

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: ???

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!]