

# ***Beyond the Politics of Life and Choice***

## ***A New Conversation About Abortion***

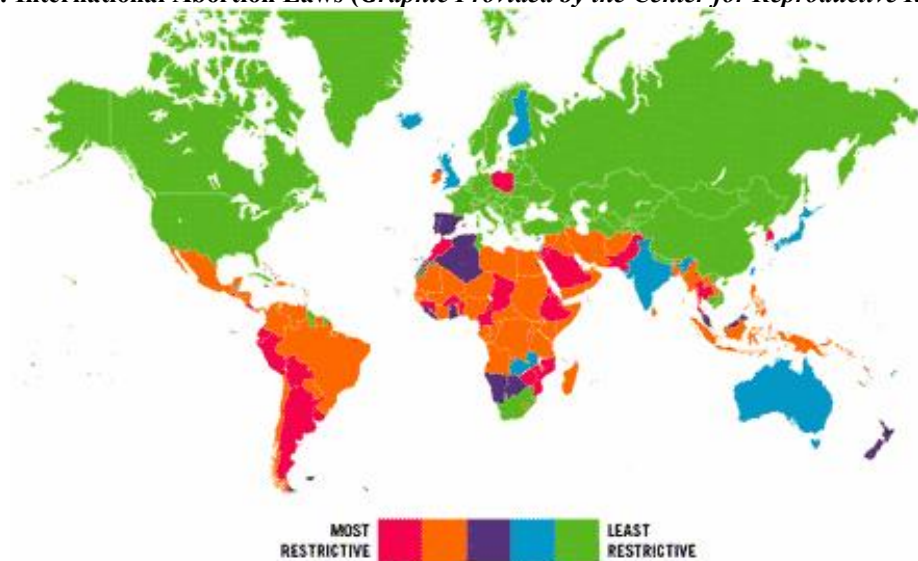
### **Study Guide and Discussion Aid**

*“No one person holds the whole truth about anything. And listening to so many conversations of pro-choice and pro-life people, I came to really believe that [there is] tremendously important truth in both positions. And for the society really to become wise about this issue, none of this truth can be disregarded.”*

—Mary Jacksteit (Project Director, Search for Common Ground USA)

*“There are a plethora of reasons why women choose abortion. Sometimes we say the three main reasons for an abortion are rape, incest and me. So many women felt they would never have an abortion until they found themselves in that particular situation. And they say to me, my situation’s different.”* —Allison Hile (The Hope Clinic for Women, Granite City, Illinois)

**Figure 1: International Abortion Laws** (*Graphic Provided by the Center for Reproductive Rights*)



- I. Illegal: Red** (72 countries, 26% of the world population) still implement highly restrictive abortion laws, either criminalizing abortion all together or only allowing it to save the life of the mother
- II. To Preserve Physical Health: Orange** (35 Countries, 10.1% of World's Population)
- III. To Preserve Mental Health: Purple** (20 Countries, 2.7% of World's Population)
- IV. Socioeconomic Grounds: Blue** (14 Countries, 20.7% of World's Population)
- V. Without Restriction as to Reason: Green** (54 Countries, 40.5% of World's Population)

## I. The Arguments

A person who does not support abortion can claim:

- Abortion is not just a woman's question; it affects everyone. Therefore, arguments that say abortion is just between the woman and her body are false.
- Abortion is the taking of a life, and therefore can be neither moral nor legal.
- Because abortion *may be* the taking of an innocent life, we cannot grant abortion legal status or protection.

A person who does support abortion can claim:

- Abortion is not a question of morality; rather, it's a question of personal autonomy. The woman has the right to say: It's my body, it's my decision and, most importantly, it's my right.
- Abortion is morally acceptable because a fetus is not a life in the same way that a person who has been born alive is a life. Abortion is not the taking of a life; therefore, abortion cannot be prohibited on a moral basis.
- I haven't decided whether abortion is a question of morality or not, but if I can't decide, then nobody else has the right to make that decision for me.

## II. Beyond the Politics

*I think we're really damaged by our constant turning things into black and white in this country. It's red state, blue state, east coast intellectual versus, evangelical or Christian right. Even the labels that we use to talk in this movement are really difficult and very divisive.* —Barbara Becker (Founder, EqualShot Communications)

*The pro-lifers keep saying, "It's a baby, it's a baby." That's the one theme they keep hammering. Whereas pro-choicers will say it's a woman's choice. And you'll notice that those arguments don't engage each other; they just shoot right past each other. So neither side is answering the concerns of the other.* —Frederica Matthewes-Green (Author, REAL CHOICES)

1. This video is titled: "Beyond the Politics of Life and Choice." In your mind, where does the issue of abortion lie, if it is in fact 'beyond' politics?
  - In what way *can* these two 'sides' engage each other?
2. Why do people talk past each other when they engage in the abortion debate?
  - How do the labels, "pro-choice" and "pro-life," contribute to this problem?
3. Is abortion an inherently moral, or inherently legal, issue?
  - Can it be seen as both?
  - If some consider abortion a legal question and others consider it a moral question, how do we navigate between these oppositions?

### III. ‘Baby or Not?’

*When does the life of a new human being begin? It is a question that can be resolved by science, and has been resolved by science. We find, without any real doubt, that a new human being comes into existence at fertilization, and begins a process of self-directed development.* —Dr. Robert George (McCormick Professor of Jurisprudence, Princeton University)

*If terms like personhood are going to stumble us, then let’s not talk about that. We can all agree that whatever it is, it’s alive, it’s unique and it’s human.*—Frederica Matthewes-Green (Author, REAL CHOICES)

*“I wasn’t killing a child. I was having an abortion within six weeks was how I viewed it.”*—Marilyn Mandell

4. Much of the abortion debate centers on the question, “Is it a life?” How do you decide?
  - Is the answer to this question absolute? Does it have to be?
5. Dr. Robert George says that this is a question that can be resolved by science. How do you respond to this claim?
6. If we agree that a fetus in the womb is “unique and human,” does that necessarily make it immoral to terminate a pregnancy?
7. Can defining a human life be dependent on more than science? Does the potential for life make a zygote alive? Does the potential for a fetus to become a human make it human now?
8. How do you take the abortion debate out of the realm of “life” or “not a life”? Are there other issues at stake, regarding abortion, that are similarly pressing?
9. Abortion is a reality, even in countries where it is illegal (see page 6 for statistics). If abortion is legally considered to be the taking of a human life, should the woman who undergoes the abortion face criminal charges? Should the father of the aborted child be subjected to similar penalization?
10. If we could answer this question, “baby or not?” would the controversy surrounding abortion be solved? Why or why not?

#### IV. *Abortion in the Courts*

##### **Roe v. Wade**

In its 1973 decision in *Roe*, the Supreme Court recognized that a woman's right to decide whether to continue her pregnancy was protected under the constitutional provisions of individual autonomy and privacy. For the first time, *Roe* placed women's reproductive choice alongside other fundamental rights, such as freedom of speech and freedom of religion, by conferring the highest degree of constitutional protection ("strict scrutiny") to choice.

##### **Planned Parenthood v. Casey**

In *Planned Parenthood v. Casey*, the court rejected a request to overturn *Roe*, stating that "the essential holding of *Roe v. Wade* should be retained and once again reaffirmed." In so holding, the court placed great emphasis on the importance of precedent, noting, "[a]n entire generation has come of age . . . free to assume *Roe's* concept of liberty," and that "[t]he ability of women to participate equally in the economic and social life . . . has been facilitated by their ability to control their reproductive lives."

The Court, however, did not leave *Roe* unchanged. Finding that the trimester framework adopted in *Roe* undervalued the State's interest in potential life by limiting its expression prior to viability, the plurality replaced *Roe's* strict scrutiny standard of review with the less protective "undue burden" standard. The joint opinion stated that "[a]n undue burden exists, and therefore a provision of law is invalid, if its purpose or effect is to place a substantial obstacle in the path of a woman seeking an abortion before the fetus attains viability." Applying this test, the Court struck down Pennsylvania's spousal notification provision, but upheld a requirement that doctors furnish state-mandated information 24 hours prior to an abortion. (*Center for Reproductive Rights*)

*If Roe is repealed, it doesn't make abortion illegal. It would return the decision to the States. It would still be legal in the biggest, most populous cities. People would be able to travel to those cities if they wanted to.*—Frederica Mathewes-Green

11. How should abortion laws be decided? In the United States, should every state adhere to federal laws on abortion (uphold *Roe*), or should it be localized (decided on the state level)?
12. Does it matter whether the legislature deciding on issues of abortion is largely male? (See page 1 for statistics on abortion laws—take into account that in many of these countries, women are the minority in political power).
13. Is returning the decision to the states a satisfactory solution for either side?

- If abortion is in fact a question of life or death, does overturning *Roe* and therefore allowing local courts to decide on the issue support the pro-life agenda?

## V. Who Decides?

*Abortion was the greatest invention of men to exploit women. There's no other way to put it. A male could now have unsafe, unprotected, irresponsible sex. If the woman got pregnant, he could say have an abortion. If she chose not to, he could say "Look, you chose. It was your choice. I don't want to have any role in this kid's life."* —Ryan Anderson (Graduate Student, Princeton University)

*This whole attempt to separate men from the issue, even sometimes by women themselves, the fact of the matter is, is that abortion is a male topic. It's not a female topic. Women have never had the legislative or theological positions to sit down and say, "How shall we decide this?" I always say, everything that's written about us, is written without us. And so consequently, when those laws come down, they come down on the heads of women.*—Sr. Joan Chittister, OSB (Author, Peace Activist, Benedictine Sisters of Erie, PA)

*There are pharmacists around the country, who are refusing to fill women's prescriptions for ordinary contraception. This is in the same country where I am certain there are not men walking into drug stores with their Viagra prescriptions, being quizzed about whether they're married and open to procreation, and who are not running into any of this resistance in terms of filling prescriptions. Why women? Why birth control?* — Angela Bonavoglia (Journalist, Author, *Good Catholic Girls*)

14. Is abortion an inherently gendered issue? Should it be?
15. If a woman decides to have an abortion, is she obligated, under all circumstances, to inform the father?
16. What support systems can be put into place for single mothers? If abortion is made illegal, should there be consequences for the father who does not see the baby to term?
17. In what ways can we guarantee that men be held equally responsible for unwanted pregnancies?
18. What happens if the mother doesn't want to keep the baby, and the father does? Or vice versa? Who decides?

## VI. Poverty, Race, and Abortion

*A young woman who has her first child when she is a teenager has an eighty percent chance of living in poverty her entire life. In the State of Missouri a woman who has a*

*baby and wants to go to work, if she makes more than six dollars and fifty cents an hour, can't receive any subsidies from the state for child care expenses.*— Rev. Rebecca Turner (Executive Director, Missouri Religious Coalition for Reproductive Rights)

- In 2005, 37 million people were in poverty, not statistically different from 2004. The official poverty rate in 2005 was 12.6 percent
- Among Blacks, the poverty rate is 24.9 percent, and Hispanics, 21.8 percent.
- The poverty rate in 2005 for children under 18 was 17.6 percent; from 18-to-64-year-olds, 11.1 percent. For people 65 and older, it is 10.1 percent. *U.S. Census Bureau, Housing and Household Economic Statistics Division*

*I've volunteered at a shelter in New Jersey for abused and neglected children. And their parents didn't want them, and didn't love them. And not only didn't love them, but went out of their way to hurt them. And so, if you find life to be sacred....*—Lexi Gelperin (Pro-Choice, Princeton University).

*What if the state doesn't prevent you [from getting an abortion], but you don't have the means to get to a provider? But I think even more importantly, why is this woman in a position where she has decided she has to have an abortion? She can't have this pregnancy. And if it's because she doesn't have the money to take care of a child, but she would like to have the child, she's just not experiencing reproductive freedom even if she legally can get an abortion. . . . Even with legal abortion, black women suffer more, because it's not freely available.*— Professor Dorothy E. Roberts (Kirkland & Ellis Professor, Northwestern University Law School)

19. Is abortion OK in some circumstances, but not in others?

- Some countries allow women to have abortions on socioeconomic grounds. Is this acceptable?
- Should a woman's ability to support her child factor into her decision to have an abortion or not?
- To what extent are we responsible for the continued welfare of children and babies, beyond protecting them in the womb?

20. Unfortunately, there will always be unwanted pregnancies—and in some cases, these pregnancies will lead to unwanted babies. How can society help to address this problem, when it is so centrally linked to situations of poverty? Is sexual education an adequate response?

21. Are there ways to motivate people to properly care for their children?

- Can a person be a good parent to a child she never intended to conceive?
- What support systems should be put into place for these children, and these parents?

22. In what ways are poverty and unwanted pregnancies related? If abortion continues to be a legal option, how can we improve the access of poor women to this option?

23. As Frederica says, the answer to eliminating poverty is not simply to “get rid of poor people.” What are some ways that poverty can be addressed in your own communities?
24. As Professor Roberts says, a woman who wants to raise a child but doesn’t have the economic means to do so is not experiencing “reproductive freedom.” Do pro-life individuals therefore also support “reproductive freedom” if they agree that a woman should be able to have and care for a child? How do pro-choice people feel about Professor Robert’s implication that women of color may be forced to have an abortion they don’t want?
25. If reproductive freedom can mean both the ability to terminate a pregnancy and the decision to sustain it, what does this tell us about the terms we use to engage in the abortion debate?

## **VII. Religion, Contraception, and Sex Education**

Before *Roe*, between 200,000 and 1.2 million illegally induced abortions occur[red] annually in the United States. As many as 5,000 to 10,000 women died per year following illegal abortions and many others suffered severe physical and psychological injury. (*Center for Reproductive Rights: Lawrence Lader, Abortion 3* (1966); Cates & Roach, *supra*, at 86-92)

*Being a minister, I’ve been challenged on this: [People] say, “Well are you encouraging young people to have sex?” No. What I’m saying is, if they’re going to be sexually active, these are the things they must do to protect themselves. The government seems to think just saying no is the answer. But we’ve seen just what saying no does.* — Reverend Carlton Veazey (President of the Religious Coalition for Reproductive Choice)

*I have a sister, for example, who is a Christian, as I am. I am a Christian, and we disagree on this topic. She thinks abortion is a sin, and it’s wrong. I believe in supporting pregnant women so they can have healthy children. But the idea that you can force a woman to have a child that she doesn’t want to have; I just think that’s wrong.* — Professor Dorothy E. Roberts (Kirkland & Ellis Professor, Northwestern University Law School)

*The ideal world would be one where there would be no unwanted pregnancies. And yet it’s so interesting that the people that claim they’re so anti-abortion are the ones that are against sexual education—comprehensive sex education—and contraception; making it available.*—Dr. Daniel C. Maguire (Professor of Moral Theology and Ethics, Marquette University)

26. Religion obviously plays a large role in shaping the abortion debate. But if religion is legally regarded as a question of personal autonomy, how large a role *should* it play in steering this discussion for our society at large?
27. Even if a person does not consider herself religious, that does not imply that she holds a disregard for life. Similarly, a person such as Dorothy can consider herself religious and yet remain pro-choice. In the face of these discrepancies, can religious conviction, or lack thereof, explain pro-life sentiments or pro-choice leanings?

“[In the Netherlands,] **the abortion rate fluctuates between 5 to 7/1000 women of reproductive age, the lowest abortion rate in the world. [...]** These changes and the introduction of modern contraception effected a breakthrough in family planning and sexual morality [...] Factors facilitating the rapid transition to a contraceptive society in the Netherlands were a voluntary family planning movement, fear of overpopulation, role of general practitioners in providing family planning services, and **inclusion of family planning in the national public health insurance system.** Acceptance of contraception preceded liberalization of abortion. Society accepts abortion as only a last resort [...] **Special family planning programs in the Netherlands target groups at risk of unwanted pregnancy, particularly teenage pregnancy.** Almost all secondary schools and about 50% of primary schools address sexuality and contraception. **Sex education has largely been integrated in general health education programs.**” (From "The Low Abortion Rate in the Netherlands Explained," The National Library on Medicine and the National Institutes of Health.)

28. Is it appropriate for schools to educate children and teens on safe-sex practices?
- Given the statistics from the Netherlands, sex education is clearly an important factor in curbing the rate of unwanted pregnancies. In what other ways can lowering this rate be accomplished?
  - Does encouraging safe sex in some way validate, or legitimize, sex itself?
  - What other methods can society use to curb the rate of unwanted pregnancy?

### ***VIII. Navigating Relationships in the Face of Disagreement***

29. What do you take away from the Angie and Barbara story at the end of the film? What would it take to have a meaningful and respectful relationship with someone who totally disagrees with you on the issue of abortion? Could you see this happening in your own set of circumstances?
30. Given that these issues have proven to be so divisive, in what ways can we work to encourage respect and tolerance for opinions different than ours?

*“Out beyond wrong-doing and right-doing there is a field. I’ll meet you there.”*  
*–16<sup>th</sup>-century Sufi poet Jalalud’ din Rumi*