

A logical position on abortion

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The Yale Socratic Club was a discussion group consisting mostly of doctoral candidates in several fields.

People on each side of a controversy should know the arguments for the other side. With that in mind, in what follows I want to outline my position on a bitterly controversial issue, abortion. You may be surprised what my position is. I need to tell you that I arrived at it by pure logic; at the time I worked through it (1979) my church had no position on the issue.

Moreover, I am not arguing a religious doctrine here. I am a Christian, but an atheist could agree with everything I say, with just one requirement: You have to believe in human rights. That is, you have to believe that it is possible for people to have rights even if society does not want to grant them. If you believe that, you can ask who has what rights. If you don't, there is no question to ask, and all you can do is pressure society to do what you want.

Further, I have no past actions of my own to justify, because I have never either facilitated or prevented an abortion.

A plea for understanding

I am asking you to reason about the issue, or at least telling you how I reasoned about it. Just like solving any other problem by reasoning that process is going to take several steps and require considering several opposing ideas.

Some people respond to disagreement on this issue with strong feeling but little or no reasoning. If you are one of them, the rest of this paper will not interest you.

Is this a good argument for slavery?

Now let's begin with something that seems off-topic. Suppose you're in Virginia in 1855 and you're debating the abolition of slavery, and someone says: "I don't care whether it's right or wrong, we've got to preserve our right to own slaves, or the family plantation will go out of business!"

I hope you realize this isn't an argument for slavery at all. It's just someone saying, "I want it." Sneaking in the words "our right" didn't create a right, either.

We hear arguments about abortion that are just as bad. "Never mind whether the fetus has rights, we have to have abortion so women can have careers and all of us can have casual sex." That is almost all I get from some people on one side of the issue! In what follows I'm going to try to approach the issue in a much more logical way.

Two biological facts

Preliminary to discussing abortion, we need to face two biological facts that are often denied in our popular culture.

(1) Sexual intercourse is part of the human reproductive process. It is how babies are made. The chance of conception in any particular instance is low, and can be made very low, but if you want to understand human sexuality, you can't ignore it.

(2) The developing fetus grows in the body of the female, not the male. This is not a societally assigned gender role, and certainly not something somebody made up in order to oppress women. It is what being a woman is.

Further to the second point, if you wish that women's bodies did not have this unique capability, I think you're anti-female, not pro-female. Do we really call it feminism when someone claims women would be better off if they were men? If you support the rights and dignity of women, it seems to me you should support the rights and dignity of pregnancy and childbirth.

Any analysis of abortion that denies these two facts won't hold water. We can't view pregnancy as a totally unforeseeable misfortune like an infectious disease. It results from a sex act that should always be voluntary. And if we view the very nature of the female body as unjust, we are simply out of touch with biology.

Two more preliminaries to the abortion issue

First: We need to recognize that for some women, abortion is an act of desperation. Beyond that, we should always look carefully at the reasons why women want abortions. Many of them have been pushed into very difficult situations by society as a whole, or by specific individuals, in some cases by the men who impregnated them and now want to erase the result of their act. If we decide to oppose abortion, we will still need to address these situations and the attitudes that lead to them.

Second: No matter what we conclude about abortion *per se*, it will remain ethical to save one life when you can't save two. That is a situation that soldiers on battlefields are familiar with, and it also comes up in medical ethics. The goal is to rescue, not to kill, even if the rescue mission causes the undesired death of another, such as surgically treating an ectopic pregnancy in a way that causes the loss of the embryo. That principle is not at stake here.

Do men even have a right to an opinion about this?

We sometimes hear it said that men have no right to an opinion about abortion. I'm going to try to answer that argument with more respect than it usually gets. But I still think it's mistaken.

The issue is the difference between *seeking truth* and *having power*. If you believe that nothing is actually right or wrong – that it's up to society to make whatever rules it wants about abortion, bank robbery, slavery, cannibalism, or whatever – then of course you will see each of these moral issues as a power struggle. You will want your side to have more power, and you will argue that some people shouldn't have any power because they're not affected by the issue. Citizens of Canada don't vote in U.S. elections. Same thing.

But look at what you have to swallow in order to arrive at that position. You have to believe that abortion only affects females, as if males had no responsibility for their involvement in human reproduction, no rights concerning their unborn children, and perhaps were never fetuses. Or to avoid believing absurd things, you also have to abandon the search for truth and just pursue a

power struggle. You are talking about *making up* rules rather than *figuring out* what is actually right.

That's not what we're up to here. We are seeking truth, seeking a correct analysis of the issue, and we should listen to logic and information from anyone, whether women, men, or little green creatures from Mars. We should of course ignore misinformation from people who are uninformed or confused. But if we say men are not entitled to participate in the discussion, that's like saying non-slave-owners weren't entitled to debate slavery. It's also like saying a Canadian economist isn't entitled to analyze a U.S. economic policy.

A logical position on abortion

Now let me outline where I stand. Some of you will disagree vehemently, but at least you will know, with some precision, what you disagree about. If nothing else, I'll tell you what you need to refute.

I must emphasize again that I came to this position by logical reasoning, and it is not closely tied to any religious doctrines. An atheist who believes in human rights could agree with it. At the time I worked it out (1979 or so), my church had no clear position on abortion; nobody told me what to conclude. I had to think it through for myself. Here goes.

We agree that uncombined sperm cells and ova do not have a right to life, and that a one-day-old or even one-hour-old baby does. So how do we make the transition from one to the other? When does the right to life come in?

I can see four possibilities for the transition:

- (1) Suddenly, at birth;
- (2) Suddenly, at conception;
- (3) Suddenly, at some specific point in between conception and birth;
- (4) Gradually.

Possibility (3) is the easiest to throw out. In the past, people believed there was a sudden transition point ("quickening" or "ensoulment"), but present knowledge of embryonic and fetal development doesn't give us any sudden transition to point to.

Possibility (1), popular with advocates of abortion, is also problematic. Do premature babies have a right to life? If so, do you really think they acquired it just by coming out into the open air? If we stick strictly to (1) we need not intervene medically to save babies who are born premature, or are about to be born premature; they are not people; at most they are the woman's valuable property. I don't think that's how we want it.

That leaves (2) and (4). In favor of (2), it gives us the kind of clear transition that we need: the beginning of cell division with a new set of DNA, not entirely the mother's. I realize that it could be identical twins, not just one embryo. (It could even be abnormal cell growth that is not a human embryo and cannot live independently.) But the point is, normally this is the beginning of at least one new individual in the clearest biological sense. That is where I draw the line.

What about (4)? Some people feel intuitively that the solution to any difficult problem is likely to be a gradient or compromise, and (4) appeals to them. But note what (4) implies in practice. It has the same problems as (3) unless you decide to err on the side of caution, because even a partial right to life is more than none at all. In that case, it puts you in the anti-abortion camp, because half or a quarter of a murder is still wrong, and to be avoided.

So the analysis I think best is (2), with slight lingering uncertainty about (4), which still would leave me opposed to abortion-on-demand.

If you don't agree with me, at least now you know what to argue about. And no, I'm not inviting the whole world to come and argue. I've already discussed this with some of the finest minds who are at work on the issue, and I think if I were full of malarkey, they would have been able to tell me.