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The Case For the Morality of Legal Abortion and Against Biblical Condemnation

Peggy Loonan, Executive Director and Founder of **Life and Liberty for Women** challenged anti-abortion extremist Scott Klusendorf, Director of Bio-ethics at Stand to Reason based in California to a debate At Colorado State University in Fort Collins, Colorado on November 15, 2000.

This debate gave me the opportunity to not only make **Life and Liberty for Women's** case that Roe vs. Wade correctly and morally balanced the right to life and liberty of woman and fetus, but the opportunity to begin to change the language, strategy, and landscape of the abortion debate. It also presented the opportunity to re-introduce radicalism and pro-activism into the way the abortion rights movement approaches the defense and protection of Roe vs. Wade.

It gave me the opportunity to make the case that the guidelines set forth in Roe vs. Wade for elective abortion does not violate God's laws as set forth in Biblical doctrine, is not a sin nor immoral. I dispel the notion that God condemns the killing of innocent human life in elective abortion under Roe vs. Wade's specific guidelines.

This writing sets forth a new bold radical and pro-active approach to defending and protecting Roe vs. Wade as well as a new foundation of logic and reason from which to argue for safe and legal abortion, putting the abortion rights movement on firmer ground from which to argue for Roe vs. Wade, as is without any restrictions, to moderate republicans and independents who support restrictions like parental notice, so-called partial birth abortion bans, 24-hour waiting periods, and mandatory counseling.

The current anti-abortion movement is seen as leaving the woman out of the picture - conception to birth - and the current abortion rights movement is seen as leaving the fetus out of the picture - conception to birth and

we've failed to make the public hear us and understand that simply isn't true of our position or of Roe. Our failure is a function of the logic, reasoning, strategy, and language we've used to defend Roe that is more than ineffective, it has actually lead to the "chipping away" of Roe and it will lead to Roe vs. Wade's demise, sooner than later, if we don't properly and strongly make our case and make it now.

To that end I allowed Klusendorf two and a half minutes of the typical video of **allegedly** aborted fetuses. What he and the audience, mostly, as is these days, filled with enthusiastic and dedicated anti-abortion supporters did not know and was not prepared for was a 30 X 40 very graphic picture of the result of illegal abortion that also was revealing of the truth about the days before Roe vs. Wade. That truth: most women who died pre-Roe didn't die by the hand of some back alley butcher, though there were some, most died from self-induced abortion. (that picture is included below)

For the remainder of the debate this picture starred back at the audience. It vividly made the point I was making verbally, that the lives of two human beings were under consideration here, and that neither could be left out of the picture and furthermore, it was Roe that accomplished that.

Please read carefully and critically the following and contact me at **Life and Liberty for Women** with your comments.

Please feel free to contact me about arranging for me to present these points to your organization, class, board of directors, or as a guest at your organization's fund raiser.

(In addition to the \$750.00 speaking fee which goes directly into **Life and Liberty for Women's** (LLW) general fund - LLW Requires all transportation and lodging costs be paid.)

**My first premises is:
Balancing the right to life and liberty of woman and fetus is morally right.**

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Believing in the morality of legal abortion and the immorality of illegal abortion, our American Society refuses to allow all abortions to be made illegal.

In an article in the Christian Research Journal, Scott said, "When it comes to first trimester abortion, polling data suggests the public has indeed resolved the issue, but it hardly agrees with us. A whopping, 62% support the practice because they don't think the unborn at that age of development are human persons."

Scott is right that the public has resolved this issue in their mind- but, I would argue, not because they DON'T think the fetus is a human being - THEY do indeed believe it is - BUT rather because they believe that both a woman and fetus has a right to life and liberty.

Mainstream America recognizes that women will do desperate and dangerous things to themselves to terminate their unintended pregnancies, law or no law. Mainstream American values will never again accept the death of the born woman from illegal abortion.

The name of the woman pictured below is Gerri Twerdy Santoro. She was just 28 years old. She was a sister, a daughter, and she was the mother of two daughters when she died a very painful and frightening death.

This New York coroner's picture first appeared in MS Magazine in April 1973. When Gerri's picture appeared in MS, no one knew her name or all the circumstances that surrounded her death from an illegal abortion. While it was assumed that she died at the hands of a back alley butcher, the family later confirmed that she died the way most women died before Roe vs. Wade legalized abortion in this country in 1973; she died from a self-induced abortion attempt.

Gerri was estranged from her abusive husband when she met Clyde Dixon and became pregnant by him. Terrified that once her abusive husband returned to town and learned it was Dixon's baby she was carrying, he would kill her. She was

determined and desperate to end her unintended pregnancy. That desperation and determination made her akin to thousands upon thousands of women in those days that were desperate and determined enough to terminate their unintended pregnancies in spite of the fact that abortion was illegal. Illegality affected the safety of abortion but it never affected the number of abortions that were performed.

Gerri was 6 ½ months pregnant in June 1964. Gerri's boyfriend obtained a medical book and borrowed some surgical equipment. They went to a motel where Dixon tried to perform the abortion. When the attempt failed, when it all went terribly wrong, Dixon fled the scene, leaving her there to die, alone, in this cold impersonal hotel room. She was bleeding profusely and tried with towels to stop it but she couldn't. How frightened she must have been, knowing she was going to die. She was found like this, on her stomach with her knees under her, her face not visible, bloody, nude, alone and dead.

Two lives were needlessly and sadly lost here. This horrible sad picture of death makes clear that illegal abortion not only harms and kills women, it has never ever saved one baby.

John G. Crandall, a colleague of Scott's at "Stand to Reason," wrote a-piece that made reference to the principle of beneficence, applying it to a scenario in which an abortion was necessary to save a woman's life threatened by a tubular pregnancy. That principle, Crandall relates, requires that we obtain the highest good. An abortion is necessary to save one life, the mothers, where two lives would be lost without it. Better to save one life than to lose two."

However, I would argue, that anti-abortion extremism blinds these folks to the extension and application of this principle to legal abortion vs. illegal abortion, as Mainstream America believes it should be applied. American Society's responsibility to obtain the highest good is satisfied by the balancing of the right to life and liberty of

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woman and fetus and that illegal abortion, is unacceptable, unconscionable, wrong, and immoral.

It's important to discuss why women decide to terminate their pregnancies. After all, tonight's debate question suggests that because elective abortion involves a personal decision to terminate human life, it must be judged, out of hand, as a moral wrong. Yet, our American Societal values do not accept that out of hand judgment.

Leslie Cannold, in the 1998 book, "The Abortion Myth", captures what an elective abortion decision is about for women. She says, " It is the importance of the relationship between herself and her fetus that forms the basis of her decision to continue the pregnancy and become a mother, or to have an abortion. To say that the fetus is valuable to the woman as a being that could be her child, is very different from agreeing with the anti-choice view that the fetus is intrinsically and independently valuable. When women consider the futures of their fetuses, their understanding of the dependency of babies and children ensures that they do not conceive of this future abstractly, but as being intertwined with their own."

A woman may not be prepared to be a loving, committed, and involved parent because she is trying to finish her education, has other children, the child's father would be AWOL, she's a battered spouse, or she isn't emotionally or financially prepared to be a parent.

Mainstream America appreciates and respects the serious consideration women give to what a child's quality of life would be once born and doesn't find any of those considerations to be frivolous reasons for terminating their pregnancy and therefore these considerations do not signal for Mainstream America, the immorality of killing innocent human life.

Each one of the 3 options to an unintended pregnancy, adoption included, has very serious lifelong emotional consequences to consider.

In her book, Leslie Cannold said, "An Australian Institute of Family Studies report on 213 mothers who relinquished a child for adoption found that: 'the effects of relinquishment on the mother are negative and long-lasting. Cannold says, Women who have surrendered their children for adoption report problems with their health, their marriages, and their fertility. And I would add, that an adopted child may or may not be afforded a loving and committed family and some adopted children suffer psychological and self-esteem problems as a result of having been given away, regardless of whether they have a loving adoptive family.'

Next - a discussion of the balancing of the right to life and liberty of woman and fetus, is not complete without a few words about what the Christian God thinks about all of this - after all it is to this higher power many anti-abortion stalwarts turn to justify their attempt to convince the public, and convince women, that the fetus has a right to life and liberty over a woman, conception to birth, no exceptions.

God never speaks to elective abortion, neither justifying it nor condemning it. It's very curious that as overriding as anti-abortion extremists make the life of the fetus as compared to the life of the woman, that their own God, who spoke on other critical issues, did not speak in clear terms to elective abortion much less declare it an objective moral wrong.

First, while God views the fetus as a human being, and alive as opposed to dead, it becomes clear that for him - A born woman has a right to life and liberty over a fetus, conception to birth - no exceptions.

We can conclude that from the following:

- God was deliberately silent on elective abortion.
- He explicitly designated the moment of birth as being the moment to celebrate the official beginning of human life (Gen. 2:7).
- And thirdly: From God's example of how he sees the relationship between the born human being and the unborn human being, or between a woman and her fetus contained in Exodus 21.

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In Exodus 21: 22-25, reading from the Revised Standard Version, God said: "When men strive together and hurt a woman with a child, so that there is a miscarriage and yet no harm follows, the one who hurt her-(speaking of the woman) - shall be fined, according as the woman's husband shall lay upon him; and he shall pay as the judges determine." Verse 23 then says, "If any harm follows, then you shall give eye for an eye, tooth for a tooth, and life for life."

Let me be clear here: These verses did not speak to the justification or condemnation of elective abortion - but they do speak to God's view of the relationship between the born human being, the woman, and the unborn human being, the fetus, and that is critical to understanding why God never spoke of elective abortion let alone condemning it or declaring it an objective moral wrong.

First, I will not argue that in these verses the penalty difference for harming the woman vs. the fetus has anything to do with the fetus being less than fully human. In fact, the fetus is a human being.

Now Scott himself concedes In a 1995 piece he wrote called "Answering the Theological Case for Abortion Rights, that it might be argued from these verses, that the unborn child had a lesser social status in Hebrew society, BUT I would extend that argument and say that not only did the fetus have a lesser social status in the society, but that God, by choosing the actual moment of birth as the official point of recognition and celebration of the beginning of human life, has judged that a born woman's life would take precedence over that of an unborn fetuses life, even though it's clear here, that God, regards a fetus as a human being in the womb and "alive" as opposed to dead.

The verses in Exodus are clear. A woman is hurt when two men are fighting. This woman

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is pregnant. If she miscarries as a result of this violence, but she does not suffer any other harm or death, those men will be punished by a fine for causing the miscarriage or death of the fetus. However, if any harm to the woman follows, that is if the woman is injured beyond the miscarriage or is killed as a result of this violence, then that deed is to be punished by an eye for an eye, a tooth for a tooth or a life for a life.

But further, in Scott's '95 writing, he tries to argue that the woman and fetus are both covered by the law of retribution by suggesting that the phrase "and yet no injury or harm follows," is meant to cover both the woman and the fetus. He gets to that conclusion by arguing that the expression (lah) meaning [to her], which would restrict the word injury only to the mother, is missing in the sentence, thus making the phrase applicable to both the mother and the child equally. But the facts just don't support that very tortuous conclusion.

First, language that would specifically restrict the word hurt to the woman isn't required to make the point God made here. The phrase 'with child' is merely descriptive of the woman and does not change the object of the word injury or hurt - that being the subject of the sentence - the woman.

Secondly, the verses provide for retribution or punishment for evil done, to the woman's husband, not for evil done to the woman herself or to the fetus itself, because the law considered the loss of the fetus or any harm done to the woman or the loss of the woman's life, as damage to or loss of property that belonged to the husband.

That is very different than considering the loss of the fetus for and only for the sake of the loss of fetal life itself, which is what Scott and anti-abortion extremists desperately try to extrapolate from these verses.

We can even apply here, Scott's own standard that we consider, and I quote, "interpreting scripture within its own intellectual and cultural framework without reading into it a foreign worldview," unquote. Dr. Roy Bowen Ward a professor of religion and affiliate in women's studies at Miami University, in Oxford Ohio, points out that God's view of the born woman having status over the unborn fetus was also reflected in the Code of Hammurabi, 209 and 210 and The Hittite Laws, 1:17. Hammurabi said, for example, that if a seignior struck another seignior's daughter and caused a miscarriage, he would pay ten shekels of silver for her fetus. However, if the woman had died, they would put his daughter to death.

Next - what if the fetus was miscarried and the woman lost an eye, several teeth, and an arm? Injury or harm has befallen both the woman and fetus. According to Scott's interpretation, what would the remedy be? The perpetrator would what - lose an eye, several teeth, an arm and then his life? The reason that sounds ludicrous is because the loss of the fetus was to draw only a fine and then - if the woman was hurt or was killed - then the perpetrator was to loose an eye for eye, tooth for a tooth, arm for an arm or a life for a life. logic dictates that the phrase and yet no further damage or harm follows, applies to the woman and only to the woman.

And finally, under Scott's interpretation, a premature birth of a healthy fetus would not require ANY punishment for evil done to the woman's husband, because - no evil would have been done - now would it? But it is very clear in these verses that a fine for something is being required.

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But let's not stop here.

God also had a different view of the morality of killing innocent human life than current day anti-abortion extremists, one that we cannot ignore when we discuss elective abortion as the killing of innocent human life for what anti-abortion extremists would term "frivolous reasons."

In Exodus 12 God killed the entire first born of Egypt from the innocent child seconds out of the birth canal to the old woman seconds from a natural death for - vengeance - for what would be termed in the judgment of modern day anti-abortion extremists, as the selfish needs of the born.

Additionally, in II Kings 2:23-24 God set a bear upon 42 innocent children just for teasing a prophet. And again for the sake of vengeance - In I Samuel 15:3 and Isaiah 13:18 God killed innocent children, infants, and innocent unborn babies. And in Hosea 9:14, to punish Israel for their impiety and idolatry, God caused abortions upon their innocent unborn babies by giving the Israelites "Miscarrying Wombs."

We can conclude that God placed the right to life and liberty of the born woman over that of her fetus, conception to birth, with no exceptions.

We can also conclude that it is not at all likely that God ever intended to condemn elective abortion as an objective moral wrong, though it involves the intentional killing of innocent human life - and more over, based on what I laid out here, it is with great certainty that we can say that God intended to leave the decision of elective abortion in the hands of the born woman, whose right to life and liberty he deemed paramount to that of the fetus.

Now to my second premise:
Roe vs. Wade's guidelines for elective abortion, correctly and morally balances the right to life and liberty of woman and fetus.

Roe vs. Wade says:

- In the first trimester the government may not interfere in a woman's decision to terminate her pregnancy leaving that decision to a woman in consultation with her doctor.
- In the second trimester - which is still before viability - the government may only step in to protect the health and life of the woman.
- However, after the point of viability, in the third trimester or in the 7,8, or ninth month, when it is possible for a fetus to survive outside the womb, the government can seek to protect fetal life by banning abortions - with the only exceptions being to protect a woman's life and health.

In "Abortion: The Clash of Absolutes," Constitutional Lawyer Laurence Tribe says, "That despite all the criticism of Roe vs. Wade, it is a decision that sees abortion much the way that most Americans see it: with moral and legal consideration both for the woman and for the fetus. The Decision drew lines precisely because the Court recognized what most people recognize: that the picture must include both the interest of the fetus and the interest of the pregnant woman. It could have simply found either that women have an absolute right to control their bodies or that a state's interest in the fetus completely trumps a woman's liberty in all circumstances. But," he continues, "How many of us who do not hold the extreme positions of the most vocal participants in the abortion debate would have been content with either result?"

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Well: What is clear here?

First, We can be clear that God saw a born human being woman as having a right to life and liberty over an unborn human being fetus, from conception to birth, no exceptions.

Second - it's clear that modern day Anti-abortion extremists believe just the opposite, that a fetus has a right to life and liberty over a woman conception to birth - many believing without exception

But guess what folks?

It's Roe vs. Wade that is in the middle - that takes the life and liberty of both the woman and fetus into consideration by correctly and morally balancing the right to life and liberty of woman and fetus through the setting of specific guidelines for legal elective abortion.

It's Roe vs. Wade that respects and reflects American Society's moral judgment and values about legal and illegal abortion, by appropriately applying societies value of the principal of beneficence.

What has been clearly evidenced here is that: Intentionally killing an innocent human being is not always a moral wrong and while elective abortion is both a personal decision and the intentional killing of an innocent human being - elective abortion is not an objective moral wrong - but rather - elective abortion, under Roe vs. Wade, is an objective moral right.

[E-mail us your comments about this piece](#)