

# Abortion

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*A comprehensive look at the debate over legal access to abortion in the U.S.*

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I don't believe it will surprise anyone for me to say that abortion is a very controversial subject. What may be more difficult for people to understand is why it is so controversial. For many people, the issue is so clear cut. This is true for people both for and against it. If it's so clear, why hasn't everyone come to the same conclusion? **How can it be that people have come to see abortion from such different viewpoints if the issue is so straight forward?**

When it comes to the abortion debate, I've long thought the two sides have been talking past one another. On one side, you have people talking about women's right while on the other, people only speak about unborn babies. I have thought that in order to make progress in the abortion debate, each side should acknowledge and address the other's concerns. **Unfortunately, this seems to be an issue many people view as a battle to be won rather than one in which a middle ground can be found.**

I've long considered writing about abortion—as in for years. Several months ago, I actually began to do so. I've had my beliefs about abortion, but I wanted to try and look at it from both sides and look at what reasons there are to support or oppose abortion. I wanted to look at the issue of abortion from a variety of viewpoints, multiple perspectives, in attempt to better understand its facets.

I learned a ton while investigating and writing this paper. An interesting thing happened during its writing; I found my opinions shifting. I want to have and I want you to have a broader, more comprehensive view of abortion so that our own opinions can be well informed. Hopefully by the end, we'll better understand some of the challenging questions which come into play and why people hold such opposing beliefs on abortion.

Notes: First, I am a man, and as such, I am obviously not writing from a woman's point of view. I hope I have represented the female perspective well enough, but forgive me if I have failed to do so. Second, I have an evangelical background and as such, I expect I am more familiar with the "Pro-life" side. This may be noticeable in this paper, though I hope I have represented "Pro-choice" views fairly. Lastly, I have attempted to cite references for most every fact that I share in order to keep myself honest. But if you believe I have made an error, let me know (preferably with one or more references).

## **Timeline of Gestation**

Before we go any further, it's important to have a basic understanding of the timeline of pregnancy and fetal development as it relates to abortion. First of all, weeks in pregnancy are generally counted from a woman's last menstrual period (LMP). It is important to note that by this method of counting, fertilization doesn't happen until near the end of the second week of "pregnancy".

- Week 2 – fertilization; the group of cells formed are referred to as an embryo until week 11
- Week 3 – implantation; this is generally what is considered the beginning of pregnancy; many fertilized eggs do not implant or do not implant correctly
- Weeks 5-6 – many women learn they are pregnant around this time<sup>i</sup>
- Week 7 – heartbeat first able to be detected
- Week 8-10 – the embryo begins to look recognizable as a proto-human around this time..
- Week 11 – the embryo becomes known as a fetus at this time; brain activity
- Week 13 – end of first trimester; over 90% of abortions happen by this point
- Weeks 15-17 – “Quickening” (first sense of fetal movement) in previous mothers
- Weeks 18-20 – “Quickening” for first pregnancies<sup>ii</sup>
- Week 21 – only 1% of abortions take place at or after this time
- Week 22 – viability; *Roe v. Wade* allowed abortions to be prohibited from this time on except for medical necessity
- Week 26 – end of second trimester
- Weeks 27-40 – third trimester

Another marker which comes up in regards to abortion is the point when a fetus can feel pain. I didn't place it on the above timeline due to the fact that there is uncertainty on the matter. Apparently it has been thought that the fetus had not developed enough to sense pain until somewhere in the range of 18-22 weeks. More recently however, there has been more evidence that fetuses may have some type of pain sensation as early as 12 weeks LMP.

## Pro Life

With all that said, let's dig into the debate. Those who are against abortion like to refer to themselves as “pro-life” referring to the belief that embryos/fetuses have a right to life. **This point of view primarily hinges on the unborn embryo/fetus being considered an individual, living human being with the full rights thereof.** I'll examine this idea in depth later in this article.

## Pro Choice

On the other side, probably the most common thing I hear from those in favor of legal access to abortion is “my body”. People exclaim that women have a right to their own body, and therefore abortion restrictions are a matter of controlling women. This angle frames abortion as primarily a women's rights issue. (This sentiment is reinforced by the fact that it is often male legislators which are creating laws restriction abortion.) Hand in hand with this is **the belief that the woman should be the one to choose what happens to her pregnancy**, hence why the movement is called “Pro Choice”.

## One Abortion?

One problem with the abortion debate is that it is most often discussed as though it is one thing—either there should be a right to abortion or there should not. I think most people are aware to some degree

that this is not the case. *Roe vs. Wade* recognized different rights during each trimester of pregnancy and also due to medical necessity.<sup>iii</sup> Late term abortions are relatively rare and also much more legally restricted even in countries with legal access to abortion in other cases.<sup>iv</sup> In the U.S., even those generally against abortion often believe it should be allowed if there is a medical need.<sup>v</sup> All this to say, **when we talk about abortion, we ought to more clearly differentiate the various types of abortions.** On the anti-abortion side, it seems that too many think that to be against abortion, one has to be against *all* abortions from the moment of fertilization. On the pro-abortion side, it rarely seems to be acknowledged that many are not opposed to late abortion restrictions.

## Why Women Seek an Abortion

The reasons women give for choosing an abortion are “that having a child would interfere with [her] education, work or ability to care for dependents (74%); that she could not afford a baby now (73%); and that she did not want to be a single mother or was having relationship problems (48%). Nearly four in 10 women said they had completed their childbearing, and almost one-third were not ready to have a child.”<sup>vi</sup>

## Legal Access to Abortion Pre-Dobbs v. Jackson

*Dobbs vs. Jackson* was the recent case in which the Supreme Court overturned *Roe vs. Wade*. I think it is important to note that, *Roe v Wade* didn’t make abortion 100% legal. It significantly limited restrictions early in pregnancy but allowed (though did not impose) greater restrictions later in pregnancy. It’s interesting to note that the Supreme Court recognized the need to balance a woman’s health with the life of the fetus (though it seems that they emphasized women’s health the most).

During the first trimester... the Court ruled that a state government could place no restrictions on women's ability to choose [abortion] other than imposing minimal medical safeguards... From the second trimester on, the Court ruled that... [states could] enact medical regulations on abortion procedures so long as they were reasonable and "narrowly tailored" to protecting mothers' health. From the beginning of the third trimester on... the Court ruled that [states] could legally prohibit all abortions except where necessary to protect the mother's life or health.<sup>vii</sup>

Though not nearly as well known, the 1992 case of *Planned Parenthood v. Casey* was probably the most significant case regarding abortion in between *Roe* and *Dobbs*. Instead of trimesters, the divided conservative court ruled to essentially uphold *Roe* though they rejected the trimester distinction in favor of using viability as a marker. Prior to viability, states were not to deny women access to abortions though after viability, states could restrict abortions except for medical necessity. However, the court upheld three laws in question (parental consent, informed consent, and 24-hour waiting period), ruling that states could enact certain laws regarding abortion so long as they didn’t constitute “undue burden” on the woman.<sup>viii</sup>

I believe most of those against abortion would have perceived the state of abortion to have been liberal prior to Dobbs. However, I think this shows that it was actually more mixed and balanced. I think a fully liberal position would be to have no legal restrictions (other than medical professionals in order to protect the woman's health) at any point, but that the decision would be left to the woman anytime during pregnancy. It is also worth pointing out that eight of the nine justices on the Supreme Court at the time of Casey were appointed by Republican Presidents. Even this Court placed a significant weight on judicial precedent and did not significantly overturn Roe. So the Dobbs decision to overturn the Court's previous rulings on abortion is surprising in a lot of ways.

## **Pro Choice While Granting Personhood to the Unborn?**

I believe that most of the time, those who are in favor of legal access to abortion do not hold that the embryo has the rights of personhood. However, one could theoretically consider the unborn a separate person yet argue that because the embryo/fetus resides in the woman's body, she should still have the right to choose whether or not to allow it to remain. But if one goes this direction, **we end up with two lives in conflict: that of the pregnant woman and that of the unborn child.**

I long believed this to be the crux of abortion. I can't think of another comparable situation where two lives are so inseparably intertwined. If there is a conflict of interest, whose rights win out? The mother and the embryo/fetus are biologically connected and are inseparable, at least without the termination of the embryo/fetus. There isn't any meet in the middle compromise possible here. On one hand, the conundrum seems unresolvable. Yet if the denial of rights means death in one case verses inconvenience in the other, it certainly seems that the right to life should win out. This is why I think that to convincingly argue for abortion, one has to claim that the embryo/fetus is not a person.

## **To Be or Not To Be (a Person)?**

On what basis do we say whether an embryo/fetus is a person? If it is not considered a living person at fertilization, when does it gain personhood? Is it after birth? During birth? Only when the umbilical cord is cut? If it is only considered part of the mother's body until around the time of birth, does this mean the mother should have the right to abort the pregnancy any time up until birth?

On one hand, if we're making the body part argument, it makes some sense to say that the embryo/fetus is a part of the mother while there is a physical-biological connection and while the embryo/fetus is dependent on the mother for its sustenance. However, it seems difficult to say a baby is not a person after birth but before the umbilical cord is severed.

Murder doesn't seem to be very controversial. Most people agree that a living person should not be killed (with some important caveats I'll return to later). So when is a person alive? When is a person a person? Or in other words, when is a human granted the full rights of personhood?

Let's first go to the end. Death seems clear. We know when a person has died and can pinpoint this moment within a few minutes at least. Birth on the other hand is not as easy. The birth process itself can

take hours, but the real challenge is that we can only really pinpoint the moment at which a life begins to within nine-months. Since the final transition to death is relatively quick, there's not a lot of time for something to happen which brings a person's right to life into question. (And since a person is about to die anyway, something else leading to death in those few moments arguably only hastens the inevitable.) But with birth, there is quite a lot of time (nine months) in which for something to happen. And since the trajectory of the embryo/fetus is (often) toward life, blocking this trajectory seems to be a reversal of nature's intent.

Okay, so what about the other end? When does a person *become* a person? Again, I think most people will agree that a baby is a person after they are born. But are they a person before they are fully born and if so, at what point? This is a crux of the abortion controversy.

If a baby is a person after they are born, could they be considered just as much a person while they are being born? And if so, might they be considered just as much a person shortly before they are born? Might they be considered a person 5 minutes before? An hour? A day? A week? At conception<sup>ix</sup>? Is the determiner of personhood breathing air (which begins just after birth)? Is it the ability potentially to survive outside of the womb (a.k.a. viability—week 22)? Is it when the embryo looks like a proto-baby (weeks 8-10)? Is it when a heartbeat can be detected (week 7)?

If we are to grant a baby the right to life, we have to decide when the baby has a life to begin with. One simple solution to this is just to say that the embryo is alive at the moment of fertilization. Whew! Case closed! Or was this a little too easy? The abortion debate aside, how many people would look at a few cells—if they could even be seen without a microscope—and say, “Ah, this is certainly a person who must have the full rights of personhood.”? If we could somehow take away any influence or knowledge of the abortion debate, how many people would think this way? How many people would have even considered the question?

Another marker which gets mentioned is how the zygote (fertilized egg) is the first point when the new person's DNA first exists. This is used to argue the idea that an embryo should be considered a person from the moment of fertilization. However, a person's hair also contains their DNA, yet we do not consider one's hair to have the rights of personhood. Similarly, a being retains its DNA after death, yet we do not give the dead the full rights of personhood.

A large percentage—perhaps over 70% but at least a third—of fertilized eggs do not lead to an embryo, pregnancy, or birth.<sup>x</sup> Women most commonly become aware that they are pregnant 3-4 weeks after fertilization. Even after this point, 10-15% of pregnancies result in a miscarriage over the following several weeks. As devastating as miscarriage are for many women and couples as well as the pain of infertility for others, it's easy for me to understand how intentionally aborting a pregnancy would be incomprehensible to many of these same people.

If life begins at fertilization, is it odd that so many lives are lost before they begin? If one believes God conceives of a child at fertilization and therefore is against abortion at any stage, does God intend for this many babies to die (if one considers baby to be created at fertilization)? If abortion is wrong, is a woman guilty for the lives lost in this way? (Surely not!) Can we say that nature's intent is to life if this

many fertilizations fail? If a fertilized egg is granted the right to life, do we have to extend animal rights to all single-celled organisms? Would this include bacteria? Anything with a unique set of DNA? Say, for instance, will the bacteria in our gut be granted the right to live?

So can we pinpoint the moment life begins? Can we pinpoint the moment life ends? Can we pinpoint the time someone dies down to the minute? The second? The millisecond? My point is that even in death, we can only pinpoint a moment to a certain degree. Likewise, it seems to me that we can't pinpoint the moment life begins either. Only with the beginning of life, the amount of time in question is much greater than with death.

Determining when life begins is controversial. No matter how much some people think it should not be and would like it not to be, it is still controversial. In fact, I suspect that people's confidence in pinpointing life at fertilization really has to do with supporting their stance on abortion. I suspect that most "pro-life" people's stance on abortion *preceded* their belief in life at fertilization rather than their stance on abortion being due to a pre-existing belief in life at fertilization. In other words, those against abortion need the embryo/fetus to be alive in order for their stance to have validity, and the easy answer is to identify life as beginning at fertilization. To me, it seems odd to say that a life has begun prior to an embryo being formed and prior to a pregnancy being established (usually considered to be when an embryo implants in the uterus from what I understand). Similarly, I expect that most "pro-choice" people's views on the beginning of personhood are significantly influenced by their stance on abortion. They need personhood to not start at or near fertilization in order for the option of abortion to be convincing.

## **History of Personhood and Abortion**

Can we learn from history and/or other cultures regarding when a person becomes a person? Is there a consensus which might help to inform us? Unfortunately there is not. First of all, it is worth mentioning that fertilization was not understood until the nineteenth century. Therefore, no one could hold that life begins at fertilization until after that time.

Personhood has at times been identified with the concept of ensoulment as well as consciousness, breath, birth, and more. Some cultures don't recognize a human as a person until sometime after their birth. This could be days or even years later. In these cases, there is obviously a differentiation between the physical body which exists by birth, and the concept of being a person. It is also worth noting that at least until recently, different groups of adults weren't recognized as full persons in terms of their rights including prisoners, slaves, and women.

There is evidence of women seeking to induce miscarriages as far back as 1500 BCE.<sup>xi</sup> It seems to have been controversial to greater and lesser degrees for nearly as long. In summary however, it seems that abortions have been practiced to some degree throughout history. If there was any consensus, it seems that people often recognized a distinction at the time of "quickening". "Quick" originally meant "alive"; in the context of pregnancy, it refers to the time when a woman first feels the fetus move (Weeks 15-20). Some have historically considered this the moment of ensoulment.

The history of abortion law in the U.S. has a back and forth history. There weren't any laws regarding abortion in the states initially. In the early nineteenth century, certain groups began pushing abortion prohibitions for a variety of reasons. By the early twentieth century, most states had passed abortion restrictions. (I'll talk more about the reasons for this in another section, but one reason was concern that, since it was primarily white middle and upper class women who got abortions at the time, there was fear that white Americans would be overtaken by immigrants and other races.<sup>xii</sup>)

During the twentieth century, movements to allow abortions developed. This was especially true in the U.S. during the 1960s. As most in the U.S. are aware, the United States Supreme Court effectively allowed most abortions nationwide in their decision on *Roe vs. Wade*. Abortion has continued to remain a controversial issue through the present.

## Right to Life?

I stated above that a person's right not to be killed isn't very controversial save for some caveats. These caveats are important and are what I want to talk about now.

I want to start with a personal story regarding death. Several years ago my mom had a stroke which wiped out her consciousness. She was still physically alive but had no awareness nor ability to care for herself. She was kept alive for a while by means of a feeding tube. Her living will stated that she did not wish to be kept alive in this state, and I and my family were all in agreement on this. So the feeding tube was removed and we effectively left her starve to death.

First, I admit finding it somewhat odd that this is considered more humane than a more active euthanasia. (Could it be considered passive euthanasia?) Second, it is interesting that this is considered acceptable at all if we do believe in a person's right to life. I think under other circumstances, directly contributing to someone starving to death would be considered a form of murder. (The main difference is that in cases such as my mom's, she was (passively) not fed whereas most other cases, a person would have to actively be kept from eating.) One of the doctors stated that in his culture of origin, they would do anything to keep the person physically alive as long as possible.

Doesn't this also bring the idea of life and the right to it into question? Was this acceptable because my mom wasn't fully alive? Did she effectively have a choice via her living will? Is life defined merely by the physical body? Should we have kept my mom alive for potentially years in a "vegetative" state? Would that have been life?

**In practice, many people believe there are times when another's right to life is forfeit.** Ironically, the people who claim the "right to life" for unborn babies are often the same people who hold the most exceptions to a person's right to life after birth. It can seem as though they are saying, "Killing a person is murder which is unquestionably wrong. Except for if the person is an enemy in military combat. Or if the person has been convicted of murder (death penalty). Or if a police officer feels threatened. Or the officer suspects a person of a crime. Or if a white man feels threatened by the presence of a black teenager (or anyone else really). Killing is fully justified in these cases." We've also learned during the

covid-19 pandemic that for many people, a person or family's individual choice trumps public health directives, even when doing so leads (even if indirectly) to other people's deaths.

## What kind of life?

Beyond this, what does "right to life" mean? We usually think of it only as a person having the right to remain *physically* alive. But does this also mean that a person has the right to live in poverty? A right to be tortured? A right to a life of mistreatment? A right to a life of hopelessness? A right to live in a system which places barriers to them and disadvantages them in numerous ways? In other words, **if we grant people the right to life, should we also grant them the right to a certain minimum level of life?**

Which brings us back around to another aspect of the abortion controversy: should a person be forced to enter the world regardless of the circumstances? What if they will not have parents or their parents are unable to care for them? Do we want to funnel more kids into the department of child services? No doubt many people will have adoption in mind. This is certainly an option in many cases. However, there are certainly many children in the world who already don't have a family to raise them. (I'll look at adoption more later on.)

Now certainly, no one is saying that the solution to a person living in poverty is to kill them. And so similarly, people would argue that we shouldn't terminate unborn babies for this reason either. Fair enough. **Just as the solution to poverty isn't to kill people but rather to address the issues of poverty, similarly one of the solutions to reducing abortions is to address the reasons people choose abortion.**

One of the primary reasons women consider abortion is due to the cost both of giving birth (health care) and of raising a child.<sup>xiii</sup> Proponents of legalized abortion question those against, asking, "If you are really against abortion, how about supporting measures which would reduce abortions such as universal health care and child care?" Unfortunately, the side of the political spectrum which is against abortion often is also against measures which would help those who live in poverty and/or who are working class.

## A Gender Issue?

As mentioned earlier, the "pro-choice" movement seems often to frame the abortion issue as a women's rights issue. Is this accurate? **Is abortion primarily or solely a women's rights issue?** Well yes and no. Clearly the issue directly impacts women whereas for men it does not. At least some in favor of legal abortion think along the lines of, "It takes both a man and woman in order for a woman to become pregnant, but abortion restrictions place an unequal burden on women thus perpetuating a misogynistic culture." And there is certainly truth to that. Concern is also expressed about how pregnancy and child care can interfere with a woman's career or education.

So from one standpoint, it is difficult to argue that it's not a women's issue. That said, many in support of abortion make statements communicating that they believe the issue is one of men *verses* women. In other words, they apparently view abortion as a battle of women against men. If this were so, one would expect that there would be a significant difference in the support or opposition to legal abortion

based on one's gender. While there is a difference, the difference is not very great, only about 3-5%<sup>xiv</sup> (though another poll shows a 9-10 point difference<sup>xv</sup>). So while abortion affects women in a significantly different way than it does men, it is misleading to characterize the abortion controversy as a fight between women and men (at present). Instead of gender, the greatest predictors of one's views on abortion are one's political leaning and religious affiliation.<sup>xvi</sup>

That said, the issue of abortion does have some roots as a struggle between men and women. Historically, birth and pregnancy were (understandably) primarily the domain of women, especially midwives. However, with the development of modern medicine in the mid-nineteenth century, the American Medical Association pushed to outlaw abortion as part of their movement to restrict medical practice to professionals.<sup>xvii</sup> At that time, doctors were mostly all male. Some women attempted to enter medical schools—no doubt some were inspired to provide reproductive care to women instead of women having to go to a man for this sensitive care. But female doctors have long been in the minority and faced obstacles which men did not.<sup>xviii</sup>

It has been claimed that the push for abortion restrictions were in part a reaction to women's rights movements. Ironically, some early feminists were apparently against abortion, considering it to be something forced on them by men. They held that the root of abortion needed to be addressed instead: male sexuality. Nevertheless, feminists were the primary proponents of abortion rights as this movement grew throughout the twentieth century.

## Conservative Christianity

As mentioned a moment ago, religion is one of the primary indicators of who will be against abortion. But it's not all religions. In fact, some religions are quite supportive of legalized abortion. White Evangelical Christians<sup>xix</sup> (along with Jehovah's Witness and Mormons) are among those most staunchly opposed to abortion.<sup>xx</sup> However, **evangelicals haven't always thought that life begins at fertilization.** In fact, before and even at the time of *Roe v. Wade*, many evangelicals did not completely oppose abortion.<sup>xxi</sup> Many considered it to only be a Catholic issue. For example, pastor W.A. Criswell responded to *Roe v. Wade* by saying, "I have always felt that it was only after a child was born and had life separate from its mother that it became an individual person, and it has always, therefore, seemed to me that what is best for the mother and for the future should be allowed."<sup>xxii</sup>

## Politics

So what happened to change evangelical's minds? It's clear that during the '70s and '80s, abortion became a major political issue. It is also clear that Republicans consciously courted evangelicals in order to get their political support. To understand this, some context is necessary.

U.S. President Abraham Lincoln was a Republican and therefore, after the U.S. Civil War, the South was a stronghold for Democrats—Republicans were viewed as outside invaders. Through the twentieth century, Democrats supported progressive reforms and a socially liberal platform. Apparently, many Southerners were more socially conservative though they largely remained affiliated with the

Democratic Party. However, this came to a head around the time of the civil rights movement. Specifically, Democratic president Lyndon B. Johnson's support for the Civil Rights and Voting Rights Acts are seen as a pivotal catalyst leading Southerners to abandon the Democratic Party in favor of Republicans.

More specifically, the result of civil rights threatened and, later in 1976, revoked the tax exempt status of Bob Jones University as it did not admit black students until 1971 and continued to prohibit interracial marriage long after. Savvy **conservative political activists framed this, not as an issue of race but as an issue of religious freedom**. Just to be clear, **a Christian university argued that it should be allowed to maintain racist policies due to its Christian religious beliefs, yet also continue to maintain its tax exempt status**. And it maintained this argument through at least 1983 when the Supreme Court ruled against the school.<sup>xxiii</sup>

Returning to the conservative political activist, they recognized that many evangelical leaders were upset by the IRS revoking some religious institutions' tax exempt status. The political activists—Paul Weyrich in particular—saw an opportunity. Whereas evangelicals had largely shied away from politics for years, these activists believed there was a chance to unite them in support of the Republican Party. Many evangelicals—especially in the south—were already motivated by the issue of tax exemption. However this wasn't enough to unite evangelicals politically across the country.

In the same year as the IRS revoked Bob Jones's tax exempt status, Baptist minister Jerry Falwell Sr. toured the country to highlight his perception of the decline of the nation's morality.<sup>xxiv</sup> **Weyrich and Falwell combined forces and formed the Moral Majority in 1979. They brought together a number of issues under the umbrella of support for "traditional family values" including prohibition of abortion.**

While evangelicals had been ambivalent about abortion through the early 1970s, some leaders within the movement promoted the prohibition of abortion. Overall, evangelicals' stance on abortion shifted to being more restrictive during the mid to late 1970s. The Moral Majority had the resources to quickly make an impact. They claimed and are credited with having a significant influence in Republican Ronald Reagan winning the 1980 presidential election against Democratic incumbent Jimmy Carter.

So what seems to have happened during the 70's and 80's was a bit of a snowball effect. Christian conservatives resonated with the platform of the "religious right" which included the issue of abortion. Conservative beliefs were becoming more restrictive during this same time. Then, under the influence of the "religious right", Christian conservatives' views were further solidified and entrenched. Regarding abortion specifically, conservatives have arguably been encouraged to become more staunchly opposed than they might otherwise be without a conservative Christian political movement. In any case, while there were a variety of issues promoted by the religious right, abortion took hold as the one which people became most passionate about and therefore politically motivated by.<sup>xxv</sup>

For decades now, Republicans have recognized the issue of abortion as one of their most important "silver bullets" in gaining political support, motivation, and success. I wonder how politics might have been different without the issue of abortion. (Arguably the issue of abortion was one of the main reasons evangelicals supported George W. Bush and Donald Trump. Granted, it seems most white

evangelicals believe the devil as a Republican would be better than mother Teresa as a Democrat. Nevertheless, if it weren't for abortion, I wonder how many would have not bothered to vote.)

I've long believed that Republicans were unlikely to actually change much in regards to abortion due to not wishing to lose this powerful motivator. So I wonder how much the Supreme Court's recent overturning of *Roe v. Wade* was circumstantial more than what Republican politicians really wanted—despite any rhetoric. Whatever the case, I fully expect they will still try to use abortion in attempt to motivate their base, but I wonder if it will be as effective as before. In fact, I wonder if the overturning of *Roe v. Wade* will actually backfire against Republicans as a majority of Americans did not want it to be overturned.<sup>xxvi</sup>

## Arguments for Prohibiting Abortion

The primary argument against abortion is that **the unborn should have a right to live. I think the weight of the anti-abortion movement is in the heart-wrenching feeling that abortion is killing what looks like a little baby.** The anti-abortion movement frequently uses pictures of fetuses in their propaganda. And I have even heard at least one refer to abortion as infanticide. (That is technically incorrect but also clearly inflammatory.) I've already talked about the arguments for when life begins, so I won't go into it further here. What (if any) other arguments are made against abortion?

One might think that a goal of those against abortion would be to reduce the number of abortions. One would assume that those against abortions believe that outlawing abortion would reduce the number of abortions. However, that's not necessarily the case. I believe many of those against abortion believe **it must be outlawed as a matter of principle.** It's easiest to explain this via analogy. Everyone is aware that murder happens despite it being criminalized. I haven't heard anyone argue that we should decriminalize murder for that reason. I'm not sure how much the illegality and punishment for murder dissuades people. But its outlaw is a statement that we as a society consider it to be wrong. (This is my explanation for how those politically against abortion can also be against measures which would reduce abortions—a matter which often baffles those in favor of legalized abortion.)

Apparently one argument which has been made against abortion is that **it is unsafe.** There are many unsafe ways to attempt an abortion. But abortions carried out by licensed medical professions are very safe, even safer than giving birth.

Another argument against abortion is **the claim that women are traumatized by it.** Apparently this has been referred to by some as post abortion syndrome. Getting an abortion can certainly be traumatic. Arguably, the "pro-life" movement has made it more traumatic overall by putting barriers in place and making it seem shameful. Women may feel relief, guilt, regret, shame, sadness, etc. after having received an abortion. However, studies have not generally shown a connection between abortion and post-traumatic stress disorder (PTSD) or other mental health issues as opposed to those who have not gotten an abortion.<sup>xxvii</sup> Overall, this point encourages that mental health services should be made available to women with undesired pregnancies—whether or not they choose abortion—both during and after their pregnancy.

Another reason I have heard to be against abortion is that **ways exist to reduce the need for abortion**. This is certainly true, and in fact abortion rates have dropped significantly since the 1980's (until a recent uptick). However, this isn't a solid argument for legally restricting abortion as these things aren't really related. Abortions can be reduced regardless of the legality of abortion and if abortions were to be eliminated this way, then there would be no need to prohibit abortion. Of course, while abortions can be reduced, the desire for abortion in certain cases will arguably never be eliminated.

Yet another argument against abortion is to cite examples of **living people who could have been aborted**. This is certainly an emotionally charged argument; those people (at least the ones we hear from) express gratitude that they were born. And it's difficult to argue that a living person should have not been born. However, this argument is not objective. The anecdotal evidence could well be skewed to those who have had the most successful lives. This argument is also time incongruous. We would all like to see the possible future outcomes when making a choice in the present. But one can't know ahead of time who their child will become. However, we can make some educated speculation based on what has happened in similar circumstances previously. Arguably, the circumstances which led many to consider abortion would also be circumstances which will be challenging for a child to grow up within.

One reason some evangelicals turned against abortion was due to **adoption**. For many, adoption appears like the perfect alternative to abortion. "Don't want and/or don't believe you can raise a child / another child? Simply give it up for adoption!" This argument has seemed especially compelling to those under the impression that there aren't enough babies to adopt. Adoption could be its own topic, so I'll only touch on a couple of relevant points here. First, the difference between abortion and adoption is 6-7 months of pregnancy along with all this entails, including medical care costs. Furthermore, adoption will likely be emotionally difficult for the birth mother (quite potentially as much or more than abortion would be). In addition, apparently giving a baby up for adoption has become stigmatized. For these reasons, over 90% of birth mothers choose not to give their babies up for adoption. Because of this, it has been argued that outlawing abortion is unlikely to lead to a significant increase in babies put up for adoption. Another thought to consider: "Is adoption meant to provide babies for families or families for babies?"<sup>xxviii</sup> In fact, the persons in highest demand for adoption are white infants.<sup>xxix</sup> This suggests that more couples see adoption as a way of having their own children rather than seeing it as primarily a way to provide for children who need a family.

## **Arguments for Legalizing Abortion**

As I mentioned earlier, one of the primary arguments I hear in favor of legalized abortion is the "**my body**" phrase. I admit, this one I've struggled to wrap my head around entirely. On the surface it seems straight forward: a person should have the right over their own body. But what does this practically mean? I suppose within the context at hand, it would mean that a person should have the right to choose or refuse medical treatments, whether or not to give blood, what one eats and drinks, etc. The thing that seems a bit different with pregnancy is that, with the exception of rape, pregnancy isn't something which is imposed on a woman by anyone else. The argument in favor of abortion access, as I understand it, is that woman shouldn't be "forced" to carry through a pregnancy. Imagining myself as a

woman early in pregnancy who doesn't necessarily want to be, I can see how, if I were barred from abortion, I could feel like this forced me to carry my pregnancy against my wishes.

Really though, the main argument for legal abortion is, "**Who better to make a decision about abortion than the pregnant woman herself?** Are you against abortion? That's fine—no one is forcing you to get an abortion, so don't get one. But you should let each woman decide this for herself." I recently heard an abortion advocate say something like, "Don't believe the rhetoric about when life begins; that's just a diversion from what this is really about: power, control, and taking away choice." This is true *if* one does not believe an embryo and/or fetus is a living person until later in pregnancy or at birth. However, if one believes the right to life begins at fertilization, then that statement does not hold. In other words, from one perspective, it only makes sense that each individual should be able to act on their beliefs on the matter. Yet from the perspective of abortion being murder, it doesn't make any more sense to say that people should be able to choose it than it would to say that people should be able to rape, murder, steal, and vandalize if they don't personally have a problem with doing so.

The idea of choice isn't an argument for abortion itself, only for having legal access to abortion if chosen. Similarly, while those against abortion have reasons to be against it, arguably the only solid reason to prohibit abortion is if the embryo/fetus has a right to life. The arguments beyond these really have more to do with why a woman may or may not decide to choose an abortion.

Another significant reason people support abortion access is in order to promote **women's equality**. If a man gets a woman pregnant, he can go on with his life more or less as usual except for potentially being compelled to provide child support. A woman clearly has a much more disruptive and intimate experience of pregnancy. I am not a woman and don't claim to have a full knowledge of women's right issues. But I believe the idea here is that a pregnant woman is potentially put at a disadvantage, and she should be able to choose not to go through with this. Also, since many politicians are male, it can feel to women like abortion restrictions are a matter of men trying to keep women "in their place" (subservient to men), especially since there is a long history of gender inequality.

A major concern I've heard expressed by women is that **abortion restrictions will bar access to life saving procedures**.<sup>xxx</sup> From what I understand, the procedure for "spontaneous abortion" (miscarriage) is very similar if not the same as an "elective" abortion. I don't want to gloss over this—it is arguably one of the most important issues in the abortion debate—however I don't know enough to expound further. Certainly, it is a problem if politicians craft legislation which, due to a lack of medical understanding and, whether intentionally or not, outlaws health care which women need. Many women see all of this as a part of healthcare which they don't believe they should be denied. In addition to this, I heard an ob-gyn doctor talk her concern that **abortion restrictions would also jeopardize fertilization treatments** such as IVF.<sup>xxxi</sup>

Another significant concern is that if and when abortions are outlawed, that **some women will attempt to induce an abortion by unsafe means**, putting the women at significant risk. Where abortion is outlawed, women with the means will be able to get a safe abortion, most likely through travel. So abortion restrictions will affect lower income women disproportionately. I don't know what percentage of

women will decide to forego abortion compared to going to greater lengths to obtain a safe abortion or attempt an unsafe abortion if and where abortion is illegal. According to an article on NPR<sup>xxxii</sup>, 90% of abortions are safe in countries where it is legal. Conversely, only about a quarter of abortions are safe in countries with the most restrictive laws. I expect some of the difference is due to the difference in prosperity in different countries. Nevertheless, **unsafe abortions increase when safe, legal abortions are restricted.**

A common sentiment I've heard from abortion advocates is that **abortion restrictions won't reduce the number of abortions, they will only reduce safe abortions.** However, it appears that abortion restrictions *do* reduce the number of abortions to a certain degree, though these laws do not eliminate abortions altogether.<sup>xxxiii</sup> There are a couple of reasons for the discrepancy. First, a major study which compared abortion rates between countries with more and less restrictive laws found a significant difference in the number of unwanted pregnancies due to use of contraceptives. The second point, related to the first, is that while the number of abortions *per woman* ends up being very similar, the number of *pregnancies* ended by elective abortion is significantly lower in countries with abortion restrictions. **The greatest factor which determines the number of pregnancies ending in abortion is the number of unplanned pregnancies.** In areas where reproductive health and contraception are more accessible, the number of pregnancies terminated by abortion is significantly lower. In any case, once again it is true that where there are greater restrictions on abortion, more of the abortions which do occur are unsafe.<sup>xxxiv</sup>

**A pregnancy and birth will cost thousands of dollars** even with insurance (when the cost of insurance is included). Women who are less affluent will likely have less health insurance coverage (higher deductible, etc.) and be more likely to be paying a higher percentage of the insurance cost rather than having most or all of this covered by an employer. The cost of pregnancy and birth could be over \$10K or over \$20K if a C-section is required.<sup>xxxv</sup> And this doesn't include the high cost of actually providing for a child. So it shouldn't be a big surprise to learn that women who were denied an abortion were more likely to be living in poverty later on.<sup>xxxvi</sup> (This is just one takeaway from the important Turnaway Study.) Due to the costs, abortion advocates say that if we want to reduce the number of abortions, we could provide universal health care and free child care.

There is a factor which I've never heard used as a reason to support abortion but, as uncomfortable as this is to talk about, must be said. There was a pair of studies which concluded that **a reduction of crime in the 1990s was a result of the legalizing of abortion in 1973.**<sup>xxxvii</sup> This isn't difficult to understand. If a woman believes she is not in a good position to raise a child (or another child—40% of women seeking an abortion already have children), then that child, if born, is more likely to end up in poverty and/or with an unhealthy home life. I talked about this earlier so I'm not going to go further now, but when we consider abortion, we should think not only of getting through birth, but what kind of life the child will have after birth.

# To Christians

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Catholics and evangelicals are among primary groups who oppose abortions. As such, I have some thoughts for these Christians specifically.

## Christians and Sex

I can quickly imagine Christians responding, “If you didn’t want to get pregnant, don’t have sex!” Well, that’s true (though it ignores rape as well as the significant percentage of women seeking abortion who are married<sup>xxxviii</sup>). However, Christianity has often completely fumbled when it comes to sexuality.

Christians—at least evangelicals and Catholics—have consecrated the idea that being or at least acting *asexual* is more godly/holy/spiritual. In other words, sexual desires are considered carnal, “fleshly”, and not particularly good. Therefore, those who feel no significant sexual desire or those who act/pretend as though they do not are considered more holy or spiritual. (Although confusingly—at least in the case of evangelicals—spouses are expected to be quite sexual in the privacy of their marriage.) But this denies the reality that we are sexual beings. Certainly, our innate sexuality does not mean that we can’t control ourselves. In fact, liberals are passionate about limiting sexual interaction to those cases in which there is *enthusiastic* consent.<sup>xxxix</sup>

A fully discussion of Christians and sexuality is beyond the scope of this paper, but here’s the bottom line. Despite all of Christians stated beliefs about sexuality, a majority of Christians have engaged in sex outside of marriage, and have done so at a rate only slightly less than the culture at large.<sup>xi</sup> So there’s no room to think that the only people having sex and getting pregnant are “those heathen” out there who aren’t following “God’s law” and are therefore deserving of any consequences they encounter.

## Sex Education and Reducing the Demand for Abortion

Another criticism of those who are anti-abortion is that they are often also against those things which are known to reduce unplanned pregnancies and therefore abortions. Specifically, good sex education leads to delayed sexual engagement, healthier sexual choices, and less unplanned/unwanted pregnancies and abortions.<sup>xii</sup> Despite this, evangelicals in particular are often against any sex education, especially that which teaches about birth control. If there is any form of sex education at all, they want it to be abstinence only. As mentioned previously, despite their beliefs, even most Christians have engaged in sex outside of marriage. The reasons Christians treat sexuality as a taboo topic and have so much fear surrounding it is outside the scope of this paper. But the fact that many people who are against abortion are also against things which would reduce abortion seems counter-productive.

## Christians Verses Role of Government

There is an early Christian text known as the *Didache*. In fact, it was likely an oral teaching used to instruct new Christians before it was written down. While it was not included in the New Testament

canon, I understand that the only reason was simply that it was not a genre which early Christians chose to include. Didache 2:2 says, “*You will not murder offspring by means of abortion, and you will not kill them having been born.*” I wished that this had been included in the Bible because I thought that it made it irrefutably clear that *Christians* should not practice abortion.

That said, one shouldn’t expect that non-Christians will follow Christian teachings. An important issue for Christians to consider is that **the U.S. government is not the church nor should it be**. Generally speaking, Christians should do what Christians are supposed to do regardless of what the government does or doesn’t do. As unbelievable as this may sound to some, one might be against abortion yet think that it should be legal. **It’s too easy to just think that the government ought to outlaw abortion (and therefore be the entity to enforce it) rather than having to get involved in activities which actually reduce abortions.**

Certainly there are organizations which strive to help pregnant women to find an alternative to abortion. But what percentage of people who have voted based primarily on being against abortion have also volunteered at or even donated to one of these organizations? How many people who are against abortion have known and walked with a woman with a pregnancy she didn’t believe she could handle? How many people think they know the answer and hold a very strong belief without ever knowing what women in this position are going through? This goes both for the women who have considered and/or chosen abortion and those who have had an abortion and experienced trauma related to it.

## Abortion and Shame

Statistically, there are likely women in your congregation (if you attend church) who have had an abortion. According to at least one study, over 40% of women who have an abortion attend church.<sup>xiii</sup> Are these women evil? Murders? Heartless? Do you know what their story is which brought them to that decision? Likely not, because I’m guessing you (and I) have no idea who these women are. One of the results of the demonization of abortion by Christians is that it sends a clear message to women that abortion is not a safe subject to talk about. Therefore, women are most likely to remain hidden no matter what internal turmoil they may be experiencing.

Imagine if we could communicate that while abortion is undesirable, having had an abortion does not make one an evil person. Wouldn’t women then feel freer to share their own experiences and subsequently help other women with unplanned pregnancies and/or post-abortion trauma? Could this potentially lead to fewer abortions?

## Conclusion

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Abortion largely boils down to this: **by what criteria can we say when an embryo or fetus should be granted personhood?** There is no point during gestation in which there is a clear, universally recognizable event in which the embryo/fetus becomes a clearly acknowledged human person. We are left therefore to make this choice. It is up to us to decide when we will grant personhood to an

embryo/fetus/baby. This is part of why this question is so controversial. I suggest that we should settle on a point of compromise, a position which most seem to be in favor of.

The only solid reason to legally deny access to abortion is if we grant personhood to the embryo/fetus. And a primary motivation for this is in how the embryo begins to resemble a baby around weeks 8-10. On the flip side, there are many substantial reasons to allow for abortion.

Therefore, I recommend that abortion should be unrestricted (when performed by licensed professionals) through the 10<sup>th</sup> week (LMP). If there is a medical need, abortion should be allowed at any point during a pregnancy as determined by a doctor and patient. Abortion should be prohibited at least by viability (22 week LMP) though not earlier than week 10 (LMP) with the previously mentioned exception of medical necessity. Since trimesters are already well recognized, one suggestion would seem to be to let abortions be unrestricted in the first trimester and limited thereafter.

Elective abortion is a form of birth control. Unwanted pregnancies—are minimized when people have the knowledge of and access to contraceptives. 90% of abortions are performed in the first trimester. In what might seem like an ironic notion to those who are opposed to abortion, I suggest we remove barriers to abortion in order to allow women, if they choose abortion, to do so as early in the pregnancy as possible.

Even if we enact this access to abortion, we should still consider and potentially implement other measures to help. First, we should certainly provide healthy sex education. (This is not just teaching about sex but about the reproductive systems in general.) We should also attempt to provide relatively easy access to contraceptives. Beyond this, we should consider how we can ensure people have affordable access to healthcare, childcare, and the resources to raise a child in a healthy manner. Last but not least, we should ensure that women have access to counseling and mental health resource if needed upon learning of an unplanned pregnancy—as well as any point in their lives.

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<sup>i</sup> What I saw in quick review is that women most commonly learn of their pregnancy in weeks 5-6. However, weeks in pregnancy are generally counted from the women's last menstrual period (LMP). So an egg isn't fertilized until nearly the end of the second week in this method of counting.

<sup>ii</sup> <https://en.wikipedia.org/wiki/Quickening>

<sup>iii</sup> [https://en.wikipedia.org/wiki/Roe\\_v.\\_Wade](https://en.wikipedia.org/wiki/Roe_v._Wade)

<sup>iv</sup> [https://en.wikipedia.org/wiki/Late\\_termination\\_of\\_pregnancy](https://en.wikipedia.org/wiki/Late_termination_of_pregnancy)

<sup>v</sup> <https://www.npr.org/2019/06/07/730183531/poll-majority-want-to-keep-abortion-legal-but-they-also-want-restrictions>

<https://www.pewresearch.org/religion/2022/05/06/americas-abortion-quandary/>

<sup>vi</sup> <https://www.guttmacher.org/journals/psrh/2005/reasons-us-women-have-abortions-quantitative-and-qualitative-perspectives>

<sup>vii</sup> [https://en.wikipedia.org/wiki/Roe\\_v.\\_Wade#Abortion\\_and\\_right\\_to\\_privacy](https://en.wikipedia.org/wiki/Roe_v._Wade#Abortion_and_right_to_privacy)

<sup>viii</sup> [https://en.wikipedia.org/wiki/Planned\\_Parenthood\\_v.\\_Casey](https://en.wikipedia.org/wiki/Planned_Parenthood_v._Casey)

<sup>ix</sup> "Conception" is somewhat of a loaded word. The word itself, outside of the context of reproduction, refers to the point at which the idea of something comes into being. Within the context of abortion, "conception" has become

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synonymous with fertilization of an egg. Using the word in this way confers the idea that an individual life begins at fertilization.

<sup>x</sup> <https://www.guttmacher.org/gpr/2005/05/implications-defining-when-woman-pregnant>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5443340/>

<sup>xi</sup> [https://en.wikipedia.org/wiki/History\\_of\\_abortion#Premodern\\_era](https://en.wikipedia.org/wiki/History_of_abortion#Premodern_era)

<sup>xii</sup> <https://www.cnn.com/2016/06/23/health/abortion-history-in-united-states/index.html>

<sup>xiii</sup> <https://www.guttmacher.org/journals/psrh/2005/reasons-us-women-have-abortions-quantitative-and-qualitative-perspectives>

<sup>xiv</sup> <https://news.gallup.com/poll/235646/men-women-generally-hold-similar-abortion-attitudes.aspx>

<https://www.npr.org/2019/06/07/730183531/poll-majority-want-to-keep-abortion-legal-but-they-also-want-restrictions>

<sup>xv</sup> <https://www.pewresearch.org/fact-tank/2022/07/15/key-facts-about-the-abortion-debate-in-america/>

<sup>xvi</sup> *ibid*

<sup>xvii</sup> [https://en.wikipedia.org/wiki/Women\\_in\\_medicine#Competition\\_between\\_midwifery\\_and\\_obstetrics](https://en.wikipedia.org/wiki/Women_in_medicine#Competition_between_midwifery_and_obstetrics)

<sup>xviii</sup> <https://www.saturdayeveningpost.com/2016/01/fight-women-doctors/>

<sup>xix</sup> I specify white evangelicals here because from what I understand, the views of black evangelicals are often significantly different. The problem with political polling, as I understand, is that black evangelicals' responses are grouped until the "black" umbrella, which consequently means that "evangelical" views only represent *white* evangelicals. In this paper, I will use "evangelical" unqualified so as not to have to specify "white" each time.

<sup>xx</sup> <https://www.pewresearch.org/religion/religious-landscape-study/views-about-abortion/>

<sup>xxi</sup> <https://religiondispatches.org/when-the-biblical-view-for-evangelicals-was-that-life-begins-at-birth/>

<https://www.baptistpress.com/resource-library/news/how-southern-baptists-became-pro-life/>

<sup>xxii</sup> <https://www.baptistpress.com/resource-library/news/how-southern-baptists-became-pro-life/>

<sup>xxiii</sup> <https://www.greenvilleonline.com/story/news/education/2017/02/16/bju-regains-nonprofit-status-17-years-after-dropped-discriminatory-policy/98009170/>

<https://www.mtsu.edu/first-amendment/article/37/bob-jones-university-v-united-states>

<sup>xxiv</sup> [https://en.wikipedia.org/wiki/Moral\\_Majority#Before\\_establishment](https://en.wikipedia.org/wiki/Moral_Majority#Before_establishment)

<sup>xxv</sup> <https://pubmed.ncbi.nlm.nih.gov/8274866/>

<sup>xxvi</sup> <https://fivethirtyeight.com/features/what-americans-really-think-about-abortion/>

<https://www.npr.org/2019/06/07/730183531/poll-majority-want-to-keep-abortion-legal-but-they-also-want-restrictions>

<sup>xxvii</sup> <https://www.healthline.com/health/post-abortion-syndrome>

<sup>xxviii</sup> <https://www.theatlantic.com/politics/archive/2021/10/adopt-baby-cost-process-hard/620258/>

<https://www.instagram.com/p/Cfc4RnqJotv/>

<sup>xxix</sup> <https://www.npr.org/2013/06/27/195967886/six-words-black-babies-cost-less-to-adopt>

<https://theworld.org/stories/2019-02-21/us-adoption-system-discriminates-against-darker-skinned-children>

<sup>xxx</sup> <https://www.ncbi.nlm.nih.gov/books/NBK430747/>

<https://www.kff.org/womens-health-policy/issue-brief/understanding-pregnancy-loss-in-the-context-of-abortion-restrictions-and-fetal-harm-laws/>

<sup>xxxi</sup> <https://www.instagram.com/p/CdO8AqmsKiR/>

<sup>xxxii</sup> <https://www.npr.org/sections/goatsandsoda/2022/05/27/1099739656/do-restrictive-abortion-laws-actually-reduce-abortion-a-global-map-offers-insigh>

<sup>xxxiii</sup> <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2772683>

<https://www.npr.org/sections/goatsandsoda/2022/05/27/1099739656/do-restrictive-abortion-laws-actually-reduce-abortion-a-global-map-offers-insigh>

<sup>xxxiv</sup> <https://www.snopes.com/news/2022/05/20/banning-abortion-decrease-rate/>

<sup>xxxv</sup> <https://www.valuepenguin.com/cost-childbirth-health-insurance>

<sup>xxxvi</sup> <https://www.newyorker.com/books/under-review/the-study-that-debunks-most-anti-abortion-arguments>

<sup>xxxvii</sup> <https://law.stanford.edu/publications/the-impact-of-legalized-abortion-on-crime-over-the-last-two-decades/>

<sup>xxxviii</sup> <https://pubmed.ncbi.nlm.nih.gov/9474504/>

<sup>xxxix</sup> Thanks to Brenda Marie Davies for introducing me to this term.

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<sup>xi</sup> <https://www.forbes.com/sites/erikkain/2011/10/01/study-finds-majority-of-young-evangelicals-have-premarital-sex/>

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<https://www.christianpost.com/news/are-most-single-christians-in-america-having-sex.html>

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<https://www.pewresearch.org/fact-tank/2020/08/31/half-of-u-s-christians-say-casual-sex-between-consenting-adults-is-sometimes-or-always-acceptable/>

<sup>xli</sup> <https://www.sciencedirect.com/science/article/abs/pii/S1054139X07004260>

<sup>xlii</sup> <https://www.focusonthefamily.com/pro-life/survey-women-go-silently-from-church-to-abortion-clinic/>