

WHO SHALL LIVE?  
Abortion Ethics and Democratic Practice: A Citizen's Guide

By Daniel A. Seeger

There is an emerging consensus among America citizens about the abortion issue, a consensus which is reasonable and defensible. Yet both the major political parties appear to be captives of a hard-core base which, in each respective case, advances a position with which most Americans disagree.

Due to long-standing anti-democratic foibles in the American political system, the Republican Party has succeeded in appointing Supreme Court justices who appear ready to overturn the Roe v. Wade decision, a policy at variance with the wishes of a popular majority.

When President Barack Obama was asked when life begins by Evangelical Pastor Rick Warren,<sup>1</sup> he responded that the question was "above his paygrade." That so thoughtful and articulate a leader would give an answer which is essentially an evasion also reveals that his party, too, is beholden to a constituency of absolutists who do not reflect the beliefs of the average American citizen.

Public dialogue in the United States about important issues is frequently reduced to a combat of slogans, as each side seeks to win by triggering subliminal responses in an electorate perceived as too distracted to delve into complex issues.

But abortion is a complex matter of personal morality, public policy, and religious conviction affecting our very sense of what our humanity is all about. A communal dialogue which is reduced to mere sloganeering about being "pro-life," or "pro-choice," or "pro-rights" is surely itself an insult to the moral values, the sense of compassion, and the defense of human dignity which all sides profess to be advancing. This combat of slogans leaves unaddressed and unarticulated the more nuanced and quite defensible position of most Americans.

Slogans about complex matters are at best half-truths. At their worst they can be totally misleading. A battle of slogans tends to lead to stalemate, as each side sees through the falsity and oversimplification embedded in the other's slogan, but catches none of the genuine concern the slogan seeks to impersonate. They are thereby excused from coming to terms with this genuine concern, and are emboldened to dismiss their

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Saddleback Civil Forum on Leadership and Compassion, August 16, 2008.

opponents as moral simpletons. The process of a fair-minded working out of solutions, which living together in a democracy presupposes, is fatally undermined, and the body politic rushes from one political impasse to another. Most Americans feel themselves to be voiceless bystanders as the battle of slogans about abortion leads to polarization and stalemate.

What might we achieve if, instead of trying to obliterate the concern of those who disagree with them by countering it with simplistic, absolutist slogans, opposing camps acknowledged the complexities and ambiguities which always adhere to difficult issues, and recognize the genuine concern to which their opponents are seeking to give expression. Would community peace regarding a complex matter like abortion be democratically achievable? Would the authentic insights of a majority of Americans at last find secure expression in public policy?

### Where do Americans' Ethical Views Originate?

There are two main streams of ethical thought to which the American people resonate and upon which they depend in formulating their moral and political views.

The first of these is the religious culture rooted in the Hebrew and Christian scriptures. We are a diverse society, happily, and there are many other spiritualities which flourish in the United States. But historically and in the present most people find a spiritual home in religious perspectives rooted in Jewish and Christian tradition.

The other great stream of ethical thought grows out of the Eighteenth Century philosophical movement known as the Enlightenment. The new spirit of science and empiricism, an affinity for rationalism, skepticism about progress-impeding superstitions inherited from the past, and rebellion in the face of despotism, generated a philosophical and political movement of great power and insight. It inspired many of the key founders of the United States, most of whom, although they did not reject the earlier religious traditions outright, were very skeptical of their historic institutional forms, their frequent apologetics for monarchy, and their intolerance and superstition.

Most Americans resonate to both of these great streams of ethical tradition to some degree. Some of us may favor the style and vocabulary of the religious traditions; others feel more comfortable with the language and thought forms of the Enlightenment and the modernist movement. But it is only a very few people who are entirely guided by one to the entire exclusion of the other. Although the so-called culture war tends to invoke an image in which religious people and secularists are pitted against each other, in reality most Americans would be substantially bereft of insights which are very precious to them if they were to be cut off from either of these two great streams of ethical thinking.

Moreover, these two great streams of ethical thinking converge and reinforce each other when it comes to the issue of human rights and the dignity of the human person, key concepts around which the abortion debate revolves.

It is true that the affirmations of the sacred character of each and every human person which are inherent in the teachings of the prophets of Israel and in the Christian scriptures were overlooked and traduced for many centuries by religious institutions and leaders. But as the monopoly on the sacred texts exercised by religious authorities broke down at the end of the Middle Ages with the spread of literacy, this matter has become clarified, and there is now little practical distinction to be made between the commitment to human dignity as it is rooted in Western religious tradition, on the one hand, and a like commitment to human dignity based in Western thought derived from the philosophical and political movement known as the Enlightenment, on the other.

Sadly, like their more traditionally religious counterparts, America's founders who took Enlightenment thinking as their moral guidepost also betrayed the values to which they claimed adherence. They wrote a Constitution for "We the people" of the United States which accommodated slavery and excluded women, Native Americans, both free and enslaved African-Americans, and property-less white men from democratic participation – in other words, they excluded from democratic participation the great preponderance of people in the new nation.

But, nevertheless, it is the commitment to the universal, inalienable, sacred dignity of each and every human person, without exception, and a determined support for the rights which naturally flow from and adhere to this human dignity, which forms a shared, common grounding for Americans of all persuasions about the abortion issue.

When does one's existence as a human person begin?

This is, of course, the first question anyone who considers the matter of abortion must face and the one which President Obama deflected in his interview.

Is there a point in the transition from a single fertilized egg (a zygote), then to an embryo, then to a fetus, then to a newborn baby, where it can be said that the developing life is now a sacred human being deserving of all the respect and protections we believe to be due to each and every person, whereas before such a particular point is reached we can confidently affirm that the developing life is so radically different from the humanity we seek to respect and protect that it merits a lesser degree of our concern?

It would certainly be very comforting if such a clear demarcation could be established. There are four main candidates for such a boundary line: the birth process itself; the achievement by a fetus of the capacity, with medical aid, to survive outside the mother;

the moment of implantation in the uterus; and the moment of fertilization.

Regarding the birth process itself, the emergence of the fetus from the mother's body is a radical transition, and one can at least ask the question of whether or not there is a convincing way to distinguish a newly born infant from a fetus a week before birth.

Certainly, at the moment of birth the offspring's relationship to the mother profoundly changes. Before birth, the mother would seem to have a proprietary right with respect to what occurs regarding her own body. Once born, a child enters human society in a different way and can survive through the care of people other than the mother, if necessary.

There have been societies where infanticide has been regarded as permissible. Indeed, this attitude persists even in the present day in some places. Sometimes this is due to poverty. Parents face the awful choice of deciding which of their children shall live. Knowing there will never be enough resources to permit all who are born to survive, they will elect to end the life of a newborn.

Sometimes infanticide has been practiced, and is still practiced, in response to the social disadvantages of bearing daughters in contrast to sons.

Attitudes about infanticide vary among those who practice it. For some it is the painful choice of a lesser evil. But there are also written records from relatively advanced societies which give evidence of a very casual attitude towards infant life – as if a newborn baby were indeed not yet fully human. The example of this once commonplace attitude among people who otherwise seem to have been sensitive and cultured, but who now seem to us to have been quite callous, at least in this respect, should caution us regarding the subjectivity of moral attitudes, and should remind us of our own vulnerability to adopting practices which may seem horrific from a more enlightened point of view. It is, after all, not very long ago when it was quite commonplace for people to afford diminished respect to others who differed from themselves on the basis of race, class, nationality, and gender. Indeed, these habits of mind have by no means been overcome.

In contemporary North Atlantic civilization infanticide is considered extremely reprehensible and is treated as murder, with the exception that there is some passive acquiescence to the practice in the case of extremely deformed newborns whose chances of long-term survival are minimal and who face short, distorted, and painful existences and early deaths. But this blurs into another difficult issue, euthanasia, which will not be addressed here. For all practical purposes we consider infanticide to be the equivalent of murder.

The question then becomes one of whether or not a change of location from inside a

mother's body to outside of it signals a radical change in the rights and protections to be afforded to a late term fetus as compared to a newborn infant, at least in terms of the moral values of contemporary North Atlantic civilization. The answer is that it is indeed very difficult for most people to see such a distinction, and almost everyone is deeply disquieted by the idea of the dismemberment and abortion of a late term fetus. Given that many prematurely born babies survive very well and lead healthy and good lives, the distinction between the late term but unborn infant and the newborn baby seems very difficult to make.

Some people who favor universal and ready access to abortion under all circumstances try to avoid acknowledging the complex moral dilemma posed by a very late-term fetus, or pre-born infant, sensing, with some justification, that to denigrate the radical transition which birth represents is to start on a slippery slope which might undermine the rights to abortion at even earlier stages of pregnancy. As we shall see, this fear is not unjustified. Nevertheless, in the interest of accuracy, clarity, and sensitivity to the views of all, the difficult ethical problems posed by very late term abortions need to be acknowledged frankly.

To be sure, there is a legitimate distinction to be made regarding late-term fetuses, or pre-born infants, in terms of the proprietary rights of the mother over her own body. Freedom from government invasion of our own persons would seem to be a cornerstone of the religious and philosophically derived concept of human dignity described above. And, indeed, in unfortunate circumstances where there seems to be an absolute conflict of interest between a mother and a late term fetus, in that continuing the pregnancy would endanger the mother's essential well-being or would present an unacceptable risk to her life, most people's moral conscience would allow them to support a decision in favor of the mother over the fetus, but not without a deep sense of the tragedy which medical triage situations always involve. But accepting a painful and tragic necessity in defined circumstances is a concept different in nature from the idea of allowing very late term abortions on demand for any reason, an idea which some seem to want to advocate.

There are some religious perspectives which advocate an approach which is counter-intuitive for most people. In this view, where ending the pregnancy with a normal birth would lead to the mother's demise, the normal process should be allowed to happen, since an act of God is involved, and no human being has a right to decide whether it is the mother or the baby who should survive. But for most people this is not at all persuasive, and allowances for late term abortions are regretfully countenanced when a natural birth poses substantial risks for the mother, and these risks cannot be resolved by some reasonably safe medical procedure like a cesarean delivery. But most people find their moral sense insulted by a proposal to abort a late term fetus for reasons which to them have the look of mere convenience.

This, then, is an area where opinion among contemporary Americans begins to diverge. Some argue for the absolute right of a pregnant woman to make decisions about the abortion of a late term fetus entirely unilaterally and for any reason whatsoever. Others argue that there is no circumstance in which human intervention should determine the relative fate of a mother and a late-term fetus. But most people regard late term abortions as tragic and morally discomfoting, but permissible under sufficiently extenuating circumstances. Weighing and judging the circumstances are at present left as a responsibility of the mother and her doctor. While avoiding moralistic language, the Roe v. Wade decision effectively recognizes this common attitude. But subsequent decisions have limited the types of procedures which can be employed to end a pregnancy at a late stage.

Is there such a thing as fetal pain and suffering? Anyone who has been unnerved by the desperate cries of a very young infant who is scarcely yet aware of itself or its surroundings, but who is experiencing some mysterious discomfort, will be reluctant too facilely to conclude that a late term fetus is somehow anesthetized by its dark and dependent condition within the mother and will not suffer grievously in an abortion process unless steps are taken to prevent such suffering. Again, human history is a long and sad saga of people dismissing as inconsequential the tribulations of others whom they regard as unlike themselves in some way, and moving beyond this bias to a universal conception of human rights must be deemed a great step forward.

The center of gravity of American public opinion regarding late term abortions, then, seems morally defensible and consistent with the Roe v. Wade decision. It is difficult to distinguish a late term fetus from a newborn infant in any respect except location. But since the matter of location involves another human being, the mother, in a profound and intimate way, this is not a morally inconsequential factor. Our regard for the inalienable rights and human dignity of the mother must be sensibly related to our humane regard for the fetus. When a problem pregnancy which has not been resolved at an earlier stage reaches late term, it is sensible to defer, however disquieting this may be, to the wishes of the pregnant woman, provided these wishes are not merely capricious but are related to her and her physician's assessment of her own health and well-being. But our common, shared interest in maintaining a society where human beings are held in the esteem due to them requires us to regard the dismemberment and abortion of infant-like late term fetuses as a horrifying and tragic matter which we accept in some circumstances, unpalatable as it may be, as the lesser of two evils. As has been said, this represents the center of gravity of American public opinion. However, there is some vigorous dissent from this approach from various perspectives, with some favoring more absolute rights of a woman to define a course of action unilaterally, and others seeking more absolute protections for late-term fetal life.

As has been mentioned, two of the possibilities for defining boundaries where a

comforting distinction might be made between a human and a pre-human form occur all the way at the beginning of a pregnancy. One of these is the moment of fertilization, and the other is the occurrence of implantation.

When a single sperm penetrates fully into an egg (fertilization), it donates its genetic material to the combination, the new cell being called a zygote. The zygote contains all the genetic information unique to a particular human being. It begins traveling down the mother's Fallopian tube, dividing several times while en route to form a ball of cells. Further cellular division allows the formation of a small cavity in the ball of cells. The ball of cells with its cavity is referred to by scientists as a blastocyst. Up to this point there is no growth in the overall size of the cluster beyond the dimensions of the original egg, so each division results in smaller and smaller cells.

At approximately the fifth day after fertilization the blastocyst reaches the uterus. In successful pregnancies, the blastocyst adheres to the uterine lining (implantation) and proceeds to grow there. During the second week after fertilization the blastocyst cells which will form the placenta begin to distinguish themselves from the blastocyst cells which will form the embryo. Another clump of cells at one end of the blastocyst are known as embryonic stem cells. The cells which will form the embryo flatten themselves into a disk two cells thick.

By the end of the first month after fertilization the embryo measures about an eighth of an inch and has curved into a tiny C shape. Remarkably, microscopic examination which modern science makes possible shows that a tiny heart begins to beat in a regular rhythm, pits which will become ears begin to form, and arm buds and a tail are visible.

At the end of the second month the embryo is slightly more than an inch long. Lungs have begun to form, as have arms and legs with distinguishable hands and feet. All essential organs including the brain have begun formation. The limbs evidence spontaneous movement. Facial features are developing.

At the end of the third month after fertilization the fetus is slightly over three inches long. The head comprises half this length; the face develops a human appearance. Tooth buds appear, the genitals are well differentiated, and red blood cells are produced in the liver. The fetus can make a fist with its fingers.

This awesome process continues until the time of birth. The fetus is six inches long at the end of the fourth month after fertilization, nine inches at the end of the fifth month, fifteen inches at the end of the sixth month. It is considered full term 35 weeks after fertilization, and may be between 19 and 21 inches in length.

Various suggestions have been made regarding ways to establish a clear line of

demarcation of some kind in the nine-month period between the processes of implantation and birth which would provide a satisfying way to distinguish a presumably not-yet-human fetus from a pre-born infant. The point at which the fetus can survive outside the mother has been one suggestion. The point of “quickening,” that is, the point at which the mother can feel fetal movements, is another. These must, in the end, be recognized as too artificial and vague to be of any compelling ethical significance. The truth is that this awesome process is a continuum, an incremental phenomenon which proceeds in micro-stages, and it is impossible to distinguish any fundamental or radical shift in the character or nature of the embryo or fetus from one moment to the next.

This failure to find any clear line of demarcation in a nine-month incremental process naturally causes us, when considering the ethics of abortion, to focus on the early stages of pregnancy, when the characteristics of the fetus seem most dissimilar, relatively speaking, to a human person, and when the abortion procedure is simplest and least dangerous to the mother.

One fact which is appropriately brought into view is that there occur many natural and spontaneous abortions (miscarriages). It is impossible to know how frequent this is, because in many cases it happens before a woman herself is aware that a fertilization or a pregnancy has taken place. Studies indicate that, at the very least, about 25% of fertilizations end in spontaneous abortions. In reality, the proportion is probably considerably larger.

There are also various ways in which this marvelous and complex process can go awry in its earliest stages, causing situations in which both the mother and the fetus would perish without early medical intervention on behalf of the mother to remove the fetus. For example, a blastocyst may implant itself in the wrong place, where its continued growth would cause fatal harm to the mother, and where the fetus could not survive in any case. It is very difficult to imagine any credible ethos which would disallow an early stage abortion under these circumstances.

The fact that at least 25% of fertilizations spontaneously fail to result in successful pregnancies is not brought into view simply to jump to the conclusion that therefore deliberately carried out abortions are permissible. After all, among living human beings death itself is natural, but this does not absolve a murderer. The frequency of natural abortions does tell us something about the ethical issues, but not without further examination.

Not totally unrelated to the matter of spontaneous abortions is the issue of certain practices carried out to avoid pregnancies. The use of “morning after” pills, “Plan B” medications, and intrauterine devices has been shown to prevent unwanted pregnancies, even after sexual intercourse that has not been protected in any other



way. Controversy about these strategies arises because the exact mechanism through which they work is not fully understood. They may prevent ovulation, or they may prevent fertilization, or they may deter implantation, or they may dislodge an implanted embryo. It is possible that these techniques do each of these things under different circumstances. It is therefore difficult to classify them unambiguously as either contraceptive techniques or as methods of abortion.

At any rate, given our shared commitment to the universal, inalienable, sacred dignity of each and every human person, without exception, and given our determination to support the rights which naturally flow from this concept of human dignity, the practical resolution of our approach to the issue of early term abortion naturally becomes a matter of how we regard an early term fetus.

Sensitive people find this matter very perplexing. We would all be better off if those on both sides of the abortion debate would acknowledge that this perplexity is justified.

Empathy is an important element of humanitarian ethics. Most horrors of the past which we now regard as egregious moral lapses arose, at least in part, from a failure sufficiently to empathize with a person or with people seen as somehow “other.” A flattened disk of cells, or a three inch long curled up creature-like entity who cannot see or hear, and whose brain and nervous system are too undeveloped to make the concept of cruelty or suffering in relation to it meaningful to us, may seem very “other” – beyond the realm of compassion or caring. Yet we also know that each of us was once in such a state. And we also know that, as was the case with ourselves, each embryo and fetus has the potential to become a unique and precious human being.

Yet honesty will also require us to confess that even the most compassionate and empathetic persons among us do not shed tears over the many spontaneous abortions which occur, as we certainly do over all the innocent children killed by epidemics of diseases, by famines, and by warfare, for example.

When fertility clinics are serving couples who need to use in vitro fertilization in order to begin a successful pregnancy, the normal procedure is to create many more blastocysts than are actually needed. There is a good reason for doing this in order, finally, to produce a successful pregnancy. But there now exist approximately 400,000 unused blastocysts being kept in freezers, presumably eventually to be discarded or to be used for stem cell research. If early-term abortions were actually the taking of a human life, would not this state of affairs in fertility clinics be intolerable?

A woman who deeply wishes to be a mother bonds with the fetal life within her at a very early stage, and a miscarriage can cause genuine grief and mourning in a way that few who have not themselves had the experience can understand. Unfeeling people can mistakenly expect a woman in these circumstances to “get over” a

miscarriage in short order. Yet other women who do not wish a child, or another child, may feel genuine relief if a miscarriage occurs.

For those whose moral sense is primarily a function of empathy, a function of feeling kinship with another seen as like oneself, more than it is a function of rigorous philosophical reasoning, contemplation of an early term fetus will lead them to conclude that there is enough ambiguity about the nature of a fetus, enough “foreignness” about this cluster of cells, that abortion is acceptable, as is stem cell research and the creation of an oversupply of blastocysts in fertility clinics.

In this view, the gradual process which takes place over a nine-month period, although each step in it may not be clearly distinguishable from the one before it, in sum adds up to a radical differentiation. An acorn is not an oak tree; a chicken egg, even if fertilized, is not a chicken. An insentient collection of cells or tissues, even though they may be arranged so as to bear a resemblance to the human form, is not yet a human being in the full sense. Just as the 25% rate of spontaneous abortions is not the same as a plague or a war which may kill 25% of our living children, carrying out an early term abortion is not the same as the taking of a human life.

But sensitive and empathetic people will also not regard an abortion procedure as being of no ethical consequence whatever. They will understand that this is different, in fact quite different, from having a mole or a hangnail removed. Some who fear that access to safe and legal abortions might be legally curtailed sometimes seem to try to strengthen their argument favoring abortion by dismissing any concern for fetal life. Would it not be more honest to argue that no one really likes the idea of scraping fetal tissue out of a uterus, even though they cannot regard it as criminal to do so, but rather to argue that it is a lesser evil in countless instances, that our concern for human dignity mandates that the pregnant woman herself, rather than the state, is the best judge of this, and that therefore it is extremely important to keep the option readily available in the interest of preventing greater evil? This more honest formulation would seem to be the prevailing view of most Americans who are not activist “pro-choice” or “pro-life” lobbyists.

This commonplace conclusion regarding abortion ethics lacks the sort of philosophical crispness we naturally and ordinarily desire when issues of life and death are at stake, where one wishes to pin ones hopes and aspirations for the best in human affairs on unambiguous, absolute principles. The simple declaration that there is a lack of any clearly marked boundary between a fertilized egg and a human being, and that, therefore, abortion is equivalent to murder, seems at first blush to give expression to the sort of philosophical rigor we seek, however awkward and inconvenient abiding by this conclusion might be in actual practice. But, as we shall see, this position is more vulnerable, philosophically, than it at first appears to be.

Nevertheless, it would seem necessary, in any decent, democratically organized society, to recognize the depth and sincerity with which this philosophical position is held by many Americans, and to be prepared to accommodate it. This is where the challenge of operating an open and free society becomes greatest – where different bodies of the citizenry hold views which it seems impossible to reconcile, and where implementing the views of one party profoundly insults not only the convictions but also the freedom and liberty of the other. This difficulty can be overcome in the case of the abortion issue, at least on an interim basis, in a way which will be described later. But to get to a place where a practical, democratic accommodation between those insisting on a woman's absolute right to choose an abortion in the early weeks of pregnancy and those unalterably opposed to abortion can be defined, it is necessary to examine the soft points in the philosophically absolutist anti-abortion position, as we have already done with regard to the abortion-on-demand position.

A philosophical position cannot really survive in isolation. Philosophy must, to be worthy of the name, probe the relationships among things, among issues, and among problems. It is to think and act consistently and coherently. It must address the matter of how to apply principles in balanced, measured and practical ways. It must establish a hierarchy, or set of priorities, among competing ideas and possible courses of action. Declaring an absolute principle, and then arbitrarily applying it very narrowly with respect to one aspect of life only, is simply not philosophy or morality or ethics. And it is with respect to this principle of consistency and coherence that almost everyone who advances the simple declaration of the absolute rights of fetal life over all other considerations must acknowledge with some humility a similar vulnerability to philosophical blurriness that characterizes the opposing, permissive position with regard to abortion.

So far, consideration has been given to the issue of abortion from a perspective taken in utero. But how does the question appear from a macro-cosmic point of view, from a vantage point outside any particular fetus or mother? Warfare, after all, might seem utterly inexcusable if all one did was consider in isolation the phenomenon of a single child being napalmed to death. But many millions of people, including millions of sincerely religious people, will countenance even such a horror being committed many times over when larger concerns are brought into view, such as the supposed risks which were posed to the United States of America by the Vietnamese people's desire to conduct their national life according to socialist principles.

In today's world, global economic arrangements result in the death of a child every five seconds from unnecessary starvation, and also allow countless children and adults to die prematurely of easily preventable diseases. It is difficult to see how anyone can expect their own philosophical commitment to the sanctity of fetal life to elicit an accommodation which might seem drastic to those who disagree with them as long as their own commitment to a principled defense of the sanctity of life does not manifest

in a proportional concern, in terms of thought and in terms of their human energies, in wider contexts beyond the sphere of a mother and the fetal life within her. For, once the gaze moves beyond the mother and the fetus, there become glaringly apparent innumerable insults and outrages, entirely generated by human acts of commission and omission, against the dignity and sanctity of human life which are much more egregious than any philosophically defensible perspective could represent the abortions of early term fetuses to be.

A survey of some of these relevant factors beyond the fetus and the mother will lay the groundwork for defining a democratic social policy on abortion which respects the views of mainstream Americans, while also accommodating reasonably the views of the outlying and polarized camps which presently exist.

### The Wider Context

The first and most obvious factor to consider about the a wider context for any ethical issue involving sexuality and reproduction is population growth.

Consider the unprecedented growth in world population in recent times. The world's total human population, which remained under 1 million persons up to the year 1600 C.E., escalated to 1 billion at around the year 1800. Thereafter,

- 2 billion was reached 127 years later in 1927.
- 3 billion was reached 34 years later in 1961.
- 4 billion was reached 13 years later in 1974.
- 5 billion was reached 13 years later in 1987.
- 6 billion was reached 12 years later in 1999.

These figures are, obviously, estimates, since exact census-taking is not possible in all parts of the world even today, to say nothing of 4000 B.C.E. But there is absolutely no doubt about the overall contours of the situation we face. If the rate of population growth remains constant, we face the prospect of 12 billion people on the planet by the year 2050 C.E. Fortunately, there are signs that rates of reproduction are decreasing. It is obviously difficult to predict what behavioral changes might take place in the future under the circumstances of population pressures which have never before occurred. Estimates for world population in 2050 vary from approximately 10.5 billion people to approximately 8 billion people, depending upon how radical a change in fertility behavior one assumes.

There is considerable controversy regarding how many people the earth can ultimately support. Clearly, if every square foot of arable land were intensively cultivated, if the 3% of the earth's water which is fresh was carefully rationed, and if resource

distribution was such that everyone got enough without anyone else getting more than he or she needed for survival, the earth could support many more people than under circumstances where its resources were utilized more inefficiently and distribution was more unequal. But even under the conditions of efficiency and equality, a maximum would be reached, and long before that was reached the world would come little to resemble the one we know, as innumerable plant and animal species became extinct while human beings take over their habitats. Does it really make sense to aspire to such a global future?

But whatever the future may hold, we operate in the present, and the ethical decisions we make now must take account of present conditions.

The fact is that, given the present state of humankind's moral development, and given the political economy and social organization which gives expression to this degree of moral development, the world is already hideously overpopulated.

Approximately 15% of the people now living (one billion people worldwide) enjoy the diets, transportation systems, and lifestyles familiar to us in the United States, while another 40% (2.8 billion) are trying to live on less than \$2.00 per day.

Although food production has grown faster than population, it is often the case that food is exported from countries where people are hungry because well-fed people in other nations can pay more for it. As mentioned earlier, in today's world a child dies of starvation every five seconds.

Of the over 800 million people who go to bed hungry every day, 300 million are children. Of these, only 8% are the victims of famine, war and other emergency situations. The vast majority are suffering from long-term chronic hunger resulting from the present humanly-devised systems for the distribution of resources. In spite of this, many Americans of all persuasions regarding abortion have been glibly discussing the conversion of farmland into fuel production for automobiles without any consideration of the implications of such a policy for the world's poor and hungry people. To date, the number of people offering principled and serious opposition to the development of a corn ethanol industry is minuscule indeed.

In the year 2000 over one billion people, about one person in six, did not have access to adequate drinking water, and two out of five of the world's people did not have adequate sanitation facilities -- even a simple pit latrine.

It cannot be assumed that these disparities are transient ones which will be rectified as soon as undeveloped countries catch up with Americans by mimicking our institutions and economic system. Our prosperity is dependent upon our ability to extract resources from foreign nations, often desperately poor foreign nations. If we

in the United States had to subsist on the natural resources within our own borders, our lives would be radically different. From whom, then, are the presently poor populations of the world supposed to get equivalent external resources should they seek to develop as we have done? It would require several additional planets to provide for them.

Given the present size of the global population, it has been calculated that there are 4.7 acres of useful land per person available to absorb wastes and supply food, water and other resources. Yet the lifestyle of the average American claims 24.0 acres, while the average Mozambican uses an average of 1.2 acres. Averaging out these radical imbalances, the total population of the world is living as if there were 5.7 acres of productive land per person, rather than the 4.7 acres per person which actually exists. This is only possible by mortgaging the future -- by utilizing forests faster than they can regrow, pumping out groundwater faster than aquifers can recharge, overfishing beyond the level of sustainability, depleting the world's oil resources, and heating up the earth's atmosphere.

Steps could be taken to reduce the scale of this catastrophic situation. The world's consumer classes could reduce the frequency with which they buy and discard clothing -- clothing made at enormous ecological and social cost.<sup>2</sup> They could revise their habit of building, of air-conditioning, and of heating ever more huge dwellings sheltering fewer and fewer people per house. They could reorganize life so that public transportation was feasible and reliance on private automobiles would be less, and they could stop buying gas-guzzling vehicles. They could enact regimens of ecologically responsible business practices, such as the Kyoto Protocol, and scrupulously follow them. They could consume foods produced closer to home and eat lower on the food chain. They could redirect military spending to a program for developing a broad range of sustainable technologies, particularly technologies for the utilization of renewable energy. They could buy and discard computers and mobile telephones less frequently. They could recycle much more rigorously.

All this will eventually have to be done. But the resistance to proceeding is enormous because of the vested interest of people who are profiting from things as they are now, and because of the indifference of everyone else.

But even with all the social, economic, and political changes which might be effected to better the situation, it is difficult to see any way that the present six billion people, or the future eight to ten billion people, can be raised to a dignified way of life, a way of life perhaps more modest than the present consumer class enjoys, but which

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See the World Watch Institute's analysis of the human and ecological costs of producing a cotton T-shirt. (World Watch Institute: State of the World, 2004, pages 162-163).

nevertheless allows a nourishing diet, decent health, appropriate education, access to sanitation and clean water, and adequate shelter, within the limits of the planet's resources. The earth can probably support a simple but modern lifestyle based upon a pattern of resource use sustainable over the long run for a population of about two billion people.

This is a population a third the size of the world's present population. It is, nevertheless, 2,000 times larger than what the population has been during most of human history.

Obviously, one could argue about the 2 billion population goal. It is impossible to foresee what technological breakthroughs might make an alternative population size possible. But, unfortunately, long experience demonstrates the high probability that many new technologies will have unintended negative consequences of some sort. Even if 2 billion is too conservative, and 4 billion, or even 6 billion could eventually be supported decently, it is abundantly clear that this will not happen without a very radical change in the way we do things.

At the same time, although we recognize that respect for an early term fetus is a logical, philosophical extension of a respect for human life in general, we also recognize that in terms of human suffering, aborting a pre-sentient aggregation of cells or tissue is not the same as allowing a living human being to die of starvation, or as killing people in war because selfishness and greed has confounded the attempt to resolve political conflicts.

The ethical question of abortion, then, must be considered in a broad context. The widespread famine and other affronts to human dignity which exist are not necessarily acts of God or of nature, but in many, many cases are the result of human ethical and practical failures. The ethical failures are not unlike those which have prevailed throughout history, when political, social and economic institutions were operated so as to allow the exploitation of the many by the few. But the problem is now greatly exacerbated, and indeed, given an entirely new dimension, as human populations overwhelm the planet, and as the appetites and predations of the consumer classes threaten so to damage the biosphere that the survival of human life itself must be held to be in doubt.

In social contexts where poverty and starvation are widespread, abortion would seem to be an evil less than bringing forth another human being who will starve, or who will, through her or his own consumption, modest as it may be, lessen what is available to others who are starving. In affluent contexts, it would seem imperative to limit, wherever a pregnant woman earnestly desires to do so, the introduction into the world of another person who inevitably will be socialized into patterns of consumption which threaten the planet's future and which place incredible burdens on those who are

deprived in the present.

It is true that one could not trace to a specific concrete set of beneficiaries in the underdeveloped world the rewards of one less automobile-driving, over-fed, over-dressed inhabitant of an air-conditioned dwelling in the First World, but the reduction in numbers of such people must be considered a singular benefit to a global community in which there is so much unnecessary agony and death. It is true that many, even most, women who seek abortions are not thinking of the global community, but of their own particular situation. But that does not lessen the common sense of permitting abortion as a matter of enlightened public policy which takes the macrocosmic picture into account.

We recognize that just as there may be a conflict of interest between a mother and a fetus, there is a conflict of interest between too many pregnancies in the aggregate and the future fate of the human race as a whole. So although, as indicated, individual women seeking abortions may not be thinking of the fate of the earth, from a social policy perspective, allowing voluntary abortions lessens the sum total of human suffering and at least partially addresses this dilemma of radically excessive human fecundity.

Given our appreciation of the incremental and miraculous nature of the transition from a zygote to a person, and of the inevitable conclusion we must reach that an embryo is sacred in a very real sense, this is not a conclusion in which one can take enormous satisfaction. Yet given current conditions, it appears that permitting early-term abortions is in good ethical order, as a majority of Americans seem to recognize. But concomitant with this realization must be a determination to end the humanly created conditions which make this conclusion necessary. An anti-abortion militancy which does not address these larger issues with even greater militancy must be considered objectively disordered. Moral stridency about the fate of early term fetuses seems only possible if one maintains a deliberately cultivated ignorance about the actual conditions facing living human beings, including children, the world over. It is a refinement of moral sensitivity akin to studying haute cuisine in the middle of a famine or decoratively painting a sinking ship rather than repairing its leak.

### Conscience and Democracy

Our democratic society is built on the premise that reasonable and fair-minded people, after a period of respectful discussion, will come to a meeting of the minds about the best way to address issues facing the community, a way which takes intelligent account the various factors involved and which also balances whatever differing perspectives remain unreconciled.



Abortion is one of several contemporary issues where the political behavior of adversaries challenges this optimistic assumption about the very possibility of democracy itself.

Nevertheless, we can see that a majority of Americans have arrived at a position which is philosophically stronger than that of those at either end of a polarized debate. It recognizes the ambiguities which adhere to the question of the nature of fetal life, it sensibly assesses the consequences of different courses of action under the conditions which prevail in today's world, and it looks to a future when abortion will be a rare occurrence. By eschewing the grand simplifications of the pro-choice and pro-life positions it in fact manifests a subtlety which is more true and sophisticated than that of the radicals on either side of the issue.

It remains for the majority to develop some reasonable way to cope with the strong but contradictory feelings about abortion existing among significant minorities of their fellow citizens. While stridency is a matter of right in a democracy, hopefully more and more people can be brought to realize that strident assertions that the abortion of an early term fetus is equivalent to murder, or equally strident assertions that all fetal life is an inconsequential matter, both do an injustice to the truly ambiguous nature of the situation, and undermine the possibility of a democratic resolution of the issues.

In the face of the moral ambiguities and the depth of genuine disagreement about them, for either absolutist view to enforce its opinion on the other through the power of law and government can only have a result destructive of community and of human freedom and dignity.

No one should be required to participate in the carrying out of abortions or the dispensation of contraceptive medications and devices if to do so profoundly violates their consciences. But the majority must make every effort to ensure that abortions and contraceptive services are readily available to those who seek them in spite of the non-participation of those providers who conscientiously object to them. This is certainly not an impossible task.

The use of government funds gathered by the taxation of citizens of every persuasion is a difficult matter. Our federal system may be of some help here. In those states where a clear majority supports making abortions available, services can be provided through the same government channels offering other health services, excusing from participation those employees with honest objections. This will produce some tax-refusers, just as using taxes for warfare does among citizens of pacifist persuasion. In those states where the majority opposes abortion, services might be provided through voluntary channels, even if these need to be funded by donations from out-of-state. The provision of abortion services overseas via foreign aid can be left to those First World countries where opinion about the matter is more settled, while the United

States focuses on health services about which our citizenry is in unity.

### A Program for the Future

We have seen that modern science, by making it possible to carry out safe abortions, by increasing our understanding of what is happening in the fertilization and pregnancy process, by greatly expanding human survival and life expectancy, and by allowing the intensive exploitation of the earth in ways that benefit a few while impoverishing many, and which threatens future human survival, has presented us with a set of interrelated ethical issues which society has never before faced.

In particular, a fertilized human egg, with its potential to produce a unique human being in a miraculous process of gradual development, presents a one-of-a-kind spiritual and ethical dilemma which it is impossible to address adequately simply by extending tried and true, or at least commonly accepted, ethical verities. Nor can it adequately be resolved through a perspective focused narrowly on what happens in utero.

Although infanticide has not been eliminated totally in practice, the fact that it is universally abhorred must be considered an ethical advance. So, too, must our sensitivity about the implications of late-term abortions. In the meantime, freely available abortions in the early months of pregnancy is sensible public policy, even though, in the long run, as conditions allow, most people want to see the frequency of such abortions diminish markedly. It must be assumed that, given the imperceptibly gradual process through which a fetus develops into an pre-born infant, a world in which the sacred dignity of the human person was truly respected would be one in which abortion at any stage would be undertaken only in very special circumstances, such as when medical complications endanger the life or essential well-being of the mother, or when the pregnancy itself is the result of rape or incest.

What would a world look like in which abortion became very rare? What conditions should those interested in eventually reducing radically the rate of abortions be struggling to create?

1. Women and men would be equal. Women would be able to choose freely whether or not to become pregnant. Women's access to opportunities for vocational satisfaction in the larger economy would be equal to that of men.
2. Everyone would be well educated in human sexuality and reproduction. Birth control techniques would be universally understood. Birth control devices and medications would be freely available. Sterilization procedures would be available for those who genuinely desire them. It would not necessarily be expected that people would postpone sexual activity until some relatively late time in life when modern

marriage and parenthood is possible, which goes against the grain of human nature as it has evolved over the millennia.

3. The honor and responsibilities of parenthood would be assumed only by those who feel themselves truly to have a vocation to live up to its challenges. No longer would parenthood occur simply because it is the generally expected thing for people to do. Each child would be received into a home where the parent or parents earnestly seek to provide their offspring with love and security. And while parenthood would be honored, other life vocations which contribute to the community good would be equally esteemed.

4. Decent wages would allow one- or two-parent families to support reasonably, and to educate adequately, one or two children. The vocation of house husband and house wife would be equally respected.

5. Society would honor the possibility that heterosexual people could enjoy a variety of sexual activities in their relationships, including activities without procreative possibility. The potential for human satisfaction and fulfillment in gay and lesbian relationships would be celebrated. As long as there were orphaned children in need of good homes, parents of any sexual orientation would be encouraged to adopt them.

6. World population would be low enough so that all could live decently, so that resources were used in a sustainable fashion, and so that large areas of natural wilderness were allowed to flourish unmolested by human need or greed.

7. Principles and practices of economic justice would have been developed and agreed to, and international institutions of law and jurisprudence would allow the resolution of conflict according to peaceful and democratic means.

Such a world would be one where it would be possible for most people to see that abortion can and should be avoided, a world, in contrast to our own, where it would be possible to see that abortion is no longer a lesser evil.

It is a world which people on all sides of the abortion debate should be striving together to establish. Hopefully, a world will eventually take shape where there is no conflict of interest between a fertilized egg and a living human being, and the sacred character of every potential life can be brought joyously to fruition, so long as the mother has freely elected to become pregnant and the pregnancy poses no serious risks to her well-being. But whether or not to continue a pregnancy would be solely up to the mother.

The widespread practice of abortion in a society which presumably reverences the human person is a sign that life is out of balance. One can be equally convinced that abortion ought to be an allowable option for women, indeed, that it ought to be

considered a right, while also being convinced that when the balance of life is restored few women will need or want to exercise this right.

Through the centuries various sages have sought to alert us to the unity of all that is about us, have sought to enliven our appreciation of the inter-relationship of all things. Saint Francis of Assisi reputedly conversed with birds and animals, and sang of “Brother Sun and Sister Moon.” Modern science shows us that we are part of the web of life, not only in that we are the product of a long and awesome process of evolution, but in that our survival depends on an immense orchestration of natural phenomena, a chain of being which includes microscopic organisms, plants and trees of all kinds, and the animal kingdom.

All happiness, all wisdom, depends upon leading a balanced life in harmony with this great, inclusive community of existence. It is not possible to reverence a blastocyst apart from a deep appreciation of the sacred character of each element in the great web of life in which we are but strands and upon which we utterly depend. To do this, one has to be attentive, one has to be appreciative of the miracle of everyday things. This awareness is commended to us by all worthy religious teachings and all respectable philosophies.

Yet the societies which are presumably the most advanced in the modern world are engaged in a frenzy of wantonness and of materialist discontent which threatens the future of the human race. Arguing about abortion while ignoring this larger context leads nowhere. We need to develop first a healthy respect for limits, a skepticism about any promises of unending material progress and unlimited population growth, and a realization that everything has its price. Conflicting values and claims cannot always be brought into harmony, although often each can be ethically defended. But some values cannot be achieved because others need to be chosen and pursued. All these difficulties require humility, not stridency. For we will never construct a community, a nation, or a global order which exceeds in wisdom and goodness the wisdom and goodness we have within our own hearts. Rather than sloganeering about abortion, what we really should be doing is finding this goodness within ourselves and in each other, and in the light of this goodness working together to ensure that the world becomes a better place, a place where future generations can make their home.

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January 18, 2007  
Revised: October 19, 2020