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The Abortion Question and the Future

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The shadow of abortion looms large over the American conscience. Over thirty years after *Roe v. Wade*, the abortion controversy has not gone away. If the U.S. Supreme Court majority really thought that their decision to create a new “right” to abortion would resolve the issue, history has rejected that assumption. The nation is even more divided on this question in 2008 than it was in 1973.

Each new presidential election is greeted by some with hopes that the abortion issue will go away. The controversy resists disappearance. It cannot merely go away, because both sides in the controversy see the issue in ultimate terms.



The worldview clash is never more clearly revealed than on this grave question. One side defines the issue in terms of a woman’s right to control her own destiny. Then, as now, abortion advocates argue that access to abortion is necessary in order to level the playing field between men and women. Feminists argued that abortion rights were and are absolutely necessary to a woman’s autonomy and privacy. Abortion rights advocates have argued amongst themselves over the question of whether to admit that the killing of an unborn child is even a tragedy. Whatever the admission, the unborn child’s intrinsic right to life is denied. In the classic form of this argument, a woman must have the right to an abortion at anywhere, any time, for any reason, whether or not she can pay for it.

The other side of the argument looks to the unborn child as the most significant moral question. This side bases its assumptions on the claim that a human being, at any stage of development, has an intrinsic right to life that must be respected by all humanity. Thus, any pregnancy that ends in the death of the child is a tragedy. The only distinction between the death of that unborn child and the death of a child after its birth is that the unborn child is not yet known by others to the extent the child born alive soon comes to be known. A miscarriage, like any other natural death, is a tragedy marked by loss and grief. An abortion, like any other taking of innocent human life, is an act of moral treachery.

For the better part of four decades, some have attempted to find a middle ground between these two positions, but to no avail. The reason quickly becomes clear. If abortion is to be understood as a fundamental right, no woman can be denied the exercise of that right. If abortion is the taking of innocent human life, no justification can be offered for abortion as a means of ending an unwanted pregnancy — none at all. Middle ground would be possible only if we can assume that the right to abortion is not fundamental, but merely provisional, and that the unborn child does not have an intrinsic right to life, but only a provisional right. Efforts to frame the issue in this way fail because neither of these assumptions can be qualified in this way and remain coherent.

Abortion is back front and center in the 2008 presidential race. Sen. John McCain and the Republican Party Platform call for a reversal of *Roe v. Wade* and are against any notion of abortion as a fundamental right. Both the candidate and the platform call for specific measures to curtail access to abortion and to lead, eventually, to the end of abortion on demand.

Sen. Barack Obama and the Democratic Party Platform call for a stalwart and enthusiastic defense of *Roe v. Wade* and

for expanded access to abortion. In the case of Sen. Obama, his advocacy of abortion rights goes considerably beyond where any major candidate has ever gone before.

In a [recent essay](#), Professor Robert P. George of Princeton University makes the case that Sen. Obama is “the most extreme pro-abortion candidate ever to seek the office of President of the United States.” Further: “He is the most extreme pro-abortion member of the United States Senate. Indeed, he is the most extreme pro-abortion legislator ever to serve in either house of the United States Congress”

This is quite a claim, but Professor George, McCormick Professor of Jurisprudence at Princeton, argues his case convincingly.

First:

For starters, he supports legislation that would repeal the Hyde Amendment, which protects pro-life citizens from having to pay for abortions that are not necessary to save the life of the mother and are not the result of rape or incest. The abortion industry laments that this longstanding federal law, according to the pro-abortion group NARAL, “forces about half the women who would otherwise have abortions to carry unintended pregnancies to term and bear children against their wishes instead.” In other words, a whole lot of people who are alive today would have been exterminated in utero were it not for the Hyde Amendment. Obama has promised to reverse the situation so that abortions that the industry complains are not happening (because the federal government is not subsidizing them) would happen.

Second:

He has promised that “the first thing I’d do as President is sign the Freedom of Choice Act” (known as FOCA). This proposed legislation would create a federally guaranteed “fundamental right” to abortion through all nine months of pregnancy, including, as Cardinal Justin Rigali of Philadelphia has noted in a statement condemning the proposed Act, “a right to abort a fully developed child in the final weeks for undefined ‘health’ reasons.” In essence, FOCA would abolish virtually every existing state and federal limitation on abortion, including parental consent and notification laws for minors, state and federal funding restrictions on abortion, and conscience protections for pro-life citizens working in the health-care industry-protections against being forced to participate in the practice of abortion or else lose their jobs. The pro-abortion National Organization for Women has proclaimed with approval that FOCA would “sweep away hundreds of anti-abortion laws [and] policies.”

Third:

Obama, unlike even many “pro-choice” legislators, opposed the ban on partial-birth abortions when he served in the Illinois legislature and condemned the Supreme Court decision that upheld legislation banning this heinous practice. He has referred to a baby conceived inadvertently by a young woman as a “punishment” that she should not endure. He has stated that women’s equality requires access to abortion on demand. Appallingly, he wishes to strip federal funding from pro-life crisis pregnancy centers that provide alternatives to abortion for pregnant women in need. There is certainly nothing “pro-choice” about that.

In addition:

In an act of breathtaking injustice which the Obama campaign lied about until critics produced documentary proof of what he had done, as an Illinois state senator Obama opposed legislation to protect children who are born alive, either as a result of an abortionist’s unsuccessful effort to kill them in the womb, or by the deliberate delivery of the baby prior to viability. This legislation would not have banned any abortions. Indeed, it included a specific provision ensuring that it did not affect abortion laws. (This is one of the points Obama and his campaign lied about until they were caught.) The federal version of the bill passed unanimously in the United States Senate, winning the support of such ardent advocates of legal abortion as John Kerry and Barbara Boxer. But Barack Obama opposed it and worked to defeat it. For him, a child marked for abortion gets no protection-even ordinary medical or comfort care-even if she is born alive and entirely separated from her mother. So Obama has favored protecting what is literally a form of infanticide.

Anyone who takes the issue of abortion with moral seriousness should look closely at Professor George’s essay, for it makes his case convincingly, adding many points of argument and evidence to those cited above. Beyond Professor

George's essay, take a look for yourself at the [Freedom of Choice Act \[FOCA\]](#) Sen. Obama has pledged to sign — even as a first act in office as President.

The FOCA establishes the right to an abortion as a fundamental right, ensuring that abortion rights would remain in force even if *Roe v. Wade* were to be overturned. The act would also repeal provisions that limit federal funding of abortion, strip doctors of “conscience clauses” that allow them *not* to perform abortions, and nullify state provisions that allow for waiting periods, counseling, and parental notification when a minor is involved. Support for this provision would alone suffice to characterize Sen. Obama's position as radical and to sustain Professor George's argument.

The fact is that Sen. Barack Obama has never voted to support any measure that would, in itself, lead to any reduction in the number of abortions performed. He also appears never to have failed to support any provision — however radical — that would expand access to abortion. He even opposes a ban on partial birth abortions.

Some now argue that pro-life voters can nevertheless vote for Sen. Obama. As Professor George argues, this is delusional.

There are signs of fatigue among Christians on this issue. Some argue that the sanctity of life issue is simply one among many important issues. Without doubt, we are faced with many urgent and important issues. Nevertheless, every voter must come to terms with what issues matter most in the electoral decision. At some point, every voter is a potential “single issue” voter. Some issues simply eclipse others.

This is the case with the sanctity of human life. I can understand the fatigue. So little progress seems to have been made. So much ground has been lost. So many unborn babies have been aborted. The culture has turned increasingly hostile to this commitment, especially among the young. There is a sense that many want to get on with other issues.

There is fatigue and frustration with the Republican Party and with limited progress. There is frustration with mixed signals and missed opportunities. There is the acknowledgment that we have too often been told what we want to hear and then been ignored.

There is the sense that the battle has grown old — along with those who are fighting it. There are signs that the culture is closing its ears. We all have other concerns as well. Can we make any progress on those if we remain tenaciously committed to opposing abortion?

Yet, there is the reality that we face a choice. This is a limited choice. And we cannot evade responsibility for the question of abortion. Our vote will determine whether millions of unborn babies live or die. The Freedom of Choice Act, if passed, would lead directly to a radical increase in the numbers of abortions. The abortion industry has told us that themselves.

The question comes down to this: How many lives are we willing to forfeit — to write off as expendable — in order to “move on” to other issues of concern? There is no way to avoid that question and remain morally serious. The voting booth is no place to hide.

We discussed this question on Tuesday's edition of *The Albert Mohler Program*, with Professor Robert P. George of Princeton University as my guest [[listen here](#)]. Also, check out the new Web site of the Witherspoon Institute, www.publicdiscourse.com.

