

Is Abortion a Justice Issue?

“... I have set before you life and death, blessing and cursing; therefore choose life, that both you and your descendants may live.”

—Deuteronomy 30:19 (NKJV)

Barak Obama was the most extreme U.S. Senator and is the most extreme pro-abortion president in our history.¹ Yet, many pastors, even some who may personally identify themselves as pro-life, try to justify voting for the man. The arguments used are often so weak that it is difficult to see how these supposedly pro-life leaders make them. They often state that morality issues are a subterfuge to avoid dealing with other serious issues of fairness and justice.

Among the many things wrong with such analysis is that it narrows and separates the realm of morality and justice to accommodate, under one or the other, issues less uncomfortable for those intent on voting for a given candidate. Morality is seen as personal, private and mostly dealing with sex. Justice is seen as pertaining to policy prescriptions on economics and discrimination. Thus, the killing of the unborn remains for them a “difficult moral *personal* choice” with no major bearing on our electoral decisions.

When it comes to black pastors, there is a strong cultural and community pull to defend a black liberal candidate regardless of his view on certain issues. Although the black community as a whole is a very pro-life one, most leaders and pastors have given a disservice to their congregants by remaining silent or relegating the issue to inconsequence when it comes to elect government officials.

In effect, the narrowing of the definitions points toward another error: confusing **prudential** issues with issues of **absolute** moral value. As it is with most of social justice teaching, most *general* principles of justice often allow for varied specific policy answers. The prudential application of general principles can lead one to conflicting policy answers. A good Christian can agree with another on the pertinence of general principles of justice as they apply to a wide range of economic, social, and political issues and still disagree with the specific application of such principles.²

¹ Barak Obama is pro-abortion, not simply pro-choice. My position is that one who allows abortion as an option, of necessity, is for that option to obtain. Would we call a person who is pro-slavery, but owns no slaves nor would ever own one, simply pro-choice or a supporter of slavery? The second, as his support for a law allowing the degradation of persons into bondage is a support for degradation to occur, even if one is not the one directly degrading another or is “personally opposed” to it.

² In the case of Catholics, it remains the case that even when a given conference of bishops expresses itself on matters of economics or justice issues, a good and faithful Catholic may disagree with their

For example, one can be for a fair wage and be (or not) for a government-imposed minimum wage law. One can be against discrimination and be (or not) for affirmative action programs. One can be for the poor and be (or not) for the expansion of the welfare state. One can be for better housing and be (or not) for the expansion of government-subsidized housing programs. One can be for equality and be (or not) for income equality or for wealth to “spread around” and (or not) for the redistribution of wealth.

On every general principle just outlined (and many others) there is not only one possible policy option for a Christian. Those who have the benefit of a pulpit or who work in “social justice” programs often do not make the needed distinction. In fact, they often absolutize what is prudential and prudentialize what is absolute.

Yet, there are issues where justice conflates with *absolute* moral principles. Although there are varied policy proposals available to Christians on many political and social issues, there are certain issues where justice demands the complete prohibition of certain actions. It is precisely when absolute moral norms and justice claims intersect that we do not possess varied policy options. Those who make of justice an interpretive key for the Scriptures and for our approach to voting for political candidates have here issues of decisive power.

There is no better example than abortion. If abortion is the direct and intentional killing of an innocent human being, then it is absolutely prohibited, no human law can change the moral quality of such evil. As we are talking of the killing of the innocent, abortion is also a justice issue. Abortion is quintessentially an issue of injustice. In effect, the injustice of a law demolishes its power to bind our conscience. The traditional phrase *lex iniusta non est lex* (“an unjust law is not law”) is a truth taught by Augustine, Aquinas and also by secular thinkers such as Plato, Aristotle and Cicero and lived to its fullest by Dr. Martin Luther King.³

A Christian who still wants to avoid dealing with abortion when it comes to voting for a presidential candidate can do so only by pretending that a president has no power to change this evil in any meaningful way and/or by trying to defend the indefensible: that there is not a human being in the womb at least at the earliest stages of development (or there may be a human being but not a person whose rights are worth fighting for).⁴

prudential judgments. One, of course, owes them our serious and prayerful consideration of their views but one may, in the end, disagree, in part or in total, with their particular prudential statements.

³ See Robert P. George, *A Clash of Orthodoxies: Law, Religion, and Morality in Crisis* (Wilmington: ISI Books, 2001) p. 140.

⁴ A third option may be to deny that a given candidate is pro-abortion; which in the case of Barak Obama is impossible.

The first option is easily dismissible. The president appoints judges at different levels of the judiciary. Thus, a president may appoint judges that strictly interpret the constitution, sending the issue to the states, or judges happy to uphold *Roe v. Wade*. In fact, Obama is on record stating at a Planned Parenthood event that he voted against Judge John Roberts and Judge Samuel Alito precisely because they were “hostile” to a woman’s right to choose. On the issue of abortion he stated: “I will not yield and Planned Parenthood will not yield.”⁵

On January 2009, one of Obama’s early acts as president was to overturn a ban on U.S. support to international aid groups that provide abortion services around the world. Under his watch, Planned Parenthood, the largest abortion provider in the country, receives millions of dollars from tax payers. Thus, there is definitely much at stake on the decisive justice issue of our time, abortion, when it comes to elect a president. On the issue of the humanity and personhood of the unborn, there is compelling and decisive scientific evidence demonstrating the humanity of the unborn and compelling philosophical reasons for affirming his personhood.⁶

But let us assume that a given pastor is not for abortion as it indeed kills a human life but thinks it is an issue strictly of private morality. As way of illustration, consider the value of justice as it relates to the death penalty. I have never encountered a “social justice” advocate who does not consider the death penalty both a justice and moral issue. Here we have a human being who is *potentially* innocent and is executed by the state. When it comes to black men being executed the cries of “injustice” are loud, compounding issues of racial injustice with the act of killing by the state.

However, what exactly is the difference with abortion, if you consider abortion morally wrong as it kills a human life? I tell you what the differences are:

- a. The death row inmate is potentially innocent while the unborn is for sure innocent;
- b. The death row inmate went through a court process while the unborn did not;
- c. The inmate will be executed by the state and only by the state after a process while the unborn can be executed at any time and for any reason whatsoever by private citizens with the avail of the state;
- d. The inmate can defend himself, he has a voice, and the unborn does not.
- e. The number of abortion executions is staggeringly higher than death penalty incidents.
- f. The unborn is the weakest person of the two; a key justice component when coming forth to defend those who cannot do it themselves.

⁵ See <http://www.youtube.com/watch?v=uUI99id2SvM&feature=related>

⁶ See for example Robert P. George & Christopher Tollefsen, *Embryo: A Defense of Human Life* (New York: Doubleday, 2008).

- g. The number of black babies killed through abortion makes the act a true genocide against black people. Planned Parenthood, Obama's trusted friend, led the way through its eugenics Negro Project.⁷

As we can see, the injustice of abortion is of immensely greater import than that of the application of the death penalty. In fact, there is a long Christian tradition of allowing the death penalty for criminals but there is not one for the direct and intentional killing of the unborn. If social justice means anything, how can any pastor or "social justice" advocate ever say that abortion is simply a morality issue? How can one stand on the pulpit and defend policies and politicians with their hands covered with the blood of the innocent?

However, some reply that we ought not to become *one-issue voters*. There exist a wide range of justice issues and we cannot allow ourselves to be obfuscated by only one issue. When we examine justice issues in the aggregate, they continue, we can then make a prudential decision allowing us to offset the evil of abortion by our prudential judgment concerning other issues.

The reality is that pro-lifers are not one-issue voters. There are voters who say, "It is the economy, stupid" when it comes to vote for specific candidates. This demonstrates the *decisive* (not exclusive) nature of economic issues in their voting behavior. Additionally, a pro-life stand is not exclusively about abortion as it addresses euthanasia, physician-assisted suicide, cloning, stem cell research, genetic engineering, frozen embryos, adoption and much more.

Imagine for a moment that there are candidates who do not believe that women should be able to vote or that minorities should not be treated equally. Such beliefs undoubtedly constitute compelling reasons for discarding these candidates regardless of whether or not they have the best health care or jobs creation plan.

Let us consider another case: slavery. Here the lines of demarcation are exactly the same as with abortion: the unjust violation of the dignity of persons. But even here, abortion is more a justice issue than slavery! Slaves survived and their descendants (me being one) are with us today. There are no descendants of aborted babies as they were deprived of the most basic guarantee of the Declaration of Independence, Life. There is no liberty or happiness to pursue if you are dead.

But not one of us would even think that we can vote for a candidate who supports slavery without such stance making us "single-issue voters."

Thus, abortion is not a case of "one issue only" but a case of a *decisive justice issue*. If a given political candidate cannot recognize the injustice of abortion how can I trust you

⁷ See http://www.citizenreviewonline.org/special_issues/population/the_negro_project.htm

with the recognition of injustice elsewhere? How can I trust you with devising just policies on other issues? How can I recognize in him or her the courage needed to defend what is just?

Recognizing Injustice Above His Pay-Grade?

Comments by President Barak Obama during the 2008 presidential campaign are another good example of how politicians fail to act against the great injustice of abortion due to faulty logic and erroneous philosophical commitments. During an exchange of presidential candidates at Pastor Rick Warren's Saddleback Church,⁸ he made some significant affirmations. President Obama said that he could not change the faith understanding of those who think life begins at conception and that 'if you believe that life begins at conception and you are consistent in that belief, then I can't argue with you on that because that is a core issue of faith for you.'⁹ I think that such presentation fails to do justice to the pro-life position and exemplifies the cleverness of the pro-abortion movement that has taken hold of our country.

Obama presented the pro-life position as inherently religious thus foreign to discussions on public policy based on evidence. The fact is that the question here is one of basic justice and scientific evidence, and both vindicate the pro-life position. The pro-life position asserts that God forbids abortion *because it is unjust*, not because of some axiomatic decree coming from on high for which we have no rational argument. The injustice of the act, pro-lifers assert, is established independently of religious affirmations and is confirmed by science, the very criteria of the secularist liberal principle of legitimacy.¹⁰

What we must not forget in examining these kind of arguments is that if we renounce the idea of *objective value* and shun believers from the public square there is nothing that may prevent the violation of the rights of individuals. If government declares the child in the womb, the Jew, or the slave a non-person, it assists in the violation of human rights. It is this reality of value and human rights the one making the issue of abortion one that cannot be simply dismissed as purely religious and private.

⁸ Reverend Warren is a renowned Evangelical pastor who leads one of the largest Evangelical non-denominational churches in the United States, Saddleback Church in Lake Forest, California. He is also the author of the greatly popular book, *The Purpose Driven Life*.

⁹ See <http://www.cnn.com/2008/POLITICS/08/16/warren.forum/#cnnSTCVideo>.

¹⁰ Under *justificatory neutrality*, claims of intrinsic worth have no place in the public square and, if the pro-life view were inherently religious, it could fit that bill. Nevertheless, believers do offer non-religious reasons to defend their claims. Bruce Ackerman's classic formulation of this concept states in part that no reason for action is allowed if it requires the power-holder to assert that a given conception of the good is better than another.

Framing the question along these lines, Obama made pro-life believers look like religious fanatics while pro-choice advocates remain as reasonable people using scientific data and reason. In truth, sophisticated pro-choicers such as Naomi Wolfe and Judith Jarvis Thompson are abandoning the scientific debate on abortion in favor of metaphysical theories of personhood and even advocating ideas such as 'justifiable homicide.'¹¹ The net effect is that the arguments of religious believers, even if defended without recurring to religious claims, are ruled out from consideration. In the supposed stalemate on whether or not life begins at conception, modern liberalism imposes a ban on meaningful discussion; it imposes a very specific conception of the good on us all and invite us to get along. However, I ask, why should the sensible affirmations of religious believers be shunned from the public square? Why should reasonable believers reject to defend justice for the unborn to find a place at the table of engaged citizenship?

What would be the state of black America if Martin Luther King had agreed with such 'liberal consensus'? In May 17, 1957, King stood up on the steps of Washington's Lincoln Memorial to deliver his first major speech. At that momentous event, he appealed to the Christian faith as the comprehensive system of thought moving forward a mass movement for justice. In effect, he made it clear that in its *moral* admonitions of justice the Christian faith not only stirs the individual soul but also places demands on the state! His words still reverberate with the strength that ignited a social movement refusing to surrender to the voices silencing faith in our public life:

I conclude by saying that each of us must keep faith in the future. Let us not despair. Let us realize that as we struggle for justice and freedom, we have cosmic companionship. This is the long faith of the Hebraic-Christian tradition: that God is not some Aristotelian Unmoved Mover who merely contemplates upon Himself. He is not merely a self-knowing God, but an other-loving God forever working through history for the establishment of His kingdom. And those of us who call the name of Jesus Christ find something of an event in our Christian faith that tells us this. There is something in our faith that says to us, 'Never despair; never give up; never feel that the cause of righteousness and justice is doomed.'... *There is something in our faith that says evil may so shape events that Caesar will occupy the palace and*

¹¹ See Judith Jarvis Thompson, "A Defense of Abortion" in *The Rights and Wrongs of Abortion*, ed. Marshall Cohen (Princeton, N.J.: Princeton University Press, 1974) and Naomi Wolfe, "Our Bodies, Our Souls," (*The New Republic*, 1995). In 'Our Bodies, Our Souls' Wolf stated: I still maintain that we need to contextualize the fight to defend abortion rights within a moral framework that admits that the death of a fetus is a real death; that there are degrees of culpability, judgment and responsibility involved in the decision to abort a pregnancy... So, what will it be: Wanted fetuses are charming, complex REM-dreaming little beings whose profile on the sonogram looks just like Daddy, but unwanted ones are mere "uterine material"? How can we charge that it is vile and repulsive for pro-lifers to brandish vile and repulsive images if the images are real? To insist that the truth is in poor taste is the very height of hypocrisy. Besides, if these images are often the facts of the matter, and if we then claim that it is offensive for pro-choice women to be confronted by them, then we are making the judgment that women are too inherently weak to face a truth about which they have to make a grave decision.'

*Christ the cross, but one day that same Christ will rise up and split history into A.D. and B.C., so that even the name, the life of Caesar must be dated by his name.*¹²

Pro-choice positions on issues of human life and dignity, such as abortion, slavery, and racism, are dangerous ideologies as they build on historicism, constructivism, and conventionalism to decide on matters of intrinsic rights and human dignity.¹³ As these theories deny that there is a determinate human nature, and that there is such a thing as a God (or at least that if there is one, he is not welcome in the public square) rights exist only if *we decide* they do. If we confer them, they exist but, if we refuse, they are gone.¹⁴ Those who are ready to follow the biddings of such comprehensive liberalism built on the absolute sovereignty of human choice are forgetting the history of race in America and are stepping on the perilous ground of injustice.

If all knowledge is socially constructed, that is, contingent on convention and experience, then truth and human rights are whatever we make them to be. Whatever is capable of surviving the exertions of human choice and decision-making—whatever is *politically viable*—is acceptable. Whatever is not viable is not ‘true’ as there are no objective principles of justice that may rationally guide the legislative process. In truth, under such ideology, there is nothing inherently unjust.

Stephen A. Douglas proclaimed the same doctrine of the sovereignty of the will of a state’s population on the issue of slavery. He was the ‘pro-choice’ advocate insistent on protecting the right to choose regardless of the content of the choice.¹⁵ The Lincoln-Douglass debates offer us a wonderful example of the philosophical and practical foundations of both a secularist and neutralist position and a principled and inclusive natural-law position. At the Debate at Alton, Illinois, October 15, 1858, Lincoln offered an understanding of the issue of slavery that is still operative today concerning every issue of human life and dignity:

That is the real issue. That is the issue that will continue in this country when these poor tongues of Judge Douglas and myself shall be silent. It is the eternal struggle between these two principles—right and wrong—throughout the world. They are the two principles that have stood face to face from the beginning

¹² Martin Luther King, Jr., “Give Us the Ballot,” *The Papers of Martin Luther King Jr.* (Volume IV: Symbol of the Movement, January 1957- December 1958) [emphasis mine].

¹³ These theories deny that there are absolute and binding moral norms binding on all people throughout time. Morality and rightness are socially and historically construed. Laws are a matter of convenience and practicality, not of natural law as traditionally understood.

¹⁴ See Robert P. George, *The Clash of Orthodoxies*, pp. 153-154.

¹⁵ Douglas’s Kansas-Nebraska Act passed by Congress on May 30, 1854 repealed the ban on slavery in the territories of Nebraska and Kansas under the rubric of popular sovereignty. The act repealed the Missouri Compromise of 1820, which prohibited slavery north of latitude 36°30’. As chair of the Committee on Territories, Douglass introduced the bill and strongly supported it.

of time; and will ever continue to struggle. The one is the common right of humanity and the other the divine right of kings.¹⁶

The eternal struggle between what is right and good and what is legal and acceptable is evident in Lincoln's view. Instead of the divine right of kings to choose as they please and impose the mandate on their subjects we have today the 'divine right' of personal choice imposing on all the acceptance of every degrading choice in the name of tolerance and autonomy.

Following that lead, we can see how the servile state takes on a different form. Not only does the state use compulsion and raw power over men of a certain status in the economic realm but it also ostracizes through positive law and societal reproach men of certain belief systems; cultural and religious. The state is not servile simply because certain laws offending the sensibility of believers happen to exist, such laws possibly may always be there. It is servile when a considerable body of law on matters of great importance is enacted with the *exclusion* of believers 'as to give a character to the whole community.'¹⁷ When truth claims are shunned, the whole character of the community and of individuals within the community is distorted. What is worse, when pastors defend policies and politicians supporting a system of injustice, our community loses its greatest resource. That is exactly what Martin Luther King Jr. said when speaking about *the system* of segregation in his 'Letter from Birmingham Jail':

There are two types of laws: just and unjust...Now, what is the difference between the two? To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law...Hence segregation is not only politically, economically and sociologically unsound, it is morally wrong and sinful...¹⁸

A second affirmation by Mr. Obama goes to the heart of the idea of human worth. The President affirmed that he does not know when life begins; the question was 'above his pay-grade.' If that is the case, philosophically and ethically he is on the wrong side of the abortion issue. If one states that one does not know whether life begins at conception one is stating that life *may* begin at conception. The only morally and justly permissible alternative is then a non-harm approach.

By way of example, I am hunting through the forest and, far away, I see an object move. The object could be an animal or it could be another hunter lurking around. Not knowing for sure, can I then shoot to kill and later find out? No. Therefore, the only alternative in not knowing is abstaining from causing harm, as I *may* be killing a human person. A

¹⁶ Roy P. Basler, ed., *Collected Works of Abraham Lincoln*, Vol. 3 (New Brunswick, N.J.: Rutgers University Press, 1953).

¹⁷ Hilaire Belloc, *The Servile State*, pp. 51-52.

¹⁸ Martin Luther King Jr., "Letter from Birmingham Jail," in James M. Washington, *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King, Jr.* (San Francisco: Harper Collins, 1991) p. 289.

non-cognitivist approach can only lead to a pro-life stance. Justice Harry Blackmun, as Barak Obama, was on the same wrong side when, in his opinion in *Roe vs. Wade* in 1973, he affirmed that because at the time the scientific evidence was inconclusive it could not determine the case.¹⁹

Again, we must insist, the same skeptic ideology permeated the thought of Douglas and was absent from that of Lincoln on the issue of slavery. Abraham Lincoln understood the perils of drawing arbitrary lines about personhood. In his debate with Lincoln, Douglas aptly described his opponent's logic:

He [Lincoln] insisted, in that speech, that the Declaration of Independence included the negro in the clause asserting that all men were created equal, and went so far as to say that if one man was allowed to take the position that it did not include the negro, others might take the position that it did not include other men. He said that all these distinctions between this man and that man, this race and the other race, must be discarded, and we must all stand by the Declaration of Independence, declaring that all men were created equal.²⁰

The secularist faith defended by President Obama, with the votes of those who ought to know better, simply refuses to address the issue of personhood by both affirming it is a religious one and by insisting that there is no scientific answer to it. The fact remains that there is no great mystery about when life begins and science has given an answer to that. But even if he were correct, the only just choice is to let live, not to kill.

Courage is needed, the courage of Lincoln.²¹ Those defending the place of morals in public life affirm that a morally indifferent conscience, one where values are eschewed, is insufficient to establish a legal right precisely because certain acts are so degrading and thrust so strongly against basic human goods that they erode human dignity and the common good.²² Justice without morality is a hellish lie. We also affirm that neutrality (just letting the law exist because we supposedly cannot decide who is right) is folly as our present secularist society is *anything but neutral*.

It is precisely our desire to respect the equality and dignity of individuals that motivates the criminalization of certain acts and the putting into question of certain assumptions. As we cannot give absolute moral content to what we choose, absolute right to moral independence does not exist—in short, autonomy is not independent of truth.

Often, ethical convictions are not at the root of a defense of many debasing acts. Instead, what is the ground of such attitude is *desire*, a desire to satisfy cravings, the

¹⁹ Today, such evidence is conclusive and yet no substantive change in the law has been made. Presently, pro-choicers claim a difference between humans in the 'biological sense' against the 'moral sense', proposing the existence of a class of human beings with no rights we are bound to respect.

²⁰ Last Joint Debate, at Alton, Senator Douglas's Speech (October 15, 1858).

²¹ See Ramesh Ponnuru, *The Party of Death: The Democrats, the Media, the Courts, and the Disregard for Human Life* (New York: Regnery, 2006) ch. 7.

²² Robert P. George, *Making Men Mora*, p. 95.

powerful influence of habit, the momentary exertion of passions, or the need to affirm certain biases.²³ A supposedly neutral society is a breeding ground for injustice and for a divisive strain of multiculturalism that asphyxiates traditional understandings of morality.

Even worse, under the cover of neutrality, we have become accomplices in a true black holocaust. If justice anywhere is a threat to justice everywhere, abortion is a greater injustice against the black population than against any other group of people in America. Currently, African Americans make up thirteen percent (13%) of America's population but thirty four percent (34%) of all abortions are performed on black women.²⁴ Dr. Alveda King, niece of the late Dr. Martin Luther King Jr., has said, 'Over 150 years later [after the end of slavery], however, an entire class of Americans is still treated as nothing more than property. Our laws regard babies living in the womb as non-persons. It's a tragedy and a disgrace.'²⁵ In the words of Dolores Bernadette Grier,

Yesterday, they snatched the babies from our arms and sold them into slavery. Today, they snatch them from our womb and throw them in the garbage.

²³ *Ibid*, p. 107.

²⁴ According to the pro-abortion Guttmacher Institute, 'Thirty-seven percent of abortions occur to black women, 34% to non-Hispanic white women, 22% to Hispanic women and 8% to women of other races.'

²⁵ See <http://www.christianpost.com/article/20080611/alveda-king-links-abortion-slavery.htm>.