we were now agreeing on one moral truth: *it’s wrong to harm someone else*. Soon, we were be back to discussing whether the unborn is a real *someone else*.

What is Relativism?

According to the person who’s skeptical about objective moral truth, moral principles don’t apply to every *person* or *culture* in the same way. In essence, because groups and individuals differ in their assessment of morality, no one can claim that their understanding of morality is correct. Some argue that because no principle is *universally believed*, no moral principle is *universal*.

Key Question #1: “Do you believe morals are relative to individuals or cultures?”

To create productive dialogue with a relativist, I need more information: “Do you believe morals are relative to individuals or cultures?” Some people believe morals are relative to cultures. Greg Koukl calls this “Society Says” Relativism.⁵⁷ Since cultures differ in their moral standards, no culture (or member of a culture) can criticize another. What’s right for one may be wrong for another.

Many people also say morality is up to individuals. Koukl calls this, “*I Say*” Relativism, because morality is reduced to what an individual says about it. Although two individuals may be in the exact same circumstance, they may have two totally different moral principles. And on this view, both would be perfectly correct, even if their principles directly conflict. Essentially, right and wrong is determined by personal preferences.

“Taking the Roof Off”

Once you know what kind of relativism a student is promoting, use a tactic called “taking the roof off” to help her see that the implications of relativism are very counterintuitive (and unpleasant). If the view has implications that are obviously false, then the view must be false as well.

To “take the roof off,” assume the view is true, then show what the view logically entails. Use the phrase, “if morals are relative, then...” You can think of her argument as a house, with the conclusion “morals are relative” as the roof. When you “take the roof off,” you get under that roof and walk around to different rooms in the house, seeing all that the conclusion entails. Since each type of relativism justifies things that are obviously immoral, we can be confident morals are not relative. Here are sound bite questions I use to “take the roof off” of each type of relativism:

⁵⁶ This dialogue also appears in Stephen Wagner’s book, *Common Ground Without Compromise*, in the section on objective moral truth, pages 25-27. Which kind of relativism is Matt expressing in this dialogue?

⁵⁷ Greg Koukl & Frank Beckwith, *Relativism: Feet Firmly Planted in Mid-Air* (Baker Books: Michigan 1999), pp. 36-39

Student: Morals are relative to cultures. (“Society Says” Relativism)

Me: “If morals are relative to culture, then the Nazi decision to oppress the Jews was the right decision, wasn’t it?”

Student: Morals are relative to individuals. (“I Say” Relativism)

Me: “If morals are relative to individuals, then we can’t distinguish between a father who likes to molest his daughter and one who likes to feed and care for his daughter. We couldn’t say one is better or worse or right or wrong, could we? Both are acting according to his preference and what he thinks is right. How can we criticize him if morals are relative to individuals?”

A Word of Caution

Sometimes helping person see relativism’s flaws takes a long time. Because of multiculturalism, it may be difficult for her to see that it is actually very sensible to criticize other cultures sometimes. She will likely believe that because cultures disagree, she can’t be confident her culture is correct about anything. You will need to listen first and discern what kinds of examples of injustice in other cultures will be persuasive. And you may need to think of multiple examples to help clarify the point. But remember, you’re asking someone to radically change her conception of the way the world actually is and that’s a big step for anyone to take. If you can ask a question that “puts a stone in her shoe,” you’ve done a lot.⁵⁸

IMITATE

Test Yourself: Which kind of relativism is being discussed below?

Relativist: Morals are relative.

Objectivist: How did you come to that conclusion?

R: Well, in our culture we have certain moral standards, but there are other cultures who disagree. Who’s to say we’re right?

O: Let me see if I understand your view correctly. You believe that morals are relative to culture, that what is right or wrong depends on what culture thinks about it, is that right?

R: Not exactly. I think that different cultures just do differently in different areas. So it’s not what they think about it that makes it true, but it’s what they do that makes them think about it a certain way, that makes their moral code.

O: So aren’t you saying that morality does depend on what the culture determines is moral? But you think they determine what is moral by doing things?

R: Sure. Maybe it’s not much of a distinction.

O: I understand your point though. You believe we can’t criticize a culture that has a different moral code from us. In essence, morality depends on culture, time, and place.

R: That’s right. Don’t you agree that different cultures have different moral codes?

O: Sure, but how does the fact that two cultures do differently, or the fact that they have different moral codes, mean that we can’t criticize them?

R: That’s intolerant!

O: Why is it intolerant?

⁵⁸ I owe the “put a stone in his shoe” illustration, along with many of the ideas in this article, to Gregory Koukl at Stand to Reason (www.str.org)

R: Because you're criticizing!

O: Are you criticizing me for criticizing?

R: No. You can do what you want. It's just not very nice.

O: Let's back up for a moment. Didn't you say that you thought morality depends on culture?

R: Yes, and that therefore we shouldn't criticize.

O: If morality depends on culture and we shouldn't criticize, we shouldn't criticize a culture that throws children off of cliffs for stepping on a certain plot of ground, should we?⁵⁹

R: No.

O: Don't you think it's wrong to abuse children this way?

R: I think it's wrong, but they don't.

O: You're right, actually the Yali tribe thought this was virtuous behavior.

R: So, it was virtuous to them.

O: You think throwing a child off a cliff is virtuous?

R: To them.

O: Let me ask you a different question. Do you think it was right for us to criticize the Nazis and ultimately to go to war against them? Were they wrong to destroy Jewish people in concentration camps?

R: Well, that's a good point. I guess I can't say *that* is right.

O: So do we at least agree that the Nazi's were doing wrong even though their culture approved it?

R: Well, not the whole culture.

O: But wouldn't you agree that the Caucasian and Jewish cultures were distinct in that situation? Or do you think cultures are defined by borders?

R: Of course not. I live in America! Okay, I agree. There is at least one thing we can know is wrong: committing genocide against a culture is wrong.

O: So if we know one thing is true about universal morality, might there also be other things true? If I could give you an accounting of how one might determine what is right or wrong, would it be helpful to you?

R: Well, I think most things are really grey areas, but sure...

IMPROVISE

Pro-Life: I think abortion is wrong because it kills a human being.

Pro-Choice: That's true for you, but how can you claim to know what's right for other people?

Pro-Life: ???

FURTHER STUDY

Greg Koukl & Frank Beckwith, *Relativism: Feet Firmly Planted in Mid-Air* (Baker Books: Michigan 1999)

⁵⁹ Don Richardson, *Lords of the Earth* (Regal Books: Glendale 1977), 42-43

“Do You Support Abortion in Cases of Fetal Deformity?”

Are some abortions merciful?

Stephen Wagner

Task #1: Show Compassion for the Parents and the Child

While deformity (also called “fetal anomaly”) presents an emotional challenge to the parents and family of the unborn (and to all of us), the moral question is actually very simple. If you don’t begin by acknowledging the very real discomfort the parents are feeling, however, why should anyone take your moral case seriously? First, try to empathize and show concern for parents’ emotional pain.

In addition to the lost hopes and frustration of the “American ideal” (healthy children and uncomplicated births), parents understandably want to save their children from the difficult life a deformity can cause. No one wants his child to suffer humiliation or the inability to gain independence. So it’s critical that we recognize that children with deformities may suffer immensely.

Task #2: Tell Grace’s Story

Since the deformity concern is heavy with emotional appeal, start by telling the story of Grace, whose parents found out she had Trisomy 18 in the womb, refused to allow the doctors to abort, taught the medical staff how to deliver their baby, then held her as she slowly passed away over a two month period. The family reports the experience of caring for this child as one of their most cherished memories. See Grace’s story in the family’s own words: <http://chask.org/amazinggracetrisomy18.htm>. After telling the story, ask these questions:

- Isn’t it better to treat the unborn as a patient, since she is a human being?
- If a child has a fatal deformity, is dismemberment really the most humane treatment we can give? We give hospice care to the elderly when they are dying; can’t we give the same kind of care to the unborn whose death is imminent?
- Can’t we love both the parents who are suffering and the child who is dying?

To read more stories from parents of children with devastating and/or life-threatening disabilities, see www.BeNotAfraid.net. Children with many different disabilities and conditions are represented on the site.

Task #3: Refocus the Discussion on the Question, “What Is the Unborn?”

First, it is helpful to ask, “Do you know how many abortions take place because of deformities?” Then you can point out that only 3%-14% of abortions take place because of health problems in the fetus. (3% of women who have abortions claim their “most important reason” is a “Possible health problem affecting the fetus.” 14% say a possible fetal health problem affected their decision. See *Finer, et. al.* “Reasons U.S. Women Have Abortions: Quantitative and Qualitative Perspectives,” *Perspectives on Sexual and Reproductive Health*, 2005, 37(3):110–118 available at <http://www.guttmacher.org/pubs/journals/3711005.pdf>.)

Next, grant the severest case of deformity (since they do occur, and a child with such an affliction will almost surely be aborted); show how it doesn’t justify killing a terminally-ill two-year-old (trot out the really sick toddler). The abortion advocate will be forced to come to grips

with her view – she is recommending abortion as a solution to deformity because she doesn't believe the unborn is a human being:

Statement	Trot Out the Toddler Question	Embedded Moral Question
Shouldn't we have mercy on the child and save him from pain while we can?	<i>Is it merciful to kill a toddler to save her from pain?</i>	Is it right to kill someone because she is in pain?
Would you force parents to have a deformed child?	<i>Should we force parents to keep a deformed two-year-old? Should we let the parents kill her?</i>	Is it right to kill someone because she is deformed?

Does Future or Present Suffering Justify Killing?

I was speaking with a crowd on a college campus in 2004 when a male student named Patrick stepped up to the plate. I listened carefully as Patrick suggested an argument he was pondering. He said, "Even if the fetus suffers a bit in the abortion procedure, it doesn't suffer for long." I agreed that this was the case, at least with the most common first-trimester abortions. Patrick then made his case: "Isn't it better to kill the fetus now and cause it minimal pain than to allow it to live when we know in some cases it will be abused or have a miserable, painful childhood?" I agreed in order to establish common ground, but then turned the tables on Patrick: "I agree that many children will have miserable lives. But can't we be certain many two-year-olds in the inner city will also have miserable lives in the future? Can their mothers take them to the hospital to euthanize them painlessly in order to save them the future pain and sorrow? If we say it is merciful and right to kill someone to save them from future pain, wouldn't that justify any killing?" Patrick stepped back and was quiet. He said, with a remarkable honesty, "I hadn't thought about that." (This story was originally printed in Justice For All's [UNM Campus Report](#), April 2004)

Challenge: What If She Bites the Bullet and Says We Can Kill Deformed Toddlers Who Are Suffering?

When a person advocates for abortion to deal with deformity and you trot out a toddler, she has two choices. She can claim the unborn is not a human being like a toddler, so the "future" deformity of a person justifies aborting him now. Your response? Show the unborn is a human being so that the value we place on toddlers (we don't kill them for pain or deformity) will be placed on the unborn (deformity doesn't justify abortion).

But what if she agrees that the unborn *is* a human being and claims we still can kill him? What if she says we can kill a toddler who is deformed and suffering? The following suggestions should help.

Task #4: Build Common Ground Using Physical Deformities and Down Syndrome

Although it is more difficult for some people to see the value of human beings with severe deformities, my experience is that most people believe that most deformities (e.g. cleft palate, deafness, blindness, Down syndrome) are not good reasons to abort. Although many would not want to have a disabled child themselves (they might abort even if they believed it was wrong), they don't see it as a good reason when they are not involved. Use this to build common ground.

Ask this question: "So we agree that the unborn is a human being, but you believe some human beings can be killed for certain deformities, is that right? Do you think we should be able to kill Down syndrome toddlers? What about those with cerebral palsy and other physical

deformities?” Almost certainly, the response will be, “No. Because those children can lead relatively meaningful lives.” Your response? “So we agree that the best way to treat people with less severe deformities is to welcome them and support them and encourage them, right?”

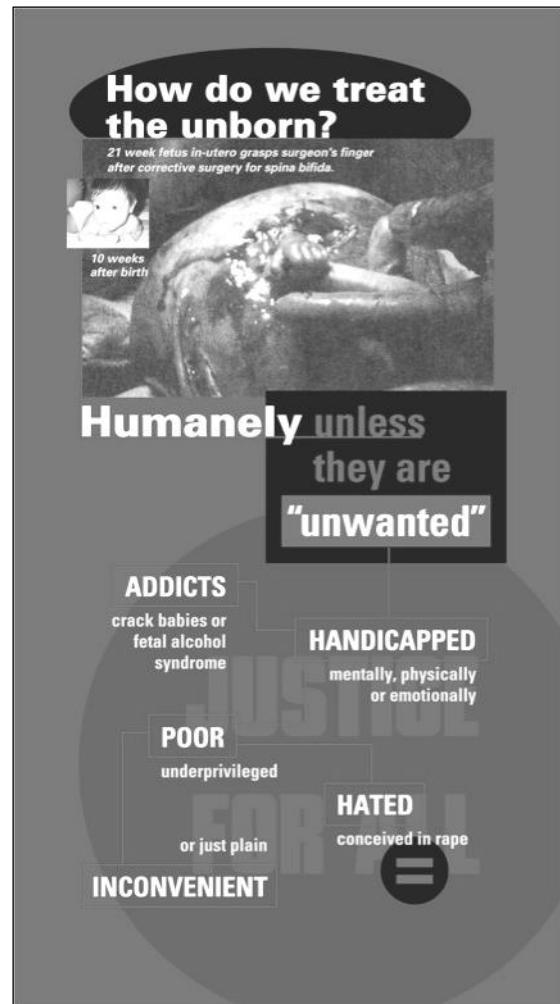
Reflect for a Moment...Is There a “Life Unworthy of Life”?

But what about the severest deformities, in either the physical or mental categories? Many in the general public, even if they are against most abortions will say, “It’s merciful to put a person out of his misery” or “We shouldn’t put a deformed person through such misery.” In essence, they are saying there *is* a *life unworthy of life*.

Life unworthy of life. This was precisely the phrase used by the Nazi doctors who mounted a killing campaign against the disabled. They began with the disabled, calling them *lebensunwertes Leben* (Ger. “*life unworthy of life*”), and of course, by the end of their killing campaign, included Jews, Gypsies, and others in the same category.

Side 1, Panel 3 of the Justice For All Exhibit (page 4 of the Exhibit Brochure) tells the story of Samuel Armas, a child who is famous for having his photograph taken before he was born. He was in his mother’s uterus, being operated on for spina bifida, when his hand popped out of the incision the surgeon had made in the uterine wall. The doctor placed his finger under Samuel’s tiny hand, as if to say “We’ve got your back covered, little guy.” A world-famous photograph was taken and Samuel later testified before a senate subcommittee.

Why is Samuel’s story interesting? Because many of the children diagnosed with spina bifida in utero don’t get the benefit of a \$35,000 surgery. They get a \$300 surgery – an abortion.⁶⁰ Why do we treat some of the disabled unborn children like patients and others like medical waste? There’s no difference in the children, so the only place the difference can be is in the parents. Some parents want their children, regardless of inconvenience or challenge. Others don’t want the inconvenience or challenge. Or perhaps they believe the unborn is only a potential child – a life unworthy of life. Whether for selfishness or ignorance of what the unborn is, that’s sad.



⁶⁰ I first heard the Samuel Armas story, and this particular way of connecting it to abortion, from David Lee, Executive Director at Justice For All.

Activity 19: “Women Will Die in the Back Alleys!” (Expanded)

Does it justify abortion to point to the consequences of making it illegal?

Stephen Wagner

ANALYZE

Forms of the Argument:

- “Women will die in the back alleys if you make abortion illegal!”
- “Do you want a woman to be forced to use a coat hanger to have an abortion?”
- “Aren’t you pro-life? If the child’s going to die either way, don’t you want at least the mother to live?”

Five Tasks

1. Avoid common pro-life mistakes
2. Show concern for the woman who would be harmed
3. “Trot Out the Toddler” (or use alternate tactics)
4. Prepare a response for the more sophisticated version
5. Clarify the facts (if necessary)

Common Mistake #1: Waste Time

The following responses to the back alley argument don’t change whether abortion is right or wrong (even if they’re true!). Pro-lifers waste time when they try to...

- Show that women didn’t die in droves before Roe.
- Show that in fact women will not die if Roe is repealed.

Don’t spend your time fighting over statistics when you can be clarifying the moral logic of the pro-life position.

Common Mistake #2: Hurt Your Credibility

If you make false statements or assertions you can’t support adequately, why should anyone listen to you? Here are some examples of common tasks pro-lifers attempt (and botch!):

- Claim that coat hangers are never used for abortion
- Attempt to show that there is no back alley (that all doctors will perform abortions in offices)
- Claim women will always be able to use abortifacients to abort (they won’t need coat hangers or surgical abortion)
- Claim that doctors will perform all abortions even if they’re illegal. Yes, Mary Calderone did say in 1960 that 90% of illegal abortions were done by physicians who

“must do a pretty good job if the death rate is as low as it is.”⁶¹ But this is hardly evidence that an abortion will never be performed by someone who is not a doctor.

Although you are right to be skeptical about these points, grant them for the sake of argument (that coat hangers are used, that abortions have been done in unseemly places, that all types of abortion will likely be used in some situations, and that some people that aren't doctors will do abortions) and show how they're irrelevant.

Common Mistake #3: Appear Callous by Showing No Concern for Women Who Die

Like the concerns about life of the mother, embryo research, and rape, this is a test to see if you have compassion regarding the circumstances of women. Do you care if women die at the hands of unsanitary abortionists? What if they feel desperate enough to give themselves an abortion with pills or a coat hanger? Whether or not these are likely to be common if abortion is made illegal is irrelevant. If you don't feel genuine concern for any woman who might be hurt in the process of getting an abortion, and if you don't communicate that concern, it will be difficult for many pro-choice people to hear your arguments against abortion.

Always preface your response with one of the following statements:

- “Can we agree that it's tragic for any woman to die from either a legal or an illegal abortion?”
- “I agree with you. We all mourn needless deaths.”
- “I agree with you that if a woman is harmed aborting her own child, that she's just as valuable as the unborn.”

Clarify the Moral Logic of the Pro-Life Position

- *Ask a simple question:* “Back alley abortion is risky to whom, the mother or the child?”
- *Find common ground:* Compare abortion to tonsillectomy. If abortion is merely a surgery, then women dying from unsafe illegal surgeries is a good reason to make abortion legal. But if abortion kills a human being, it's odd to keep abortion legal so that it's safer for a woman to kill a human being. Abortion is intrinsically (always) unsafe for one of the participants, whether it's legal or illegal.
- *Point out that abortion is always dangerous...for the unborn:* “Do you mean that it is wrong to make surgeries illegal because that limits access to the procedures and increases how risky they are? If the surgery kills an innocent human being, isn't the surgery always risky?”
- *Trot Out a Toddler (or someone else):* “Currently, it's very dangerous to open fire on an elementary school playground. Should we make it legal to do this so that it's safer?”

Deal with the More Sophisticated Version

Much of the time, the back alley concern masks the fact that an abortion advocate is assuming the unborn is not a human being. In other words, she is saying, “It's wrong to make a surgery

⁶¹ Mary Calderone, “Illegal Abortion as a Public Health Problem,” American Journal of Public Health, July 1960, p. 949

more dangerous if it is innocuous.” We can agree in principle, then show that the unborn is a human being and the surgery is not innocuous at all.

Once we’ve made our case, the abortion advocate will likely shift to a more sophisticated argument:

“Even if abortion kills a human being, isn’t it better for fewer people to die (at least we can save the mother)? It is better that at least the mother live, than that she and her fetus should die in the back alley. Isn’t it worse for two to die than one?”

This argument assumes that the mother has *no other choice* but to kill the child. But, of course, she does have alternatives. As I like to say, she has a third option. It’s not, “Either she kills the child by legal abortion or she kills herself and her child by illegal abortion.” The third option is that she can refrain from killing anyone!

To expose the problem, take the roof off (show the argument is false by showing what it entails) with other examples where the killer can choose not to kill. Any *Trot Out the Toddler* example will work, but I prefer these two clear cases:

- *Elementary School Children*: What about the bereaved father who opens fire on an elementary school playground and is killed by the swat team before he kills any children? Wouldn’t it be better that at least the father live?
- *Victims of Terrorism*: Would we say the same thing about terrorism? I mean, even if terrorism kills human beings, isn’t it better to make terrorism legal so that the terrorist doesn’t have to blow himself up? Wouldn’t it be better for at least the terrorist to live?

Sound Bites

I use these sound bites as memory tools to structure my thinking during dialogue on campus.

- “Because one person is harmed in the process of killing someone else, do you think the state should make it safe and legal to do so?” – Frank Beckwith⁶²
- “Do you agree with pro-abortion philosopher Mary Anne Warren, who wrote this in 1973: ‘*The fact that restricting access to abortion has tragic side effects does not, in itself, show that the restrictions are unjustified, since murder is wrong regardless of the consequences of forbidding it.*’”⁶³
- “Why should the law be faulted for making it more risky to kill an innocent human being?” – Scott Klusendorf⁶⁴
- “Should we make bank robbery legal so that it’s safer for the felon?” – Scott Klusendorf⁶⁵

⁶² Francis J. Beckwith, *Politically Correct Death* (Grand Rapids: Baker Books, 1998), p. 55

⁶³ Mary Anne Warren, “On the Moral and Legal Status of Abortion” in Joel Feinberg, et al, *The Problem of Abortion* (Belmont, CA: Wadsworth, 1984) p. 103 (originally published in *The Monist* in 1973)

⁶⁴ Scott Klusendorf, *Pro-Life 101* (Signal Hill, CA: Stand to Reason Press 2002), p. 8 (exact quotes altered slightly)

⁶⁵ *Ibid.*

IMITATE

Pro-Choice: Don't you care if women die in the back alleys? Abortion must be kept legal.

Pro-Life: Of course I care about those women. I don't want them to die anymore than you do.

C: Then why do you want to make abortion illegal?

L: I agree that some surgeries, like tonsillectomies, should be kept legal so that they are safer for the patient. But doesn't abortion involve two patients rather than one?

C: No. It's just the woman.

L: Let me see if I understand your view. Abortion and tonsillectomy are essentially the same kind of surgery because tonsillectomy removes a mass of tissue and abortion removes a mass of tissue. Both tissue masses are part of the patient's body. Is that right?

C: Yes.

L: Isn't there a big difference, though, between a tonsil and the unborn?

C: Sure, the unborn has the potential to become a child. But it's a tissue mass at the beginning.

L: Is the DNA of the tonsil identical to the other cells in the patient's body?

C: Yes. And the unborn's DNA is not. I've heard this one before. The unborn has its own genetic fingerprint, distinct from the mother. And it has that DNA fingerprint from conception.

L: I couldn't have said it better myself!

C: But it's still inside the mother's body though. Don't you care about women who die from unsafe abortions?

L: It think it's tragic if a woman dies. Do you see, though, how we have to answer the question of what the unborn is before we can talk about safety? If the unborn is a part of someone's body like a tonsil, then obviously abortion should not be outlawed, and dangerous abortion would be a primary concern, because it would be a danger to one person, the mother. If the unborn is a human being though, like a toddler, wouldn't abortion be unsafe for two human beings? Can't we protect both human beings?

C: I just don't think the unborn is a human being.

[At this point, we are back to discussing the question, "What is the unborn?" That's progress!]

Activity 20: The Visual Library (Exhibit / Brochure)

Use the JFA Exhibit and JFA Exhibit Brochure in your conversations!

ANALYZE

The Justice For All Exhibit and Exhibit Brochure are like a public library or Internet website all of us can use; everyone has equal access regardless of viewpoint. In a visual culture, this is especially important. When you're discussing something that's as misunderstood as the facts about abortion or the ethics of abortion, referring to the pictures of abortion can help people clarify in their own minds what they really think.

IMITATE AND IMPROVISE

Objective: Learn to Use the Exhibit in Your Conversations!

Directions: Use the following prompts to improvise a dialogue using the exhibit pictures.

Side 1

Activity A

Pro-Choice: The unborn is not a person!

Pro-Life: [Pointing to Side 1, Panel 2 (p. 3)] At what point in development do you think we become persons? Do we agree that these bottom six pictures are persons? Where would you draw the line?

Activity B

Pro-Choice: The unborn is a mass of cells!

Pro-Life: [Pointing to Side 1, Panel 1 (p. 2)] Is this the mass of cells you're talking about?

Activity C

Pro-Choice: The unborn is a mass of cells!

Pro-Life: [Pointing to Side 1, Panel 3 (p. 4)] Let me ask a question: "Do you think Samuel was merely a mass of cells at 21 weeks?"

Activity E

Pro-Choice: [Pointing to Side 1, Panel 1 (p. 2)] That's not a human being!

Pro-Life: [Pointing to Side 1, Panel 2, Circle 2 (p.3)] Would you at least agree with me that this is the beginning of human development? Do we ever stop developing as humans?

(Continued on the Next Page)

Side 2

Activity E

Pro-Choice: I'm against abortion, but I think it should be legal!

Pro-Life: [Pointing to Side 2, Panel 2 (p. 9)] Would you say the same about these other acts of killing?

Activity F

Pro-Choice: Some children will have a horrible life...if we give birth to them, they'll be abused.

Pro-Life: [Pointing to Side 2, Panel 2 (p. 9)] Look at this Cambodian child, whose mother has just been killed. Who could be more helpless and needy and miserable than him? How would you recommend responding to his situation? Now, how should we respond to the unborn, when he looks like this? (Pointing to the picture of the severed head on Side 2, Panel 3)

Activity G

Pro-Choice: A woman can do what she wants with her own body. (It's a private decision!)

Pro-Life: [Pointing to Side 2, Panel 2 (p. 9)] Are you saying the unborn is her property? Isn't that the same thing that the slave-owners said about the slaves?

Activity H

Pro-Choice: You are using the word genocide incorrectly!

Pro-Life: [Pointing to Side 2, Panel 2 (p. 9)] Do we agree that these four pictures (top) are episodes of genocide? Why?

Activity I

Pro-Choice: Abortion isn't genocide!

Pro-Life: [(Pointing to Side 2, Panel 2 (p. 9)] Do we agree that abortion has at least one of the characteristics of genocide? (Is it systematic? Is it destructive? Does it destroy a class of humans?)

Side 3

Activity J

Pro-Choice: These pictures are disgusting! I don't like this Exhibit.

Pro-Life: [Pointing to Side 3, Panel 1 (p. 14)] I don't like it either. I agree that the pictures are disgusting. Which is more disgusting, the pictures of abortion, or the practice of abortion?

Activity K

Pro-Choice: You shouldn't force these pictures on people!

Pro-Life: [Pointing to Side 3, Panel 3 (p. 16)] If this exhibit saved the life of one child, would it be worth it to offend people? (Annie's picture)

Activity L

Pro-Choice: You're just trying to shock people with these graphic pictures.

Pro-Life: [Pointing to Side 3, Panel 1 (p. 14)] I agree that the pictures are shocking. Do we agree that the practice of abortion is just as shocking as the pictures of abortion?

Activity 21: *Ad hominem* Arguments

When They Attack You...Instead of Your Argument

Trent Horn

ANALYZE

Reasoning, or inference, is the logical “chain” that connects the premises and conclusions of an argument. When an argument contains an error in its “chain of reasoning” we say the argument commits a fallacy, or its premises do not support the argument’s conclusion. For example, can you spot the fallacy in the following argument?

“John says that abortion should be illegal and people should adopt unwanted children. But John hasn’t adopted any children, so how can he be right that abortion should be illegal?”

The fallacy in this argument is called *Ad hominem* which is Latin for “against the man.” This fallacy occurs when someone claims that an argument can be rejected based on an irrelevant personal trait about the person making the argument. In other words, an ad-hominem literally attacks the person making the argument, and not the argument itself. In this case, the fact that John has not adopted children is irrelevant to the arguments that abortion should remain legal.

Some common ad-hominems used against pro-life advocates include:

- How many children have you adopted?
- Don’t you trust women?
- You’re a man. You can never get pregnant.
- Why don’t you do something for the born children who are dying?
- Outlawing abortion is hateful to women.
- Do you support war or the death penalty?
- Since you’re a Christian, you’re just imposing your beliefs on me.

Build Common Ground

Ad hominem arguments are often the fruit of emotional frustrations or negative encounters with pro-life advocates. While common ground doesn’t establish the truth of the pro-life position, it does build rapport and help the pro-choice advocate be more receptive to the pro-life advocate’s argument. One example of common ground in ad hominem arguments is to agree that you also don’t like it when people hypocritically tell others what to do. You could say, “It sounds like you don’t appreciate hearing obnoxious people on a ‘moral high horse’ judgmentally telling others how to live. I wouldn’t like talking to someone like that either, and I hope that’s not how I’m coming off in our discussion. But here is where I am confused. Is it possible that an obnoxious person could still be right about the issue they are talking about?”

Admit You’re a Bad Person (Agree for the Sake of the Argument)

Ad hominem arguments are effective because they tempt the person who is the victim of an *ad hominem* critique to abandon their original argument and spend time and energy defending their personal reputation. But remember, an argument’s truth does not depend on the character of the person making the argument. Sweet, kind people can be mistaken. Mean, vicious people can be correct.

To demonstrate this, admit for the sake of the argument that you are as bad as the critic says you are (even if that is not true). You can even facetiously claim to be *worse* than what the critic claims in order to show that his argument is a fallacy. For example, let's say John had a chance to stand up for himself against the argument made on the previous page:

Mary: How many children have you adopted?

John: Why does that matter for the discussion we're having?

Mary: You say abortion should be illegal and people should adopt unwanted children, but if you haven't adopted any children then you're a hypocrite.

John: Let's say your right that I'm a hypocrite who will never adopt children and let's say further that I hate children and I'm just an all-around bad guy. How do any of these character defects justify keeping it legal to kill children through abortion?

Mary: They're not children, they're fetuses!

Challenge Inconsistency

When making ad-hominem arguments, critics often invoke moral principles that are inconsistent with their belief that abortion should remain legal. For example, take the case of a pro-choice advocate who actively opposes war and the death penalty because she believes these things violate human rights. She might criticize the pro-life advocate who does not share her views:

Pro-Choice: So you say you're pro-life, but are you opposed to the death penalty?

Pro-Life: What if I supported the death penalty? How does that relate to whether abortion should be legal or not?

C: Because if you support the death penalty then you're not truly pro-life.

L: Do you support the death penalty?

C: I'm against it.

L: Why?

C: Because every year innocent people are convicted of crimes they don't commit and are then wrongfully executed. [Note the critic's moral principle – "It is wrong to kill innocent people"]

L: But isn't it inconsistent for you to oppose the killing of innocent people through capital punishment and not also oppose the killing of innocent people through abortion? More human beings will die from abortion by lunchtime today than have been killed by the death penalty since it was re-instated by the Supreme Court in 1976.⁶⁶ Doesn't that concern you?

C: But that's different. I'm talking about born people.

If the unborn are human beings then the critic is being inconsistent by not applying her moral principles to the welfare of those unborn children. Still, our goal is not to show that a critic is inconsistent or a bad person. (Remember, that doesn't change whether their argument is true or not.) Rather, by showing how

⁶⁶ The U.S. Supreme Court declared a moratorium on capital punishment in *Furman v. Georgia* (1972) before reinstating it in *Gregg v. Georgia* (1976). For statistics comparing deaths from abortion and capital punishment compare <http://www.deathpenaltyinfo.org/number-executions-state-and-region-1976> which notes approximately 1,200 executions taking place since 1976 with <http://www.gutmacher.org/media/presskits/2005/06/28/abortionoverview.html> which states that 1.21 million abortions occur in the U.S. annually, or approximately 3,300 each day.

claims of inconsistency can “cut both ways” we can get back to the one question that matters, “What is the unborn?” Do you see how these *ad hominem*s and their corresponding moral principles could apply to the unborn and abortion?

1. Why don't you adopt unwanted children? Moral principle: _____ 67
2. You must be a Christian or a Republican. Moral principle: _____ 68
3. You're a man; you have no say in this. Moral principle: _____ 69
4. Don't you trust women, or do you just hate them? Moral principle: _____ 70

What Ad-Hominem is Not

- **Appeal to Consequences:** Some pro-choice advocates argue that the pro-life position is wrong because it could lead to undesirable consequences. They say, “If pro-lifers had their way, women who have abortions would go to jail!” This isn't an ad-hominem because it does not focus on a trait about pro-life advocates in order to invalidate their argument. Rather, it fallaciously argues that pro-life advocates can't be right because that would lead to an undesirable state of affairs. (Let's set aside for the moment the fact that it's debatable whether or not this state of affairs would in fact transpire if abortion were made illegal). But a person can be right even if the consequences of their true beliefs are difficult to endure. The pro-choice “appeal to consequences” would be similar to this argument in favor of racial segregation, “If integrationists had their way your sweet uncle Bob could lose his family store simply because he refuses to serve negroes. What a ridiculous idea!”
- **Character Questioning:** “John says that over one million abortions occur every year, but John lies all the time so I doubt that is true,” is not an ad-hominem argument. The attack on John's character is not being used to invalidate his argument because John has not made an argument. Rather John's *testimony* is being questioned because of his previous inability to tell the truth. An argument cannot be false simply because the person making it is a known liar. But good arguments need true premises, and we are right to question statements of fact that come from dubious sources.

Conclusion

Successfully answering *ad hominem* arguments requires addressing the relational and intellectual components of the person's argument. On the relational side, it is prudent for the pro-life advocate to sympathize with the critic's distaste towards inconsistent, mean, or irrational people. On the intellectual side, the pro-life advocate must bring the discussion back to the one question, “What is the unborn.” The quickest and most effective way of doing this is to admit to alleged *ad hominem* attacks for the sake of the argument and ask why they justify killing children through abortion. This shows that if the unborn are human, then killing them through abortion is wrong no matter how obnoxious the person is who makes that claim.

⁶⁷ *Why don't you adopt unwanted children? (Principle: We should help children who are in trouble.)*

⁶⁸ *You must be a Christian or a Republican. (Principle: It is unfair for one group of people to tell another group of people how to live based on their personal beliefs.)*

⁶⁹ *You're a man; you have no say in this. (Principle: Unless a moral issue affects you directly, you shouldn't comment on it.)*

⁷⁰ *Don't you trust women, or do you just hate them? (Principle: It is wrong to discriminate against someone based on irrelevant traits like gender)*

IMITATE

Pro-Choice: If you think abortion should be illegal, then that means you don't trust women to make decisions about their lives and bodies.

Pro-Life: Well, let's say you're right that I don't trust women, or men, or anyone. Maybe I am paranoid and I think everyone is out to get me. How does that change whether abortion kills a human being or not?

C: Saying that abortion is murder is inflammatory rhetoric and hateful towards women. It's people like you who killed Dr. Tiller with your crazy fundamentalist beliefs.

L: I think comparing me to a convicted murderer is inflammatory rhetoric, but I actually agree with you that it was wrong to kill Dr. Tiller. But can you tell me *why* you think it was wrong?

C: It's wrong because our country shouldn't tolerate Christian fundamentalists using terror in order to create a theocracy. The only difference between anti-abortion advocates and the Taliban is 8,000 miles.⁷¹

L: Let me see if I understand you. Are you saying that it's unacceptable for a group to use violence against innocent people to accomplish their goals?

C: Yes.

L: I agree. But if that's true, then why is it acceptable for feminists to use violence against innocent children in the womb in order to accomplish their goals of achieving equality for women?

C: You're a typical Republican. You care about imaginary children before they are born, but then you think it's okay for them to starve to death and die from lack of medical care after their born. Who did you vote for in the last election? Did you support universal healthcare?

L: You say the unborn are imaginary, yet you've given me no evidence to believe that is true. What I don't understand is that you morally oppose "the choice" to vote against universal healthcare and other choices you think hurt children, and yet you support a "choice" that dismembers and kills children. Aren't you being inconsistent in opposing some harmful choices, but not others?⁷²

IMPROVISE

Pro-Choice: You're just a fundamentalist... a crazy pro-lifer.

Pro-Life: ???

FURTHER STUDY

Scott Klusendorf, *The Case for Life* (Wheaton, IL: Crossway Books, 2009), pp. 177-183.

⁷¹ This comment was actually made by abortionist Warren Hern in a guest column he wrote for the *Colorado Statesman*. Hern writes, "The main difference between the American anti-abortion movement and the Taliban is about 8,000 miles. Also, the Taliban wants a fascist Islamic theocracy, whereas the American anti-abortion movement wants a fascist Christian theocracy." Available online at <http://www.coloradostatesman.com/content/991110-dr-george-tiller%3Fs-political-assassination-result-rabid-anti-abortion-harassment>.

⁷² Editor's Note: Pointing out that a person is inconsistent seems similar to an *ad hominem*. Should pro-life advocates respond to *ad hominem* attacks by sending *ad hominem*s back the other direction? No, but pointing out that someone is inconsistent is different than pointing out a flaw in their character. Being inconsistent relates directly to the truth or falsity of an argument: "If you hold contradictory beliefs, then one of them must be false." There are times when calling someone inconsistent can be name-calling or a personal attack, but at least in the dialogue above, it's not. It's a statement that's directed at the argument rather than the person's character.

“How Can You Claim that Abortion Is Genocide?”

Does legalized abortion rank with the worst atrocities in history?

Stephen Wagner

The Challenge of the Genocide Comparison

When we compare abortion to other acts of genocide, we set ourselves up for two challenges. First, many more people will stop and talk to us than would otherwise because the claim that abortion is genocide is so provocative. And many of these students will be very angry, so we will have to walk carefully to keep the conversation productive. Second, most people have very shallow definitions of problems like genocide. Once again, we become teachers, walking students through a process of discovery of the truth. Our tools? Questions. Our strength? The facts are clear.

An Argument that Shows Abortion is Genocide

- (1) Genocide is a “systematic destruction of a people group.”
 - (2) Abortion is systematic (it is government-sanctioned killing).
 - (3) Abortion is destructive (abortion photos illustrate this).
 - (4) Abortion singles out a people group (unwanted unborn humans).
- Therefore... (5) Abortion is an act of genocide.

Ask a Question

- “Why do you believe abortion isn’t genocide?”

Objection 1: “Genocide has to do with race, not unwantedness.”

- “Why were people killed in the Cambodian Genocide?” (They resisted Pol Pot’s regime, lived in or near cities, and most were educated.)
- The definition of genocide is constantly evolving; we follow the commonly used summary of the 1948 UN resolution (see reverse); see also the definitions of various genocide scholars (see reverse).
- “I’ll grant that this exhibit expands on the UN definition (which was constructed to avert another Holocaust), but wouldn’t you agree that killing acts since the Holocaust have forced us to go beyond the racial dynamic into people groups that are targeted for other reasons – that they have something the powerful want or because they are in their way?”

Objection 2: “The unborn isn’t a human being”

- Use the “10-Second Pro-Life Apologist” and describe the scientific evidence.
- “What do you think it is if it’s not a human being?” (Corinne Cords, MN)

Objection 3: “Abortion isn’t systematic” (no government involvement, individual women)

- I agree that an individual abortion or a photo of an individual baby killed by abortion cannot be called genocide. I’m glad you made the point. People often misunderstand our genocide comparison. We’re not saying that individual women are genocidal maniacs. We’re focusing on the fact that abortion is legal. If it’s legal, and it kills unwanted

unborn human being, and our society tolerates it, could our society be guilty of genocide? So our question is, “Does the legality of abortion, which results in many deaths, constitute genocide?”

- Would you agree that the laws of this country not only protect the right to dismember the unborn, but the government funds that killing in many cases?
- What does it mean for killing to be systematic?
- If 3700 first-graders were killed in elementary schools every day in America, would you have a hunch that there was probably a systematic element making the killing possible?

Other Questions You Can Ask

- “Are there any pictures of genocide here? Which ones? Why?”
- “Let’s set aside the question of genocide. Would you at least agree that it’s an act of homicide?”

Definition of “Genocide” in Webster's New World Encyclopedia (1992):

“The deliberate and systematic destruction of a national, racial, religious, political, cultural, ethnic, or other group defined by the exterminators as undesirable.” (*Webster's NWE*, Prentice Hall General Reference, 1992)

Origin of the Word, “Genocide” (1943):

Raphael Lemkin coined the term “genocide” originally in 1943, in hopes of capturing in a single word the sheer evil of the Nazi attempts to exterminate the Jewish people. He had been concerned about mass slaughter from the 1920’s, shortly after the mass slaughter of Armenians by the Turks (1917). In 1933, Lemkin presented a paper on creating a sort of international law to prevent mass slaughter from happening again. He was largely ignored in the 1930’s and even in the 1940’s, but in 1951, six years after the end of WWII, the UN finally adopted a resolution condemning genocide.

Original United Nations Definition (1948):

Convention on the Prevention and Punishment of the Crime of Genocide

Adopted by Resolution 260 (III) A of the United Nations General Assembly on 9 December 1948 (in force 12 January 1951).

Article 2

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- Killing members of the group;
- Causing serious bodily or mental harm to members of the group;
- Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- Imposing measures intended to prevent births within the group;

- Forcibly transferring children of the group to another group.

Definitions of Genocide from Historians and Social Scientists

Note: Original source (2005) no longer contains these quotes: http://www.isg-iags.org/references/def_genocide.html

The purpose of looking at these scholars' definitions of genocide is two-fold:

- To show that the definition is constantly being refined in order to make sense of new types of mass killing.
- To show that abortion fits these recent definitions. Expanded to include mass killings not associated with race, they speak of groups. Many (if not all) of these scholars believe abortion is not genocide. Our question is simple, "How do 'unwanted unborn humans' not constitute a group under your definition?"

"Genocide is a form of one-sided mass killing in which a state or other authority intends to destroy a group, as that group and membership in it are defined by the perpetrator." (Frank Chalk and Kurt Jonassohn, *The History and Sociology of Genocide*, 1990)

"Genocide in the generic sense is the mass killing of substantial numbers of human beings, when not in the course of military forces of an avowed enemy, under conditions of the essential defenselessness and helplessness of the victims." (Source: Israel W. Charny's article in *Genocide: Conceptual and Historical Dimensions* ed. George Andreopoulos, 1994)

"Genocide is sustained purposeful action by a perpetrator to physically destroy a collectivity directly or indirectly, through interdiction of the biological and social reproduction of group members, sustained regardless of the surrender or lack of threat offered by the victim." (Helen Fein, *Genocide: A Sociological Perspective*, 1993/1990).

"By our definition, genocides and politicides are the promotion and execution of policies by a state or its agents which result in the deaths of a substantial portion of a group. The difference between genocides and politicides is in the characteristics by which members of the group are identified by the state. In genocides the victimized groups are defined primarily in terms of their communal characteristics, i.e., ethnicity, religion or nationality. In politicides the victim groups are defined primarily in terms of their hierarchical position or political opposition to the regime and dominant groups." (Source: Barbara Harff and Ted R. Gurr, "Toward empirical theory of genocides and politicides," *International Studies Quarterly* 37, 3 [1988])

"The concept of genocide applies *only* when there is an actualized intent, however successfully carried out, to physically destroy an *entire* group (as such a group is defined by the perpetrators)." (Source: Steven T. Katz, *The Holocaust in Historical Perspective*, Vol. 1, 1994).

FURTHER STUDY:

Gregg Cunningham, *Why Abortion is Genocide*, www.abortionno.org/pdf/whyabortionisgenocide.pdf

Activity 22: From “Not Genocide” to “Not Human”

Is abortion genocide? It depends in part on the question, “What is the unborn?”

Trent Horn

Note: For “Analyze,” see “How Can You Claim that Abortion Is Genocide?” by Stephen Wagner.

IMITATE

Pro-Choice: How can you say that abortion is genocide? That’s so offensive!

Pro-Life: Why is it offensive?

C: Because you’re using tragedy to promote your political agenda!

L: I agree with you that it is insensitive to compare the genocide of humans to the killing of non-humans. That’s why I don’t like it when animal rights groups compare the holocaust to the slaughter of cows. But can you give me a reason to think these human fetuses aren’t human beings?

C: That’s not the issue. Genocide involves targeting people because you hate their race or nationality. Women don’t hate their fetuses and fetuses don’t have a race or culture that is being targeted for elimination!

L: Well, if you look at the statistics for how many African-American children are aborted versus white children, you might be surprised. But let’s grant your point. I never said genocide involved hatred or the targeting of a race or nationality. I believe it is the systematic killing of a people group.

C: Abortion isn’t systematic. The government doesn’t make anyone have an abortion.

L: Well, would you think the Nazi Holocaust would have been just as wrong, or maybe worse, if the government merely made it legal for ordinary citizens to kill Jews and other undesirables instead of the government doing the killing themselves?

C: But those were real people.

L: I agree, but you haven’t given me a reason to think the unborn aren’t real people.

C: Jews in the Holocaust could suffer, fetuses can’t.

L: What if we painlessly euthanized thousands of infants every year, would you think that qualified as genocide?

C: No, because it has to be a racial or national group. Look, I don’t disagree that a fetus is a life. But I hate when you people incorrectly call things genocide that aren’t genocide.

L: I’m curious. You seem more upset by our mislabeling of genocide, than by the killing of all these unborn humans. Shouldn’t we be more worried about saving babies from abortion than splitting hairs over the semantics involved in that killing?

C: They're not babies!

IMPROVISE

Pro-Life: Why don't you think abortion is genocide?

Pro-Choice: Genocide is a hateful thing the Nazis did. Are you saying women who have abortions are like the Nazis?

L: ???

Activity 23: Is Genocide about Individuals or Society?

Clarifying the Abortion-Genocide Comparison by Focusing on Legality

Stephen Wagner

Note: For "Analyze," see "How Can You Claim that Abortion Is Genocide?" by Stephen Wagner.

IMITATE

Pro-Choice: Abortion is genocide? You're calling women Hitler.

Pro-Life: I think you may have misunderstood the comparison here. Help me understand how you got from there to here.

C: You're comparing abortion to genocide. If abortion is like genocide, then those who participate in abortion are like the Nazis who killed millions of people.

L: Would you agree with me that the genocide comparison makes no sense if abortion doesn't kill an innocent human being?

C: Yes. And that's another reason the comparison makes no sense. The unborn isn't even in the world yet.

L: Okay. So it looks like you have two concerns about the genocide comparison. First, you think women shouldn't be compared to Hitler, and second, you think the unborn isn't a human being.

C: That's right.

L: Which of these concerns is more important to you?

C: Women shouldn't be compared to Hitler.

L: Okay. Let me give you my thoughts on that, and then I'd like to hear what you think. Let's just grant for the sake of the argument that the unborn are human beings with the same right to life that you and I have.

C: That's unfair. You're biasing the argument.

L: That wasn't my intention. You'll see where I'm going with this in a few moments.

C: Okay. Let's grant that the unborn are human beings. Proceed.

L: If the unborn is a human being, then abortion kills a human being. And if abortion is legal, and in America we kill more than 3,500 humans each day because of it, could our society be like the Nazi society, since we're allowing mass homicide to occur just like the Nazi society did?

C: Well, if abortion did kill humans, I guess we would be killing a lot of humans. What was that that you said about "society"?

L: I asked, essentially, "Is our society similar to these other societies that also allowed the killing of a lot of humans?"

C: I guess it would be. But women are part of the society. You're blaming them for mass homicide.

L: We're actually attempting to focus squarely on the legality of abortion, the system that makes it so prevalent. We're not making any claims about the women who have abortions. It's quite understandable that since abortion is legal, women get abortions.

C: So if I hear you correctly, you're focusing on the society that allows abortion and not on the individuals who make the choice of abortion.

L: Well, I'm not saying those women have no culpability. I just wouldn't call them genocidal maniacs. I can't claim to know them or be able to judge their motives or personal stories.

C: That's a relief. At least you're not insane. But this whole discussion has been based on the idea that the unborn is a human being. It's not. It's so much different from you and me.

L: You're right that the unborn is different from an adult in some ways. I'm wondering, though, what differences you're thinking of...

IMPROVISE

Pro-Choice: Abortion is genocide? You're calling women Hitler.

L: ???

Activity 24: Is Genocide about Race?

Focus on evolving definitions to clarify the similarity between abortion and genocide.

Stephen Wagner

Note: For “Analyze,” see “How Can You Claim that Abortion Is Genocide?” by Stephen Wagner.

IMITATE

Pro-Choice: Abortion is not genocide.

Pro-Life: Help me understand why you believe that abortion isn't genocide.

C: Look at the definition by the U.N. in 1948: “In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group...” The unborn don't constitute a national, ethnical, racial, or religious group. Therefore, killing the unborn isn't genocide.

L: Would you say that the unborn constitutes a group of humans at all?

C: No.

L: So, it sounds like there are really two reasons you think legal abortion is not genocide.

C: Well, sure. The unborn aren't humans, and even if they were, killing them wouldn't be genocide.

L: Even if we kill 1.2 million of them every year?

C: What are you talking about?

L: That's how many abortions happen each year in the U.S. alone. If you include the whole world, it's more like 42 million.

C: That's a lot. I don't like abortion.

L: I'm curious: why do you have negative thoughts about it?

C: Well, it's killing a potential life.

L: Do you mean that it's killing what potentially will become a human being once it has some time to develop, so it seems like a shame that so many unborn children are being killed?

C: I wouldn't call them children, but yes. It's a shame.

L: I agree that it's a shame, but my view is that it's a shame because the unborn are actually human beings now.

C: No matter what, though, abortion isn't genocide.

L: You mean, even if the unborn are human beings, they wouldn't fit the U.N. definition?

C: Yes.

L: Have you seen the movie, “The Killing Fields”?

C: Yes. I saw it in my “Film and Human Rights” class.

L: That class sounds interesting! Well, you remember then that Pol Pot killed off something like one quarter of his population? Do you know why he killed them?

C: He wanted to return Cambodia to a farm-based society.

L: Do you remember that he killed people who were located near cities or had glasses?

C: Yes. He killed them primarily because they were educated in the tradition of the West and were getting in the way of his agenda.

L: So, would you say that Pol Pot and his regime committed a genocide against the Cambodian people?

C: Yes, but see, it was racial!

L: What race of people was being targeted? Is “being a citizen of Cambodia” a “race”?

C: What’s your point?

L: It seems to me that the Cambodian situation forces us to adjust our definition of the word “genocide.” The Cambodian “Killing Fields” situation qualifies as a mass homicide, at least, but it doesn’t seem that there is much of a difference between the mass homicide of Cambodia and the “genocide” of Nazi Germany. Both featured regimes intent on getting rid of people who were in the way of what they believed was “progress.”

C: I see your point.

L: Could we agree, then, that “systematic destruction of a people group” is a good definition that captures the core of what we mean by “genocide”?

C: Sure, but I still don’t think the unborn qualify as a group of humans someone is trying to remove because they are in the way of progress.

L: What about “unwanted unborn humans”?

C: I don’t think that’s a definable group.

L: Okay, if we can’t agree that abortion is “genocide,” consider just one unborn embryo. Can we at least agree that an individual abortion should be considered some sort of homicide?

C: No. The unborn aren’t human.

L: So, that leads us full circle. When you say, “not human,” do you mean “not human biologically” or “not human in terms of intrinsic value and the right to life”?

IMPROVISE

Pro-Life: Why don't you think abortion is genocide?

Pro-Choice: Genocide is about race.

L: ???

“Are You Against Stem Cell Research and Cloning?”

Testing the Moral Logic of the Pro-Life Position

Stephen Wagner

Response, Part I: Clarify the moral logic of your position

“Not unless it kills an innocent human being. Human embryonic stem cell research always kills a human being in the embryonic stage when scientists remove the stem cells. Wouldn’t you agree it is wrong to kill one human being to do research on her body to help someone else?”

Response, Part II: Clarify that you have compassion for the suffering

“With that said, I think we have to do our best to care for those who have difficult diseases without hurting others in the process. This is why I think we should aggressively fund adult stem cell research (ASCR). It kills no one and has already shown a great ability to help people recover. Recently, a Parkinson’s patient and spinal cord injury patient both testified before a senate subcommittee claiming their adult stem cell treatments had been very effective in improving their conditions. Since embryonic stem cell research is not an option for those who care about human rights, don’t you think we should promote adult stem cell research and leave the embryos alone?”

What are stem cells?

Stem cells are the root cells that the body uses to create the organs of the body. As development progresses the stem cells differentiate into different tissue types. While early embryos are made up almost entirely of pluripotent stem cells (able to differentiate into any tissue), multipotent stem cells are found in various tissues of the adult body (e.g. bone marrow, brain, olfactory mucosa). Stem cells are also found in rich supply in umbilical cord blood. Acquiring stem cells from embryos requires us to kill the embryo. Acquiring stem cells from adult sources and umbilical cord blood kills no one.

Why do scientists want to use embryonic stem cells?

Scientists believe that embryonic stem cells can be manipulated into various tissue types and implanted into patients with degenerative diseases like Parkinson’s, Diabetes, lymphoma, multiple sclerosis, and for patients with spinal cord injuries.

Why do scientists want to use embryonic stem cells and not adult stem cells?

Some scientists claim embryonic stem cells will yield insights into how adult stem cells can be manipulated. But most scientists who promote embryonic stem cell research believe embryonic stem cells are more flexible than adult stem cells. They also are motivated by the fact that creating an embryo using donor sperm and ovum is now a very common practice. Some believe there are many embryos that will die in frozen storage if we don’t “make use” of them (they are wrong, see below), but even if this were true, it wouldn’t justify killing them for research any more than killing death row inmates for research now who are going to die “soon.”

Is ESCR Legal?

There are no restrictions on ESCR in the USA. The debate is usually about whether ESCR should be funded by the federal government (taxpayer dollars). President Bush made a decision in 2001 not to fund any research on embryos killed after August 9 of that year. Most of the subsequent public debate about embryonic research has centered around this funding decision (and subsequent funding decisions). Pro-lifers believe that ultimately ESCR should be illegal, but for now, the debate in the political arena is whether it should be funded with taxpayer dollars.

How do we clone an embryo?

Somatic Cell Nuclear Transfer (SCNT) is a process by which scientists enucleate an ovum (remove its DNA) and insert the DNA from a somatic cell (any diploid cell of a human body) into the ovum. Scientists add a mixture of chemicals and provide an electric spark that causes the mixture to begin dividing through the zygote and embryonic stages.

What is a cloned embryo?

A cloned embryo is a human being in the embryonic stage. The only difference between a cloned embryo, an embryo conceived in vitro (in a test tube), and a naturally conceived embryo is how the embryo came into being. The greatest concern, then, is not how the embryo came into being, but how will it be treated once it's here? Currently, clones are always killed before a certain point in gestation, which is clearly wrong. Clones should be treated like any other intrinsically valuable human being.

Why do scientists and advocacy groups want to promote embryo cloning?

Cloned embryos can provide stem cells that are an exact genetic match to the patient being treated. Using these cells reduces the risk of tissue rejection and has the potential to produce treatments that rival the success of adult stem cell research (whose success, it can be argued, is largely due to using stem cells from one part of the patient's body to treat another part of her body).

Aren't there lots of leftover embryos going to waste? No!

Although it is true that more than 400,000 frozen embryos are currently stored in the US, there are actually less than 38,000 available for research. See *Fertility and Sterility*, May 2003 (available at www.asrm.org) for a peer-reviewed study that makes this point persuasively. While the number of embryos available does not affect the moral question of whether any of the embryos should be killed, it is encouraging to note that the actual number of embryonic human beings who are not already set apart for implantation is only a fraction of the total number. Finding a moral placement for this smaller number through adoption is quite plausible. In fact, the Snowflakes Adoption Service (www.snowflakes.org) specializes in finding loving families who will implant and give birth to these currently-frozen children. With the many infertile couples in the US (According to the National Center for Health Statistics, 2.1 million: www.cdc.gov/nchs/fastats/fertile.htm) there are certainly plenty of families who could adopt these children and implant them. So, it is not true that these embryos will go to waste if we don't experiment on them. We can care for them just as we would any other child.

Three Key Questions:

- **Where do we get human embryonic stem cells?** We can only derive *human* embryonic stem cells by killing a *human* embryo. Removing its stem cells leaves it with no cells from which to build the organs of its body.
- **What is the embryo?** An embryo is a living, whole, human organism (a human being) in the embryonic stage. All the embryo needs to live is a proper environment and adequate nutrition, the very same thing all infants, toddlers, adolescents, and adults need.
- **Are all human beings valuable or only some?** The abolitionist movement, the suffragist movement, the civil rights movement, and current concerns about racism, sexism, and international human rights all require a foundation of natural rights (that humans have in virtue of their human nature) for their force. The Declaration of Independence assumed this view of human rights. In other words, the reason we think racism, sexism, and genocide are wrong is because they set aside a certain group for discrimination or extermination because of some surface difference between us rather than recognizing the underlying similarity that justifies equal treatment. If we want to live consistently (which everyone does), our desire to protect women and African-Americans from sexual and racial discrimination will also lead us to protect human embryos and fetuses from developmental discrimination based on level of development.

Adult Stem Cell Research: 73 Therapies Now In Use

Not Magic Dust, But Not Unrealistic Hopes Either

Stephen Wagner

Originally published at www.str.org in 2005. The principles are still relevant, but some advances have been made since this was written, notably, in iPSC (induced pluripotent stem cell) research. Note, iPSC research is NOT embryonic stem cell research.

Good Ambassadors Don't Overstate Their Case

With the great advances in the actual therapies adult stem cells have provided for debilitating diseases, it's tempting to make outrageous claims and to place unwarranted hope in adult stem cell research. And with the rampant killing of human beings represented by embryonic stem cell research, the need to inflate the benefits of adult stem cell research seems even more pressing. Be careful to withstand this temptation, however strong it may be. Your credibility as an ambassador is on the line. And more importantly, your integrity is at stake. It's best to just be honest about the solid, but not miraculous therapies of adult stem cell research, even if the truth fails to turn people away from their irrational obsession with embryonic stem cells.

Good Ambassadors Don't Understate Their Case Either

As ambassadors for Christ, we have a responsibility to be honest, but that also means we should not downplay the real results adult stem cell research is providing every day for sick patients. With adult stem cell research, we have exciting news to report every month that passes.

Adult Stem Cell Research: Therapies, Not Cures

Stem cell research advocates of all types tend to claim that their brand of stem cell research will produce cures for people in the future (or perhaps now!). While complete cures may be possible in the future, it's more accurate to talk now about therapies rather than cures. In other words, treatments using certain kinds of stem cells in humans can help a patient fight or heal from a disease, but a complete cure is rare or non-existent.

Diseases Currently Being Treated with Adult Stem Cells: 73

Adult stem cell research advocates have great news to report on this front: there are currently 73 diseases that are being treated using adult stem cells (mostly hematopoietic, or bone marrow, cells). Adult stem cell therapies for conditions like Parkinson's disease, rheumatoid arthritis, and heart damage have been reported in peer-reviewed medical journals and legislative hearings. See <http://stemcellresearch.org/facts/treatments.htm> for a complete list of the diseases currently being successfully treated with adult stem cells. The rest of www.stemcellresearch.org is a great source for news and commentary on adult stem cell therapies. David Prentice's September 2004 Senate Subcommittee testimony (www.stemcellresearch.org/testimony/20040929prentice.htm), including diagrams and a lengthy list of peer-reviewed citations, is especially helpful.

Embryonic Stem Cell Research: No Therapies or Cures for Human Patients

While many adult stem cell therapies are already being used to treat humans, embryonic stem cell research has not only failed to produce cures in humans; it has also failed to produce a single human therapy of any sort. Researchers are hopeful, but admit their research has not yielded results (they blame lack of funding). In fact, leading ESCR researchers place real therapies far in the future. Currently, embryonic stem cell research is focused on better understanding cellular functioning. See, for example, the candid admission of two University of Wisconsin-Madison researchers to the President's Council on Bioethics that great difficulties face ESCR researchers who hope to treat human disease (www.bioethics.gov/reports/stemcell/appendix_i.html).

“Does the Bible Say Anything about Abortion?”

All References: New American Standard Bible (Lockman Foundation: La Habra, CA 1995)

Stephen Wagner

Note: Originally published at www.str.org under the title, “Does the Bible Have Anything to Say About Abortion?”

Context:

I recently received this email from a friend*:

“My secretary is a very wonderful Christian sister. Her daughter is 37 and pregnant and she is considering having an abortion. Unfortunately her daughter talked with an uninformed person who said the Bible doesn't address the topic of abortion.”

I fired off this response without much editing and found out the next day that this simple Biblical defense against abortion, along with accurate pictures of abortion and the mother's persistent expression of concern, persuaded the 37 year-old not to abort her child.

** Identifying details have been removed.*

The Bible does address abortion as directly as it addresses the killing of toddlers. Neither is specifically mentioned, but it is clear from the following passages that human beings are made with a special dignity as part of their nature.

Gen. 1:26-28

“Then God said, “Let Us make man in Our image, according to Our likeness; and let them rule over the fish of the sea and over the birds of the sky and over the cattle and over all the earth, and over every creeping thing that creeps on the earth.” (v. 27) God created man in His own image, in the image of God He created him; male and female He created them. God blessed them; and God said to them, “Be fruitful and multiply, and fill the earth, and subdue it; and rule over the fish of the sea and over the birds of the sky and over every living thing that moves on the earth.”

Gen. 9: 6-7

*‘Whoever sheds man's blood,
By man his blood shall be shed,
For in the image of God
He made man.
'As for you, be fruitful and multiply;
Populate the earth abundantly and multiply in it.’ ”*

James 3:8-10

*“But no one can tame the tongue; it is a restless evil and full of deadly poison. **With it we bless our Lord and Father, and with it we curse men, who have been made in the likeness of God;** from the same mouth come both blessing and cursing. My brethren, these things ought not to be this way.”*

And if our dignity is part of our nature, we have that dignity from the moment we begin to exist. And because it is clear scientifically that there is no essential change in the human organism from conception to natural death, the unborn must also have the same dignity we ourselves have.

So, Scripture does directly deal with abortion in the sense that abortion kills an innocent human being (if anyone questions whether abortion kills, they should consult abortion photos at www.abort73.com) and killing an innocent human being is seriously wrong no matter the stage of development, degree of dependency, or appearance of the child. Because the unborn is a

human being (see “No One Knows When Life Begins” (Chapter 3) for a simple defense of the humanity of the unborn), all of the verses in the Old and New Testaments condemning the shedding of innocent blood and commanding us to protect the weak apply also to the unborn:

Ex. 20:13

“You shall not murder.”

Ex. 23:7

“You shall not pervert the justice due to your needy brother in his dispute.

“Keep far from a false charge, and do not kill the innocent or the righteous, for I will not acquit the guilty.

“You shall not take a bribe, for a bribe blinds the clear-sighted and subverts the cause of the just.

Deut. 19:10-13

“Do this so that innocent blood will not be shed in your land, which the LORD your God is giving you as your inheritance, and so that you will not be guilty of bloodshed. But if a man hates his neighbor and lies in wait for him, assaults and kills him, and then flees to one of these cities, the elders of his town shall send for him, bring him back from the city, and hand him over to the avenger of blood to die. Show him no pity. You must purge from Israel the guilt of shedding innocent blood, so that it may go well with you.”

Prov. 24:10-12

“If you are slack in the day of distress, Your strength is limited. Deliver those who are being taken away to death, And those who are staggering to slaughter, Oh hold them back. If you say, “See, we did not know this,” Does He not consider it who weighs the hearts? And does He not know it who keeps your soul? And will He not render to man according to his work?”

Prov. 6:16-19

*“There are six things which the LORD hates, Yes, seven which are an abomination to Him: Haughty eyes, a lying tongue, **And hands that shed innocent blood**, A heart that devises wicked plans, Feet that run rapidly to evil, A false witness who utters lies, And one who spreads strife among brothers.”*

Prov. 31:8-9

*“Open your mouth for the mute, For the rights of all the unfortunate. Open your mouth, judge righteously, **And defend the rights of the afflicted and needy.**”*

Matt. 19:16-19

*“And someone came to Him and said, “Teacher, what good thing shall I do that I may obtain eternal life?” And He said to him, “Why are you asking Me about what is good? There is only One who is good; but if you wish to enter into life, keep the commandments.” Then he said to Him, “Which ones?” And Jesus said, **“You shall not commit murder; You shall not commit adultery; You shall not steal; You shall not bear false witness; Honor your father and mother; and You shall love your neighbor as yourself.”***

Matt. 28:19-20

*“Go therefore and make disciples of all the nations, baptizing them in the name of the Father and the Son and the Holy Spirit, **teaching them to observe all that I commanded you;** and lo, I am with you always, even to the end of the age.”*

Sometimes abortion advocates point to Exodus 21:22, saying it directly supports abortion. To see why the verse is actually a defense of the pro-life position, see Greg Koukl’s excellent article, “What Exodus 21:22 Says About Abortion.”⁷³ See also Scott Klusendorf’s “Dead Silence”⁷⁴ for an incisive treatment of the Exodus passage as well as a response to the argument from Biblical silence on abortion.

⁷³ Greg Koukl “What Exodus 21:22 Says About Abortion” - <http://www.str.org/site/News2?page=NewsArticle&id=5700>

⁷⁴ Scott Klusendorf “Dead Silence: Must the Bible Say Abortion is Wrong Before We Can Know that It’s Wrong?” See <http://prolifetraining.com/Articles/Dead-Silence.htm>

10 Proverbs for the Wise Ambassador

All References: New American Standard Bible (La Habra, CA: Lockman Foundation, 1995)

A gentle answer turns away wrath,
But a harsh word stirs up anger. (Proverbs 15:1)

He who restrains his words has knowledge,
And he who has a cool spirit is a man of understanding. (Proverbs 17:27)

Even a fool, when he keeps silent, is considered wise;
When he closes his lips, he is considered prudent. (Proverbs 17:28)

A fool does not delight in understanding,
But only in revealing his own mind. (Proverbs 18:2)

He who gives an answer before he hears,
It is folly and shame to him. (Proverbs 18:13)

Do not answer a fool according to his folly,
Or you will also be like him.
Answer a fool as his folly deserves,
That he not be wise in his own eyes. (Proverbs 26:4-5)

Do you see a man who is hasty in his words?
There is more hope for a fool than for him. (Proverbs 29:20)

If you are slack in the day of distress,
Your strength is limited.
Deliver those who are being taken away to death,
And those who are staggering to slaughter, Oh hold them back.
If you say, "See, we did not know this,"
Does He not consider it who weighs the hearts?
And does He not know it who keeps your soul?
And will He not render to man according to his work? (Proverbs 24:10-12)

An angry man stirs up strife,
And a hot-tempered man abounds in transgression. (Proverbs 29:22)

Men of bloodshed hate the blameless,
But the upright are concerned for his life.
A fool always loses his temper,
But a wise man holds it back. (Proverbs 29:10-11)

7

Seat Work,
Level IV



ABORTION: FROM DEBATE TO DIALOGUE
THE INTERACTIVE GUIDE

7

Chapter

Seat Work, Level IV

Edited by Stephen Wagner • Produced by Justice For All

**Train thousands
to make abortion unthinkable for millions,
ONE person at a time.**

Abortion: From Debate to Dialogue – The Interactive Guide

Edited by Stephen Wagner

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Table of Contents

SLED 2.0 – The Threshold Argument for Abortion.....	192
SLED 3.0 – The Infanticide Gambit.....	196
SLED 4.0 – The Interests View	199
“My Body, My Choice”: Is the Woman Really “Responsible”?.....	203

SLED 2.0 – The Threshold Argument for Abortion

How to Overcome Non-Standard Objections to the SLED Tool

Trent Horn

ANALYZE

Pro-choice advocates often say the unborn cannot “think or feel” and therefore they are not persons. Pro-life advocates can use the SLED tool to argue that while the unborn have a lower “level of development” than adults, so do newborns. Even though newborns cannot “think or feel” at the same level as an adult that does not mean they are less valuable, or less of a person, than an adult. Therefore, level of development is irrelevant to value and is not the property that makes someone a “person.” However, the pro-choice advocate could respond to the SLED tool by appealing to “the threshold principle.” They could say,

“I agree that a newborn is less developed than an adult, but both newborns and adults still have equal value. Even though these humans differ in their level of development, both newborns and adults have at least *some* ability to think or feel, so they are both persons. This is similar to the fact that whether a person owns a mansion or a small cabin, we consider that person to be a homeowner. He has passed the “threshold” of home owning. Someone who doesn’t own a home has not passed this threshold and is not a homeowner. Even though adults can think and feel at a higher level than newborns, both are equally human because they have the property of being able to think or feel at *some* level. They have passed over the threshold of *thinking at all*. Because fetuses cannot *think at all*, they are not persons.”

This argument bypasses SLED by arguing that it isn’t a general level of development that gives value, but a specific level, namely, having the property of “thinking” or “feeling” in a degree higher than zero. In this article, I will consider one common version of this argument, that the ability to *think or feel at all* is a “threshold” that human beings must pass in order to be considered persons.

Responding to the Threshold Argument

The key to responding to this argument is to show that it leads to morally repugnant conclusions. The defender of this argument is caught in a dilemma. The first horn of the dilemma concerns the problem of defining a person as, “someone who can feel or perceive anything at all.”

Criterion #1: Sentience – The Ability to Feel Pain or Perceive the External World – is a Necessary and Sufficient Condition for Personhood

The Problem: Considering Sentient Non-human Animals as “Persons”

If the pro-choice advocate argues that sentience, or the ability to feel pain, is what makes human beings “persons,” then they will claim that non-sentient fetuses (especially those in the first trimester) are not persons. But in order to be consistent, the pro-choice advocate will also have to grant personhood to sentient animals like apes, dolphins, cows, dogs, cats, and even some birds or reptiles. The pro-choice advocate cannot merely oppose cruelty to these animals, but must consider them to be full persons. This means a cow, which is as sentient as a newborn,

should be given the same legal protection a human newborn receives. I would ask those advocates this question: “Should people who eat cheeseburgers be given the same punishment as people who eat newborns?”⁷⁵

Most people agree that human newborns should not be treated in the same way we treat non-human sentient animals. The only fact that can account for this difference of treatment is that newborns are human beings, but sentient non-human animals are not. This shows that the threshold requirement for personhood is not a sufficient condition for being a person. In other words, just because someone is sentient, this does not mean they are a person. But perhaps sentience is a *necessary* condition for being a person, or one cannot be a person unless one is sentient. This does not mean that non-human sentient animals are persons, but rather that maybe only sentient humans are persons. How can the pro-choice advocate claim that sentient humans are persons but not equally sentient non-human animals? They could appeal to a property that is a necessary condition for personhood that non-human animals lack but humans possess. This leads to the second horn of the dilemma.

Criterion #2: Consciousness – The Ability to Have Rational Thought, Conceive of a Past, Present, and Future, or the Ability to Identify the “Self” – is a Necessary and Sufficient Condition for Personhood

The Problem: Excluding Human Infants from Being Considered “Persons”

The pro-choice advocate could argue at this point that what they mean by “thinking or feeling” is the ability to have rational thought that surpasses that of animals. This is sometimes referred to as having “consciousness.” Since fetuses clearly do not possess rational thought that surpasses that of animals, like dogs or cats, they are not persons. This makes sentience only a necessary condition for personhood (you cannot be a person unless you are sentient). But it makes consciousness *a necessary and sufficient condition* for personhood (if you are conscious you are a person and you cannot be a person unless you are conscious).

Pro-choice advocates who believe that a person is a being that has the immediate capacity for rational thought, or consciousness, do not consider fetuses to be persons. In addition, these advocates do not consider intelligent non-human animals, like dogs or pigs, to be persons because these animals do not possess a level of intelligence that is exclusively human. But if dogs and pigs are disqualified from being considered persons because they are not intellectually developed enough to have rational thought, then newborn human infants should also not be considered persons because they are less intellectually developed than animals like dogs or pigs.

Indeed, from birth until nine months the number of synaptic connections in a newborns brain will increase from 56 trillion, to 1,000 trillion.⁷⁶ Until that time, the cognitive abilities of infants are easily dwarfed by other non-human animals. Some pro-choice advocates, like

⁷⁵ While moderating an open microphone session at Pasadena City College with the Justice for All exhibit, I asked a pro-choice woman whether people who kill cows should be legally punished. She said that, “Yes, people who kill cows should go to prison.” I could tell that many of the ambivalent onlookers could not stomach the logical conclusion of this woman’s pro-choice argument.

⁷⁶Conor Liston & Jerome Kagan, “Brain Development: Memory Enhancement in Early Childhood,” *Nature* 419, 896. Cited in Klusendorf, Scott. *Abortion Debate: A Short Defense of the Pro-Life Position*, available at <http://www.prolifetraining.com/Articles/abortion-debate.pdf>

Michael Tooley, bite the bullet and admit their view justifies infanticide along with abortion.⁷⁷ Others attempt to split the dilemma and admit that infants are not persons but they should be treated like persons because they are so close to becoming persons.⁷⁸ But this argument could be easily modified to claim that while fetuses are not persons, because they are close to becoming persons they should be treated like persons. Choosing to treat infants like persons (when they are not considered persons) and not affording fetuses the same consideration is simply arbitrary discrimination against the unborn. It is a kind of thinking that favors the emotional attachment people have towards born children and does not represent a sound argument for human equality or value.

Conclusion

Pro-choice advocates face a dilemma when they say a fetus is not a person because it cannot think or feel. If the threshold for being considered a person is set too low (like sentience) then non-human animals must be treated like persons and be given full legal protection. If the threshold is set too high (like consciousness or rational thought) then newborn human infants or adults with disabilities would not be considered persons and would be denied full legal protection under the law. There is no non-arbitrary way to set a standard of cognitive function for personhood that includes only born humans and no other sentient animals, without disqualifying newborns. The only property that accounts for the right to life of human beings from infancy to natural death and justifies denying animals a right-to-life is being a member of the human species. Because human embryos and fetuses are simply members of the species *Homo sapiens* at an early stage in their development, they should also be considered persons and be granted full legal protection under the law.

IMITATE

Pro-Life: Why don't you think the unborn is a person?

Pro-Choice: Well, they can't even think or feel, they just kind of float there in the uterus.

L: I agree the unborn are less developed than you or I, but newborns are less developed than you or I as well, but would you say they aren't persons because they are less developed?

C: Newborns might be less developed than you or I, but at least they can feel something. What I'm saying is that the unborn can't feel anything so they aren't persons.

L: Some humans, like Gabby Gingras, can't feel pain. Would you say she isn't a person?

C: You don't understand. Gabby Gingras can still think about things even if she can't feel anything. The unborn can't think or feel at all. So they aren't persons.

⁷⁷ Michael Tooley, *Abortion and Infanticide* (Oxford: Clarendon Press, 1983), p. 167.

⁷⁸ Mary Anne Warren, *On the Moral and Legal Status of Abortion*. (Biomedical Ethics. 4th ed. T.A. Mappes and D. DeGrazia, eds. New York: McGraw-Hill, Inc. 1996) 434.

L: So you're saying that if something can feel pain or think at all, then it is a person?

C: Yeah, and the unborn can't do that so they aren't persons.

L: But what about animals like pigs or cows? They can feel and think a little bit, are they persons? Do you think people who eat cheeseburgers should be tried as accomplices to murder?

C: Well, no. I mean being human means being able to think rationally. That's what separates us from animals. The unborn can't think rationally so they aren't persons. We can treat them more like animals so it's okay to kill them.

L: But infants are no more rational than many animals. Is it okay to treat infants like we treat animals?

C: No, but it's different. Infants live outside of the womb.

L: Why does living outside of the womb make someone a person?

C: Because they can survive on their own.

L: A squirrel lives outside of the womb and survives on its own, are squirrels persons?

IMPROVISE

Pro-Life: Why don't you think the unborn is a person?

Pro-Choice: Well, they can't even think or feel.

SLED 3.0 – The Infanticide Gambit

How to deal with someone who “bites-the-bullet”

Trent Horn

In the previous exercise we saw that a pro-choice critic could escape the objections to the threshold argument by accepting that if abortion is morally permissible because the unborn do not have a rational self-consciousness, then infanticide is morally permissible because infants do not have rational self-consciousness. Two famous defenders of infanticide are CU-Boulder philosopher Michael Tooley and Princeton bio-ethicist Peter Singer. They claim that a human being is not a person until one month after birth (or possibly one or two years after birth). Their arguments in defense of infanticide usually go this way:

1. Most opposition to infanticide is based on moral intuition or emotion, and not philosophical reasoning. Just because something is disgusting, doesn't mean it is wrong. Many people once had the moral intuition that interracial marriage was wrong, but that didn't make it wrong.
2. Choosing to value infants over equally or greater functioning non-human animals is a form of “speciesism.” We only favor infants because they are “one of us,” and hence we engage in a form of discrimination.
3. It can't be wrong to kill someone who has no idea that they have a future. Because they can't know they've been wronged, and they have no plans we can frustrate, then no serious harm occurs if we kill them.

Strategies for Overcoming Defenses of Infanticide

1. **Demand an explanation for widespread opposition to infanticide.** Point out that your view of human equality explains why so many people oppose infanticide and is not based on emotions (it is based on the logically coherent truth that all members of a rational kind have value based on their membership in that kind). Ask the critic to explain why people should pick his view of human value (which is almost universally rejected) over your view if both are coherent and explain moral facts.
2. **Defend the adequacy of moral intuitions.** Ask the critic why they think the external world actually exists. They may respond that they experience it and it makes sense given other facts they know. Well, when we witness evil or injustice, we have a visceral reaction that such an event is wrong. We have a reaction that rivals or surpasses our intuition that the event is real and is not just a construct of our minds. Therefore, if the critic relies on intuitions to prove the external world is real, ask them why the intuition that an act of violence against an innocent helpless human is seriously wrong cannot also be considered as foundational as the intuition that the world really exists.
3. **Raise counter-examples to speciesism.** There are valid examples to show that we should discriminate based on a person's species. What would we think of a firefighter who rescued ten cats from a burning building but left a one-month-old infant to die? Or should we approve of eating humans that are as mentally handicapped as cows? Critics like Singer would probably just bite-the-bullet and say we should simply not eat infants or cows. But imagine we had a drug that could save a sick infant or a sick cow, under

Singer's views we are under no obligation to give the drug to the infant even though most of us would consider it immoral to give the drug to a farm animal instead. Finally, we use species distinctions to show whether a member of a species is "flourishing."⁷⁹ For example, if we had a drug that could give an animal the ability to read, should we use the drug on a cat or a ten-year-old illiterate child? Both animals can't read, but we consider the human child disabled or hindered by illiteracy while the cat is unaffected. Therefore, we are justified in using species identity as a marker to judge whether a species is flourishing, and so species designation has value in our moral judgments.

4. Point out flaws in the person's view of human value. If the critic believes all persons should be treated equally, ask on what basis does he thinks humans who are often unequal in areas of ability or genetic endowment should be treated equally. Often times the critic will appeal to rational thought or self-consciousness as the basis for human value, but point out that these qualities vary in humans, and thus each human's intrinsic value should vary as well. Only a view of human value grounded in a human beings nature, or their essential properties, can explain equal intrinsic value among humans.⁸⁰

5. Point out flaws in the critic's metaphysical view of a person.

- a. Defenders of infanticide typically argue that a person is simply the sum total of their mental experiences, or they promote a psychological criteria of personhood. However, consider this example from the movie *The Prestige*. Imagine I stepped into a machine like the one from the movie *The Prestige* that created an exact double of me. However, this machine causes me and the double it creates to lose consciousness briefly during the copying phase, after which we are moved by persons unknown. It seems that if a person is only a collection of mental states, and since we both have identical memories, then both humans would be "Trent" (especially since each of us would not know if we were the original or the copy). But this leads to contradictions like "Trent is in two places at once" or "Trent is hungry and not hungry at the same time."⁸¹ However, the capacities view would simply say that the double was a new human organism that is numerically distinct (but qualitatively identical), to the original and therefore no logical contradiction is created.
- b. Consider someone with multiple personality disorder. If mental states, make someone a human being, then if we "cure someone" of multiple personality disorder erasing four of the alternate personalities from the patient's mind, then wouldn't we be guilty of killing four "people?"⁸² This should make us suspicious that a person is identical to a coherent set of mental states.

6. Raise the Question, "Are Killing and Brain Wiping Morally Equivalent Acts?"

According to infanticide proponents, it is the conscious self that makes killing wrong. Thus if a being is killed prior to the development of its conscious self, no serious harm

⁷⁹Martha Nussbaum. Frontiers of Justice: Disability, Nationality, Species Membership. (Belknap Press: Cambridge, MA, 2006).

⁸⁰ I attribute this argument to philosopher J.P. Moreland, but am familiar with its use by Stephen Wagner

⁸¹A similar example, which helped me finalize this thought experiment, is found here: Eric T. Olson, *The Stanford Encyclopedia of Philosophy* (Fall 2004 Edition), Edward N. Zalta (ed.), URL: <http://plato.stanford.edu/entries/identity-personal/>

⁸²Matthew S. Liao. "The Organism View Defended" *Monist* (89(3), 334-350 (2006)

occurs, and if the conscious self is lost any point later, then that being is essentially dead, even if it is biologically alive. However, in a debate with Tooley, KU philosopher Don Marquis posed this thought experiment.⁸³ Imagine a case where an eight-year-old boy is dying from a rare disease. We have a drug that can save his life but it will cause him to lose all of his memories permanently and return him to the state of an infant psychologically. It seems obvious we should save the boy's life, but under Tooley's view the act of letting the boy die or erasing his memories but saving his life are equivalent acts with no moral difference, which seems false.

Tooley's Objections to the Organism View

- 1. Would you rather have your body destroyed, but keep your brain alive, or have your brain destroyed but keep your body alive? This question shows that a person is identical with their mind because the brain (the seat of the mind) is what almost everyone picks to keep alive when faced with this choice.**

Response: Tooley's objection confuses my valuing a part of my body with my belief that I am *identical* to that part of my body. I may want my brain to survive not because I am identical to it, but because it is the most important part of my body. In our everyday language we don't consider ourselves minds who "have bodies" that are simply our property. For example, if someone cut off my arm I wouldn't say they damaged my property in the same way as if they collided with my car. Instead, I would say they hurt *me*, and not something that belongs to me. However, because I enjoy thinking and self-reflection, I may pick the one organ of my body that is most comforting to me, my upper brain, if I am faced with the improbable choice posed by Tooley in the objection.

- 2. If we switched two people's upper brains through surgery, we would have two bodies that possess the other person's memories (call them John and Jane). But under the organism view, even though the body that was John's think's it is Jane, it would still be "John" and vice-versa. But the mental view of identity explains that John's body is now Jane's body and Jane's body is now John's body because those bodies are inhabited by different minds.**

Response: Just as we could cut off fingers, toes, or any number of other body parts from a person and a person would still remain, it's possible that we could reduce a human animal to their upper brain. If that brain is then implanted into a brainless body, then the old organism (the brain) is complimented with new parts. Therefore, in the brain switching case, Jane the organism is now reduced to her essential part, the upper brain, and is moved into the discarded parts of John's body. Jane has survived because her essential body part, the upper brain, remains and interacts with the donated body to create a new body for Jane. Therefore, Tooley is correct that Jane survives the transplant, but not because Jane is identical to her mental states. Instead, Jane the animal continues to function as a cerebrum (upper brain) and that cerebrum has simply been complimented with new parts. The same has simply occurred for John as well.

⁸³ <http://www.philostv.com/don-marquis-and-michael-tooley>

SLED 4.0 – The Interests View

The Most Sophisticated Argument against Fetal Personhood

Trent Horn

In response to the claim that the ability to think or feel pain is a necessary condition for a human to be a person, some pro-life advocates point out uncontroversial examples of persons who do not meet this definition. These examples include humans in reversible comas, humans who are asleep, and humans who are disabled and cannot feel pain (like Gabby Gingras)⁸⁴. Pro-life advocates ask, “If these humans are still persons, then why shouldn’t the unborn be considered persons as well?” The pro-choice advocate can counter that people who are asleep or in reversible comas may not be aware, but they still have interests that should be respected. They argue that killing these people, even painlessly in their sleep, is wrong because it prevents them from acting out the future plans they had before they were temporarily incapacitated. But the unborn, according to pro-choice advocates, have never been aware and therefore have no interests and are not persons.

Why is the ability to think or feel so important to these advocates? Probably because it is the foundation for the post-modern view of rights, *the interests view*. The interest view of rights claims that unless a being has conscious interests (it thinks, feels, or has desires) it has no rights. Animal rights activists invoke this principle when they argue for the rights of animals that have high levels of cognitive function. Pro-choice activists invoke this principle when they claim the fetus does not have a right to life because he or she is not yet conscious and therefore has no “interests.”

Sophisticated pro-choice advocates argue that once human beings have attained sentience (at about 24 weeks post-fertilization) they have conscious interests and therefore have a right to not to be killed unjustly. But does this mean that non-human animals that have the same level of sentience as a late term fetus or a newborn infant should have the same rights as those humans? Some pro-choice advocates believe late-term fetuses, infants, and non-human animals have the same interests and therefore the same rights.⁸⁵ Others argue that while the level of sentience may be the same, both human infants and late term fetuses have interests that supersede those of equally sentient animals because humans have a conscious connection to a future of rational experiences.⁸⁶ For example, David Boonin argues that it is the dispositional, ideal desire to live that is the foundation for the right-to-life.⁸⁷ By dispositional, he means a desire we don’t presently think about (like the ability to breathe) but have in virtue of existing. By ideal, Boonin means a desire not corrupted by false beliefs about the world. For example, a suicidal teenager may have an *actual* desire to die after being broken up with, but if she held the true belief that the breakup was actually quite trivial, then she would have an *ideal* desire to live. Thus it would still be wrong to kill a suicidal person, even if she did not have a present desire to continue living.

⁸⁴ For more information about Gabby Gingras, see: <http://www.msnbc.msn.com/id/4788525>

⁸⁵ See Tom Regan and Peter Singer (eds.), “All Animals are Equal.” *Animal Rights and Human Obligations*, (Prentice Hall: New Jersey, 1989) 148-162.

⁸⁶ See Dean Stretton. “The Deprivation Argument Against Abortion.” *Bioethics*, (Volume 18, Issue 2, April 2004) 144 -180.

⁸⁷ David Boonin. *A Defense of Abortion*. (New York: Cambridge University Press, 2003). 122 – 127.

How should pro-life advocates respond to this *desire-interest* argument? I suggest they use one of three counterexamples to show that human beings can have interests that should be protected even if they do not possess conscious desires.

Example 1: The Comatose Amnesiac

The first counterexample involves Kayla Hutcheson, a basketball player who collided with a teammate during a practice at Walla Walla Community College on October 26, 2008. Kayla suffered a third degree concussion, and over the next few days she forgot her friends' names, her family, and even how to perform basic skills like reading, walking, or identifying objects like pencils. Kayla had lost almost all of the skills and memories she had acquired over her life.⁸⁸ But what would Kayla's status as a person be if she lost those memories and then lapsed into a reversible coma? Would Kayla still possess a right to life even though she would awake in the future without any connection to her previous desires, memories, or personality traits?

Defenders of the interest view of rights could argue that because Kayla had previous experiences and would also have later experiences, then she possesses a right to life while she is comatose. However, on what grounds could defenders of this view say "Kayla" would have a right to life or future experiences? If "Kayla" is reducible to her mental states, and those mental states are permanently lost prior to becoming comatose, then there would exist no subject to possess any rights. Under the interest view of rights, the loss of Kayla's previous mental states is identical to a loss of Kayla herself. Indeed, some defenders of the desire/interest view of rights concede the point and admit it would not be wrong to kill Kayla in this case.⁸⁹ But pro-life advocates can argue that if Kayla awakens from the coma without her previous mental states, while her personality has been lost, the person of Kayla remains and she would have a right to life while she was in the comatose state.⁹⁰

The example becomes even more profound if we substitute Kayla with a small child (like a five-year-old) who has relatively few things they must relearn and yet we would think should not be killed in the comatose amnesiac state.

⁸⁸ Available online at: <http://www.katu.com/news/local/36581724.html>.

⁸⁹ David Boonin writes, "Of course, the critic might instead appeal to an imaginary case in which a temporarily comatose adult has had the entire contents of his brain destroyed so that there is no more information contained in his brain than is contained in that of a standard preconscious fetus. But, as in the case of the adult who has never had conscious experiences, a critic of abortion cannot appeal to such a case as a means of rejecting my position because we cannot assume ahead of time that killing such individuals is seriously immoral." See David Boonin. [A Defense of Abortion](#). (New York: Cambridge University Press, 2003). 78

⁹⁰ This observation comes from Francis Beckwith and his similar "Uncle Jed" counterexample. It is worth noting that Kayla's position in the coma would be the exact same as the fetus who has not yet attained self-awareness because both Kayla and the fetus would have to acquire new memories upon waking up. If proponents of the interest view would defend Kayla's right to life, then they must also defend the unborn child's right to life because there is no morally relevant difference between the two cases. See Francis Beckwith. [Defending Life: A Moral and Legal Case Against Abortion Choice](#). (Cambridge University Press: New York, 2007) 136-140.

Example 2: The Comatose Newborn Infant

In another example offered by Schwartz, two fetuses are born at the same time but their functional abilities differ.⁹¹ One fetus, which we will call Cornelius, has never had a conscious experience and is born in a reversible coma. The other fetus, Oswald, has had conscious experiences but lapses into the same type of coma at birth. Under the desire/interest view of human value, only Oswald would possess a right to life because he once had conscious experiences, but Cornelius would not have a right to life.

Bonnie Steinbock attempts to justify the right-to-life of a born, brain-damaged fetus, like Cornelius who will gain consciousness at a later time. She writes in regards to a fictional female infant in the same position, “In other words, although strictly speaking she does not have interests of her own, we treat her as if she did, because she is so close to having them.”⁹² This reply is unsatisfactory because one could easily argue that embryos and fetuses are “close” to having interests as well. Steinbock argues that the physiological differences between embryos and infants are morally relevant in this case, but SLED shows that these are actually morally trivial differences between human beings. In addition, Steinbock has only defended “interests” as grounds for moral standing, and not physiological development. This attempt to circumvent the counterintuitive notion of the morality of killing an infant like Cornelius by appealing to physiological differences is simply an irrelevant ad hoc addition designed to shift the argument in favor of her “interests view” of rights.

Example 3: Creating Brainless Humans

What case could the defenders of the “interest view” of rights make against intentionally altering developing embryos in order to create human beings who were brainless or lacked any desires at all (e.g. zombies)?⁹³ Even more shocking would be the cloning of a celebrity using discarded genetic material and then altering the clone during her embryonic stage of life so that she never attains consciousness and can instead be developed into the world’s most realistic “sex doll.” When I posed this dilemma to a defender of the interest view in an informal debate, the defender admitted that the only wrong in this situation would be to society or the original celebrity whose “likeness” was copied and used for nefarious reasons. Boonin may object that these humans have an “ideal desire” to not be altered, but if that is the case, then one could argue that an equally pre-conscious fetus has an “ideal desire” to not be aborted.

Unlike desire-interest proponents, the pro-life advocate can advance the claim that the clone is certainly harmed as a result of this exploitation. Both she and all persons have a right to grow and develop at a normal rate throughout their lives. This process of growth and development should not be interrupted through harmful techniques like lobotomies or abortion.

⁹¹ Stephen Schwarz, *The Moral Question of Abortion*. (Chicago: Loyola University Press, 1990) 90.

⁹² Bonnie Steinbock. *Life Before Birth: The Moral and Legal Status of Embryos and Fetuses*. (New York: Oxford University Press, 1992) 61-62.

⁹³ Beckwith, 148.

Conclusion

Defenders of legal abortion typically argue that personhood is an accidental property fetuses lack because fetuses do not have the property of self-awareness. For these philosophers, self-awareness is a prerequisite to having interests, and interests are a prerequisite for having rights and value. However, I have shown that the interest view cannot account for the rights of human beings that do not have any so-called “interests” (such as comatose amnesiacs or artificially brainless humans). People typically refer to their existence as that of an organism that changes over time, and not as a mere state of psychological states or “interests.” After all, it is quite natural to say *I* was conceived or *he* is in a coma as opposed to *the conceived being* became me, or *that body in a coma* used to be him.

In place of the interest view, the pro-life advocate can argue that human beings have a right to their continued existence based on the kind of being they are, and not on their knowledge of the future experiences that await them. This is similar to the inheritor of an estate having a right to the possessions that are due to him even if he is unaware of the existence of his inheritance. Because human beings are the kind of being who by their nature have rational, moral experiences, they have a right to a continued existence whose nature includes those experiences. Even if a human being’s life does not contain conscious experiences (such as the lives of anencephalic fetuses or infants) they are still intrinsically valuable because of the common human nature they share with you and me.

“My Body, My Choice”: Is the Woman Really “Responsible”?

Anticipating Objections to the Responsibility Objection

Trent Horn

“BUT I USED CONTRACEPTION!”

Some defenders of “right to refuse” arguments claim that a woman has no responsibility to sustain a child if she used contraception in order to avoid becoming pregnant. They claim that this shows she had no intent to have a child and therefore has a right to refuse to let the child use her body. But this response is unconvincing. If a drunk driver gets into an automobile accident, he could not defend his actions by saying he took every precaution (such as driving slowly, turning up the radio, rolling down the window) to avoid getting into an accident. He still engaged in an act (drunk driving) that is known to cause harm to other people. If his behavior does harm people or property, he should be held responsible for his actions. In the same way, men and women use contraception because they know that sexual intercourse can create a helpless child, and they should be held responsible for the child they create regardless of whether or not they took precautions to prevent the creation of such a child.

“BUT I DIDN’T KNOW SEX LED TO PREGNANCY!”

The defender of the right-to-refuse argument could claim that the responsibility objection only justifies prohibiting abortion in cases where the mother is aware her actions could create a fetus that needs her body to live. The defender of this argument may appeal to one of the following cases to support the idea that, in some circumstances, the mother has the right to abort. Those circumstances include situations where she did not know sexual intercourse was causally linked to pregnancy or in situations where she knew sexual intercourse was causally linked to pregnancy but did not freely choose to have sex. We can summarize these cases below:

- Case 1. A person holds an *unreasonable* belief that sex is not causally linked to pregnancy.
- Case 2. A person holds a *reasonable* belief that sex is not causally linked to pregnancy.
- Case 3. A person is *incapable* of knowing sexual intercourse leads to pregnancy.
- Case 4. A person *does not consent* to sexual intercourse, but is forced to have sex and becomes pregnant as a result.

Cases 3 and 4: Not Consenting to Sex

We must first distinguish between women who freely choose to have sex and women who do not freely choose to have sex. Case 4 is basically the objection that a woman who is raped should not be expected to sustain a fetus that she had no voluntary part in creating. This objection is dealt with in the separate article, “*My Body, My Choice*”: *What about Rape?*

Of course, “rape” encompasses more than an act of forcing a woman to have sex when she clearly expresses she does not want to. Most criminal law defines rape as sexual intercourse that is performed by one person with another person who has not given consent.⁹⁴ Therefore, a woman who was unconscious, severely mentally handicapped, or disabled in a relevant way, may be incapable of giving consent. These situations, summarized in Case 3, are essentially a

⁹⁴ See <http://www.rainn.org/get-information/types-of-sexual-assault/was-it-rape>.

variant of the rape objection. This objection is also dealt with in the separate article, “*My Body, My Choice*”: *What about Rape?*

Cases 1 and 2: Consenting to Sex but Not Pregnancy

But what about the case where a woman who is not mentally handicapped freely chooses to have sexual intercourse and does not realize it leads to pregnancy? Is this a case where a woman should not be held responsible for the fetus she creates even if her sexual activity was freely chosen? In these cases we must distinguish between women who have a *reasonable* belief that sex does not lead to pregnancy, and women who possess an *unreasonable* belief that sex does not lead to pregnancy.

Case 1: A person holds an unreasonable belief that sex is not causally linked to pregnancy.

Consider the case of Molly, a graduate student majoring in gender studies at a four-year university. She claims that pregnancy is merely a “social construct” that emanates from a patriarchal society and that for her, sex is purely a recreational activity from which no obligations arise. Of course, a reasonable person would see that Molly’s belief, however sincere, is simply false. It calls to mind this anecdote about Abraham Lincoln:

“In discussing the question, he used to liken the case to that of the boy who, when asked how many legs his calf would have if he called its tail a leg, replied, ‘Five,’ to which the prompt response was made that *calling* the tail a leg would not *make* it a leg.”⁹⁵

In the same way, simply calling sexual intercourse a “recreational activity without any obligations” does not make the statement true. Molly’s belief is therefore an example of Case 1, an *unreasonable* belief about the causal relationship between sex and pregnancy. She should still be held responsible for the children she helps create as a result of her sexual activities.

Case 2. A person holds a reasonable belief that sex is not causally linked to pregnancy.

But what about a woman who has a *reasonable* (though false) belief that sex does not lead to pregnancy? Should she be held responsible for the child she created and not be allowed to abort? Consider the case of Jennifer, a sheltered 13-year-old that was never instructed by anyone in her community about the nature of sex and pregnancy. Out of curiosity, she engages in sex with one of her peers and becomes pregnant. In this case we should return to the concept of consent. In order to consent to sexual activity, a person must be aware of both the nature of the activity and the consequences of the activity.

For example, imagine Jennifer was consenting to marriage but thought marriage was merely a short-term activity (she thought it only lasted for one summer) and after that she could return to live under the care of her parents. Because Jennifer was not aware that marriage was a life-long commitment, it seems odd to say that Jennifer had “consented” to marriage as it actually is. In the same way, when consenting adults have sexual relations, part of their consent is a realization that their activity could create an unborn child. In short, just as one cannot consent to joining the army if they are ignorant of war, one cannot consent to sex if she is ignorant of pregnancy. One can certainly *choose* to engage in sex, but not *consent* to it. *Consent* entails the idea that we can

⁹⁵ See *Reminiscences of Abraham Lincoln by Distinguished Men of His Time / collected and edited by Allen Thorndike Rice* (1853-1889). (New York: Harper & Brothers Publishers, 1909), p. 242. Available online at <http://quod.lib.umich.edu/cgi/t/text/text-idx?c=lincoln2;idno=BCC9571.0001.001>

be held responsible for the choices we make.⁹⁶ While Jennifer may not be mentally handicapped like the woman in Case 3, she has in a sense been handicapped by her social circumstances and is as faultless as the woman in Case 3. Whether one calls Jennifer's situation a case of rape, or some other form of non-consensual sex, the question of whether she should be allowed to abort her pregnancy should be classified with other cases of nonconsensual sex.

Conclusion

In conclusion, women who have an unreasonable belief that sex is not causally linked to pregnancy (such as Molly in Case 1) should still be held responsible for their actions and not permitted to abort their pregnancies. Women who did not express consent or were unable to express their consent (such as women in Cases 3 and 4) are victims of rape and the responsibility objection to the right-to-refuse argument doesn't apply to them. A different objection to the right-to-refuse argument, however, is sufficient to compel them to carry their pregnancies to term.

For women who have a reasonable (but false) belief that sex and pregnancy are not causally linked (like Jennifer in Case 2), the responsibility objection against their decision to abort their pregnancies also doesn't hold because they did not truly consent to sexual intercourse. See "*My Body, My Choice*": *What About Rape?* for a discussion of whether the right-to-refuse argument supports the moral permissibility of abortion in the cases of rape and these other forms of nonconsensual sexual activity.

⁹⁶ Pro-choice advocates also defend their position based on the concept of consent. Eileen McDonagh argues in her book, *Breaking the Abortion Deadlock: From Choice to Consent*, that abortion is permissible because a woman may consent to sex but not consent to the pregnancy that results. My position is simply that a woman cannot consent to sex unless she is aware of the possibility of pregnancy. If she is aware of the possibility of pregnancy, however, then her consent to sex holds her responsible for her actions that caused the pregnancy. To quote Scott Klusendorf, "McDonagh is mistaken about the relationship between consent and consequences . . . To say that a person consents to pregnancy is like saying a person consents to winning a lottery ticket. This is a misuse of words. You may consent to buying a ticket, but you don't consent to winning. Winning and losing are entirely outside your realm of control. You only consent to what is within your realm of control." See Scott Klusendorf, *The Case for Life* (Crossway Books: Wheaton Illinois, 2009) 191-192.

