

AlbertMohler.com

Are All Humans Persons? A New Assault on Human Dignity

America has been involved in an intense and culture-shaking debate over abortion that has now lasted into its fourth decade. The 1973 Roe v. Wade decision handed down by the U.S. Supreme Court did not settle the issue at all. Far from it. That landmark exercise in judicial activism has led to the death of millions of unborn babies and left a scar across the nation's soul that will not heal until America regains its moral sense and defends the unborn.

Wednesday, March 9, 2005

America has been involved in an intense and culture-shaking debate over abortion that has now lasted into its fourth decade. The 1973 Roe v. Wade decision handed down by the U.S. Supreme Court did not settle the issue at all. Far from it. That landmark exercise in judicial activism has led to the death of millions of unborn babies and left a scar across the nation's soul that will not heal until America regains its moral sense and defends the unborn.

Few genuinely new arguments have emerged from abortion advocates. Ever since the Supreme Court gave them the Roe v. Wade decision—handing them more than they had ever dreamed could be accomplished through legislation—the abortion rights movement has been stuck in an essentially defensive posture. After all, abortion on demand is now legal in all fifty states, and the nation's highest court shows no signs of a willingness to revisit the basic assumptions of the Roe decision.

Yet something more is going on here, and polls indicate that a fundamental shift in the nation's conscience on the issue of abortion is taking place. Most worrisome to the abortion rights defenders is the fact that younger Americans are increasingly inclined to express a pro-life worldview and to acknowledge significant qualms about abortion.

In the face of this shift in public opinion, abortion advocates are currently engaged in an internal debate over how to reframe the question and answer pro-life arguments.

Andrew Johnson, an American bioethicist currently living in Germany, now argues that the pro-abortion movement has been barking up the wrong tree. Writing in *Free Inquiry*, Johnson asserts that abortion defenders have been arguing falsely, disingenuously, and unproductively. Don't get him wrong—he is an ardent supporter of abortion rights. His proposal for a new defense of abortion sounds like something right out of the annals of the Third Reich.

“Looking at the arguments usually deployed by defenders of abortion rights, it is striking how ill-conceived most of these arguments are from a rhetorical point of view,” Johnson observes. “Every student of debate knows the importance of rebutting the opponent's principal claims, but the common pro-choice arguments manifestly fail to undermine the contention at the very basis of the pro-life position: that, from the moment of conception, the unborn human being has a full-fledged right to life.” As Johnson sees it, “Until this contention is regularly addressed head-on in public defenses of abortion rights, pro-choice forces are unlikely to gain significant ground, or even to hold their current ground, in the national debate over abortion. After all, they cannot plausibly deny that the moral status of the fetus at least impinges on the question of the morality of abortion.”

Those last words are especially worthy of note. Johnson argues that the moral status of the fetus is directly relevant to the question of the morality of abortion itself. The abortion rights industry has steadfastly refused to address the moral status of the fetus because it has seen this as a losing proposition.

Johnson sees it otherwise, arguing that “the status of the fetus is not an issue about which pro-choicers ought to be apprehensive.” Amazingly, he calls for abortion rights proponents “to change the question from whether the fetus is a

human being to whether the fetus is a person.” This question, he argues, “is crucially relevant to the morality of abortion.”

Johnson then turns to consider the traditional pro-abortion arguments commonly articulated in the public square. Some argue that an unborn child “is not yet a living human being, and, thus, it is not wrong to kill it.” He sees this particular argument as untenable and politically disastrous, since it falls right into a logical trap.

Johnson’s rebuttal of this pro-abortion argument is both fascinating and insightful. He acknowledges that the pro-life movement has “assembled an incontrovertible scientific case” in support of the fact that the fetus is a live human being. “In premodern times, it was perhaps justifiable to pinpoint the beginning of life at quickening,” Johnson observes, “this being the first externally observable sign of life. Modern technology, however, has revealed to us that even the zygote formed by the union of sperm and egg is an organism that is continuously growing and developing.”

Amazingly, Johnson goes further and argues that the fetus is indeed a human being since the unborn child is in “possession of a complete human genetic code” from the moment of conception.

Next, Johnson undermines the abortion rights argument based in claims that early and mid-term fetuses “lack moral standing because they are not yet viable.” This argument lacks cogency, Johnson argues, because “it makes the moral standing of the embryo or fetus hinge (in part) on a factor external to it.” Viability is not an independent factor, since it is related to the fetus’s stage of development and factors related to the mother.

Essentially, Johnson argues that viability is a factor related to medical technology more than morality. “The moral standing of a being properly depends . . . only on the characteristics intrinsic to it,” he observes. “A twenty-eight-week-old fetus had no hope for surviving outside its mother’s womb in 1900, but by 2000, technological advances had given it quite favorable prospects in such a circumstance. Yet it cannot plausibly be thought that the moral standing of a twenty-eight-week-old fetus was different in 1900 and 2000.”

Johnson also dismisses the argument that abortion should be legal so that it will be “safe.” He is undoubtedly correct in seeing that this argument “begs the question of whether the deleterious effects of an abortion ban on pregnant women are morally graver than the larger number of abortions that would take place without such a ban.”

The common argument that abortion must be legal in order to protect a woman’s “right to privacy” also comes under Johnson’s scrutiny. Here, he delivers a devastating blow to abortion proponents. Abortion is simply not just a private matter, he affirms. “From the point of view of abortion-rights foes, abortion is the murder of an innocent human being, and as such, is anything but a purely private matter, since the state always has an interest in proscribing murder.” Those who make such an argument assert “the moral inconsequentiality of abortion,” Johnson understands. The vast majority of Americans are unwilling to see abortion as morally inconsequential, even if they indicate guarded support for abortion rights.

The claim that elective abortion is derived from a woman’s right to equality is also found lacking, since Johnson observes that this “right” will come into conflict with “another human being’s inviolable right to life,” at least as seen by abortion opponents.

Lastly, Johnson also dismisses claims that a right to abortion “follows from a woman’s right to control her body.” He understands that there is more than one body involved in an abortion. The pro-life movement argues, rightly in Johnson’s view, that “in contrast to other modes of exercising control over one’s body, an abortion impinges not just on the body of the pregnant woman, but also on another body and, indeed, on another human life.”

With incisive logic and intellectual honesty, Johnson has thus dismissed the traditional pro-abortion arguments as either “question-begging,” “patently unsound,” or flat unconvincing.

But the next turn in Johnson’s essay is truly frightening. He argues that abortion-rights defenders should draw a “distinction between the moral status of a human being as such and the moral status of a person as such.”

In cold prose, Johnson acknowledges that the “vast majority of human beings are persons,” but he defines a “person” as one who demonstrates “the qualities generally thought to be characteristic of persons: intelligence, autonomy, self-awareness, emotion, future-regarding intentions, and moral responsibility, among others.”

Using his definition of the human person—a definition that centers on the achievement of certain psychological and relational capacities—Johnson argues that there are nonhuman persons and human non-persons. Animals, such as dolphins and chimpanzees, who could demonstrate the criteria he cites, could, he argues, be recognized as persons. Unborn human beings—and those too young to have developed his list of criteria—would be recognized as human beings, but not as persons.

“Mere membership in the species *Homo sapiens*, no more accords moral standing to human beings than mere membership in *Culex pipiens* accords moral standing to common house mosquitoes,” Johnson boldly asserts. “The fundamental difference in the moral standing of these two species lies not in their taxonomic classifications but in their possession or lack of possession of characteristics conferring personhood, characteristics such as intelligence, emotionality, and self-awareness, which human beings typically possess and mosquitoes never do.”

Johnson acknowledges that his argument is not “uncontroversial.” Yet, he sees his personhood-centered argument as the way forward for the abortion-rights movement.

Johnson’s proposal must be taken seriously, for it is hauntingly similar—if not identical—to arguments put forth by the Nazi doctors and the genocidal Third Reich. Consider these sentences: “The denial of fetal personhood incidentally is not a denial that a healthy, late-term fetus has developed a number of mental capacities, among them a degree of perception, memory, and susceptibility to pleasure and pain, capacities that pro-lifers are fond of pointing out. What pro-lifers fail to notice, however, is that these capacities don’t elevate the moral status of the fetus above that of a typical farm animal, which is clearly not a person. Indeed, on account of their greater intelligence, mature farm animals resemble persons more than fetuses do.”

Johnson’s proposals echo those of Professor Peter Singer of Princeton University, a fact Johnson readily acknowledges. Singer, who infamously argues that the killing of babies and young children should not be considered murder in all circumstances, is the modern godfather of this species of argument.

Clearly, the very fact that these arguments are seriously proposed indicates that the Culture of Death is, if anything, growing in assertiveness.

Once we accept any moral distinction between a human being and a human person, we embrace the logic of death and inch our way toward an inevitable embrace of murder. It doesn’t get much scarier than this.

