

A Libertarian Atheist Answers “Pro-Choice Catholics”

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LIBERTARIANS FOR LIFE

Copyright 2003, January

Many who say they are personally opposed to abortion nonetheless support keeping abortion legal. Such a stance is often taken in the Catholic community, particularly by Catholics in politics. An example is Michigan Governor Jennifer Granholm. Calling herself “pro-choice,” she said that as a Catholic she believes “what Catholics believe on abortion,” and asked, “[I]s it right for government to force Catholic beliefs on every other faith?” (*The Detroit News*, 9/10/02).

Interesting question. To ask it is to concede that the political arena is about forcing beliefs on others by law. Government is not a think tank that makes political-policy suggestions. Government is force. The power of the sword is implicit in all laws, just or unjust. How are politicians going to use that power?

Abortion isn’t a victimless-crime debate; to abort a child isn’t like smoking pot. The reason I and others object to abortion is that we find it to be homicide (the killing of one human being by another). The proper use of government force is to oppose killing the innocent, not to encourage it, as the Supreme Court did in *Roe v. Wade*, by legalizing and protecting its practice.

People show severe intellectual problems in saying *both* that they believe what the Church believes *and* that they would deny preborn children legal protection. The Church holds that such children are human persons with rights, yet the “personally opposed” hold that it should be a woman’s choice to destroy them. If there is a credible reason for such a position, what is it?

I’m not Catholic

Opposition to legal abortion cuts across the religious and political spectrum. I’m an atheist. I was born and raised Jewish. Catholicism had nothing to do with my coming to understand why abortion is a wrong, not a right, and why it should not be legal.

I’m a longtime libertarian and participant in abortion debates among libertarians. Libertarianism is pro-choice — except when it’s a choice to victimize others and violate their rights. I used to think abortion is permissible, thanks to Ayn Rand and her philosophy of Objectivism. But ironically, I became pro-life and founded Libertarians for Life (LFL) because of Rand and her onetime closest asso-
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“Personally Opposed” to Abortion?

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People tell us: “I’m personally opposed to abortion, but I think it should be legal.”

Perhaps the notable version of that comes from Roman Catholics abortion choicers: They insist they believe “what Catholics believe” on abortion, but don’t want to force their beliefs on others.

The usual pro-life response is to argue the substance of abortion: Are the preborn human beings with the right not to be killed? If so, should the government defend their rights along with everyone else’s?

Such a response can sometimes produce a profitable discussion, but it misses another point: *What do people mean when they say they’re “personally op-*

posed” but claim there is a “right” to abortion that must be protected by law?

Many pro-lifers will immediately answer that such people aren’t really opposed to abortion. That may well be true. But what if we accepted their words *just as they gave them?*

In fact, people paint themselves into a corner by saying they agree with what “Catholics” believe. The Church teaches that the preborn are *persons*, they have *rights*. If we take the words of such “personally opposed” people at face value, then, they are saying something quite different from merely disagreeing with that Church position. What their
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ciate, Nathaniel Branden, both atheists. (See my articles, “How I Became Pro-Life: Remarks on Abortion, Parental Obligation, and the Draft” — www.L4L.org/library/congrecord.html; and “Introduction” — www.L4L.org/library/intro.html.)

What about the substance of the abortion debate?

Many libertarians are religious. However, in arguing politics, we normally appeal to ordinary reason, not religious faith. In abortion, what’s central is: When do human beings — human persons with rights — begin? The marker event can’t be derived from libertarian philosophy; it just takes the concepts of human being, person, and rights as a given. Its basic premise is that all of our rights are limited by the obligation not to violate the rights of others.

To arrive at the correct marker, we need the correct scientific facts of human embryology. That a new human organism, a member of the species *Homo sapiens*, begins at fertilization is well recognized. (See: Dianne N. Irving, “When Do Human Beings Begin?: ‘Scientific’ Myths and Scientific Facts” — www.L4L.org/library/mythfact.html.)

One doesn’t have to be pro-life to accept that this is correct science. Alan Guttmacher, M.D., was a president of Planned Parenthood. PP’s research arm, the Alan Guttmacher Institute, was named after him. In his 1933 book *Life in the Making*, he wrote: “We of today know that man is born of sexual union; that he starts life as an embryo within the body of the female; and that the embryo is formed from the fusion of two single cells, the *ovum* and the *sperm*. This all seems so simple and evident to us that it is difficult to picture a time when it was not part of the common knowledge.”

There are also philosophical questions to answer, such as: What’s the marker for when a person with rights begins? LFL shows why it’s fertilization, and why the right to control one’s own body is a limited right. (See: Doris Gordon, “Abortion and Rights: Applying Libertarian Principles Correctly” — www.l4l.org/library/abor-rt.html; and the sections in the Library on www.L4L.org, “On the Onset of Personhood and Rights” and “On Parental Obligation and Children’s Rights”.)

In those articles, LFL shows why the support children receive from their parents is theirs *by right*. Both parents owe them protection from harm, whether they are living in a crib, the mother’s body, or in a petri dish. (What about rape? See: John Walker, “Abortion in the Case of Pregnancy Due to Rape” — l4l.org/library/aborrape.html.)

Roe v. Wade and the ACLU

In *Roe v. Wade*, the Supreme Court announced itself unable to answer “the difficult question of when life begins.” It should have given the benefit of its uncertainty to

life. Instead, it arbitrarily ruled that to be a person legally, we must be born.

In effect, *Roe* trashed the ethical principle of equal unalienable rights as set forth in The Declaration of Independence — and imposed a two-tiered legal policy on human beings that defines a superior class as persons with rights and an inferior class that does not count. Such a double standard is not only unlibertarian, it puts all of us on a slippery slope. Yet to this day, the Court is unwilling to confront either philosophy or correct human embryology.

Our unalienable rights are pre-political. As Nadine Strossen, the president of the American Civil Liberties Union (ACLU), said on C-Span: “We don’t need the Ninth Amendment or the Constitution to have rights; we have rights by virtue of the fact we are human beings.” I agree. The Declaration of Independence holds that everyone is created — not born — equal and “endowed by their Creator” — not the government — with certain unalienable rights, among which are life and liberty, and that the purpose of government is to secure these rights.

Strossen and the ACLU favor legal abortion, so on a later occasion I asked her, “If having rights is pre-legal, then why not also our personhood, from which our rights flow?” Usually a font of information, this time she only noted that we disagree. At another time, she admitted to me that the ACLU had no prepared response to the charge that abortion is homicide.

Why is Catholicism opposed to abortion?

Let’s get back to what’s Catholic. In order to judge the Catholic belief on abortion, one must first know what it is. I consider Fr. Frank Pavone, Founding Director of Priests for Life, to be a reliable source of information. I asked him some questions:

Q: Are there any statements in papal encyclicals against abortion that are inextricably religious? If so, what is their impact on the conclusion that abortion is wrong?

Fr. Pavone: “Yes. The key document, of course, is Pope John Paul II’s encyclical *The Gospel of Life*. One of the specifically religious arguments against abortion found there is from the Incarnation. God, in other words, became human in Christ, and thereby united every human life — including life in the womb — to Himself. The Pope therefore concludes that to attack a single human life is, in some way, to attack God Himself.

“The impact this has on the conclusion that abortion is wrong is simply that for believers it gives another motive for the conclusion, and strengthens their awareness that they cannot be ‘pro-choice believers.’ At the same time, as you know, the Catholic Church holds that one can come to the conclusion that abortion is wrong without having any faith at all.”

Q: Do these encyclicals say anything against the

legalization of abortion?

Fr. Pavone: “Yes, *The Gospel of Life* states that no civil authority has the right to legitimize abortion, and that if it tries, such laws lack all authentic juridic validity. Yet the Church does not reach that conclusion based on the religious arguments against abortion, but rather based on the fact that abortion violates fundamental human rights which any government is bound to protect. The Church sees her call for laws against abortion in the same way as for laws against stealing. Though stealing is against the teachings of Catholicism, the non-believer is not free to say, ‘Since I am not Catholic, I may steal.’”

Sounds sensible to me. When faith and reason arrive at the same position, that’s a strong recommendation for it.

But if others learned in Catholicism have counter arguments, I’d like to hear them.

A challenge

When people argue and agreement seems elusive, they often ask, “Who should decide?” Ayn Rand gave a great answer: “Whoever can prove it.” Intellectually, both sides have the burden of proof. Read the encyclicals. Read Libertarians for Life’s perspective. Read those who insist that abortion is a permissible choice. Then ask which side of the abortion debate best addresses the fundamental questions and which side makes the strongest case.

What if you’re still in doubt? Give the benefit of the doubt to life.

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words have said is that they believe the fetus is a person with rights, and they believe it should be legal for the mother to have that person killed just because she chooses to.

Regardless of whether you’re pro-life or abortion-choice, let’s assume you’re going to have abortion-choice government officials. Which kind would you rather have: ones who think that the preborn are not persons with rights, or ones who think they are?

Even abortion choicers should find the latter kind scary. If an abortion-choice Governor thinks the preborn are persons with rights yet it’s OK to kill them, a question comes to mind: Who’s next?

Now this might be unfair to “personally opposed” Catholics. They may mean they believe what “many” Catholics believe on abortion — namely, that the Church is *wrong* when it says the preborn are persons with rights. Or they may mean something like others who say they are “personally opposed” to abortion: that even if they disagree with the Church on the status of the fetus, they nonetheless find abortion emotionally troublesome, for instance, or believe it to be immoral because people should take precautions against pregnancy.

They might mean that the fetus is simply a part of the mother, little different from her appendix, or that the preborn are in an odd netherworld between “person” and “mere animal.” They may mean all sorts of things that fall short of affirming the rights and personhood of those whose killing they think should be legal.

In politics, unfortunately, people are not notorious for saying what they mean. The formula of “personally opposed” — whether in its Christian or its secular form — has become a mantra. One says it with a certain piety, one expresses a certain regret, and no one asks what one actually means.

At its best, the formula is a copout — one doesn’t wish to discuss what one really means; one may not know; or one

may not wish to say that one’s only guides are random emotions and whatever the political market will bear.

But stated in its Catholic form — apparently conceding personhood and rights — the “personally opposed” mantra is far worse than a copout. Taken on its face, it is a threat to everyone, pro-life, abortion-choice, undecided, and practically any variations thereof. It is to say that this innocent person may be killed simply because another person wants to. Period. The “personally opposed” may find such a homicide to be immoral, silly, creepy, or whatever, but it is held to be that other person’s “right.” All others must not question that “right” and must work to support it.

What are the chances of people asking “personally opposed” politicians what they really mean? I wouldn’t bet on it. And if they do, American politicians, even those with PhDs (particularly those with PhDs) are apt to lapse into humble folk what don’t know nothin’ ’bout them thar high-flown philosophical things (like whether something is homicide or not).

Both pro-lifers and abortion-choicers are more apt to want to discuss other issues. The relatively uninvolved will take the “personally opposed” mantra as one of the current political pieties and go on.

But I suggest that there are those in society who are cheerfully willing to concede that the preborn are indeed persons with rights just as much as anyone else. And they find it “regrettable” that such persons must be killed in order to “benefit” others; but if it would be beneficial, *kill them*.

And the preborn are not the only ones on their list.

Many of the “personally opposed” may, I hope, say that they have merely slipped into words that might appear to say something like that. We can only hope that if people ask them what they really mean, they will tell us, clearly and plainly, whether or not they think the preborn are persons with rights — and whether being a person with rights makes any difference.