

All Saints Church
Pasadena, California

ABORTION---THE COURTS, THE CHURCH, THE CONSCIENCE

A sermon preached by Dr. George F. Regas, Rector
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Abortion is a highly charged and complex issue. Unquestionably, it is the most emotional issue of politics and morality that faces the nation today.

On July 3rd the Supreme Court rendered a decision on abortion that will plunge our country into the most corrosive political struggle it has experienced since the brutal debate over the Vietnam War.

William Schneider, the respected editorial writer for the Los Angeles Times, says abortion may be the Vietnam of the 1990's. The Supreme Court's decision rolling back abortion rights parallels the Gulf of Tonkin Resolution. For millions of Americans, this means war. He writes, "Vietnam poisoned U.S. politics in two ways. It set liberals against conservatives. And it created mass indignation... anger and revulsion in the general public. The same is likely to happen with abortion."

Very few of us are neutral in our sentiments about abortion. Yet I sense Americans are deeply troubled. Most Americans want abortion to be legal and safe. They respect the freedom of a woman to choose whether or not she is to bear a child. But most Americans are concerned that we not create an abortion culture, that abortion not become just another method of birth control.

With 1.5 million abortions each year – 4,000 a day – the issue becomes a profoundly pastoral one for me as your priest, for it means that the lives of many of you in this church today have been touched personally by abortion over the years.

Some of you have talked and struggled with me as you made your way through the agonizing decision to have an abortion.

Some of you have revealed to me those deep, tragic scars on your spirit, the immeasurable pain and trauma, that was produced by "back alley" abortions before they were safe and legal.

I know children who are now part of this congregation because, in the honest and prayerful struggle with the question of abortion, women – some married, some single – decided to carry a child to maturity and birth. They have all expressed profound gratitude that abortion was a safe and legal option.

I know women in this congregation whose lives were literally saved from unraveling emotionally and who were given a chance for healthy, mature living because legal, safe abortion was an available choice which they accepted.

Oh, the struggles, the sadness, the grief, the ambiguity of it all. And Christ's promise to heal and redeem our decisions.

As the fierce debate on this unyielding dilemma of abortion breaks across the American landscape, I want to share some of my convictions and my doubts. We are bound together by Christ's love in this Community of Faith. There is space for struggle, for conflict, for exploration, for listening and for loving those who disagree with us.

First, the legal issue.

The Supreme Court's landmark ruling of *Roe v. Wade* in 1973 made abortion on demand legal in this country within the first and second trimesters.

That 1973 decision protects a woman's right to choose abortion in the early stages of pregnancy and gives the states the right to protect the potential life of the fetus in the later stages of pregnancy – or, as the court said, when the fetus is viable, capable of living outside the womb. The medical and scientific communities have consistently said a fetus is viable no earlier than 24 weeks.

What really happened on July 3rd with the Supreme Court's ruling upholding the Missouri law on abortion?

A very divided Court opened the way for states to limit a woman's access to abortion – allowed states to place more and more limitations on abortion. However, this decision stopped short of overturning the *Roe v Wade* ruling that made the practice of abortion legal in America.

Justice Harry Blackmun, the author of the 1973 ruling, called the July 3rd decision of the Court Ominous. He wrote, "I fear for the future. I fear for the liberty and equality of millions of women..." He said that a woman's fundamental right to choose abortion had survived, but that it wasn't secure. "The signs are evident," he wrote, "and very ominous, and a chill wind blows."

The Supreme Court's ruling on July 3rd is an attempt to force abortion policy out of the courts and into the political arena – into 50 state legislatures. Justice Scalia wrote that abortion is "a political issue" more than a legal one. So from now on state legislators will grapple with those ethical, medical, and legal complexities that even the Supreme Court couldn't solve. Walter Dellinger, Professor of Law at Duke University, said, "Virtually all the power in legislatures is held by men who will never be affected by the restriction they impose." Yet their conclusions will have a profound effect upon one of the most important and intimate decisions of a woman's life.

There is a story of three professional people arguing about whose was the first profession on earth. The argument involved a surgeon, an architect, and a politician. The surgeon said, "I had to be first. The Bible says that out of the side of Adam God took a rib and created Eve. That takes a competent surgeon." The architect said, "No, you are wrong. I had to be first because the Bible says that out of the chaos God created and fashioned this marvelous universe." The politician said, "Oh no. I was first. Who do you think created the chaos?"

The politicians in the state legislature in Missouri are saying, “The life of a human being begins at conception.” They will require a test at 20 weeks to see if the fetus is viable, even with the medical community solid and unmovable in its position that all evidence says a fetus isn’t viable before 24 weeks.

This is playing to the anti-abortionist forces that have publicized the position that abortions are being done very late. Politicians have been convinced that late term abortions are commonplace enough to warrant restrictive legislation. Some anti-abortion activists have been very clever in creating the myth that women have abortions right up to the time of delivery for frivolous reasons. The facts are clear. 90% of all abortions are done before the 13th week of pregnancy. Less than 1% of all abortions occur after the 20th week – and most of them are for urgent medical reasons.

Missouri is one of the many states that restrict funding for most abortions – leaving poor women and many young teenagers to scrape together enough money to terminate unwanted pregnancies. Only New York and California and a few other states provide funds for abortion. Now Missouri says no public facilities can be used. It hits the poor the hardest. The statistics reveal that 33% of all abortions in the United States were for women whose family annual income is \$11,000 or less. Restrictions on abortion will make it more difficult for middle class America, but these women will find a way to abortion if they desire it. But the poor suffer. They are forced to bring another child into their abysmal poverty.

Some states also seek to ban abortions from all clinics and require a hospital setting. Now 83% of abortions are safely and inexpensively performed in clinics. This requirement would quadruple the cost to around \$800. It’s one more effort to make abortion less accessible – especially to the poor.

The Constitution guarantees a woman the right to exercise some control over her unique ability to bear children. The Supreme Court on July 3rd ruled that the right to decide belongs increasingly to politicians. On the steps of the Court, Faye Wattleton, national head of Planned Parenthood, asked rhetorically about these constitutional guarantees: “When did it become a political matter whether Americans have privacy? When did it become a political question whether women had reproduction rights? When did it become a political question whether poor people have the same access to the constitutional rights as the rest?” The answer to the “when” was easy: July 3, 1989. And yet, as Justice Robert Jackson once said, “The very purpose of the Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of ... officials and to establish them as legal principles. One’s right to life, liberty and property ... depends on the outcome of no election.”

We lost that on July 3rd, 1989.

Whether you are pro-choice or anti-abortion, you do not have the right in this diverse, pluralistic society to force your beliefs and opinions on others. There can never be a just law requiring uniformity of behavior on the abortion issue.

From my perspective, that is what the Roman Catholic Church and the Religious Right are attempting to do on abortion. The late Cardinal Cushing of Boston was referring to the birth control controversy, but his words are relevant for our present strife. "Catholics do not need the support of civil law to be faithful to their religious convictions, and they do not seek to impose by law their moral view on other members of society." May his spirit prevail.

Many of us have deep religious feelings about abortion about the moral quality of the individual decision for an abortion; but I believe it is critical to distinguish how I might judge the act of abortion morally and what I believe a society-policy on abortion should be. Whatever my views, the woman must be the moral agent in that decision.

Second the moral dilemma.

The moral issue is the sanctity of life. The reason the debate is so acrimonious is that both sides share in the ethical principle of the respect for life. But the sanctity of life doesn't end the debate, for we must deal with two sanctities at times – the fetus and the mother.

Let me state the two extremes of the debate.

The anti-abortion forces are declaring more and more that human personhood begins at conception – so that aborting a fetus is, to them, no more acceptable than any other form of murder. Randall Terry's organization, called Operation Rescue, met last week for a rally at the First Nazarene Church in Pasadena. They are committed to closing down abortion clinics. Terry, who has been arrested in city after city, continues to push his organization on with increased vigor. He says, "We're calling on thousands of pro-life Americans to peacefully blockade these killing centers with their bodies to prevent children from dying, and we will launch an equal force against state legislatures to chip away at the Roe decision legalizing abortion."

At the other extreme, some in the pro-choice forces feel a fetus is a mass of dependent protoplasm to be extracted without regret. Abortion is merely the flushing away of a mass of tissue.

Both of these extremes fall short.

When does human life begin? When is there a living human person? That is not a biological fact to be discerned; it is a theological perception. To say the fetus is not alive, not a living reality, is absurd. From the moment of conception, it is a growing life within the uterus. But to say at the moment of conception there is a human person is equally absurd. So I seriously question both of those positions.

I believe there is life at conception, and that it is life at a special time in its development – part of a continuum that begins in the uterus, emerges as a human being at birth, passes through childhood, adolescence and adulthood, and ends in death. The fertilized egg is human personhood – though it cannot be called a human person at that early moment. Such a distinction is basic even to conservative theologians, like Dr. John R. W. Stott, who comments that the

decision to abort for reasons of a mother's health involves a choice "between an actual human being and a potential human being."

The anti-abortion people want to erase all distinctions between potential life and actual life. Yet in reality only one out of ten people believes abortion is murder. I've never heard anyone urge the same punishment for a mother who aborts a fetus as one who murders a three-year old child.

A few years ago, I used the phrase "casual abortion" in a sermon. Two women whom I respect and care about deeply came up to me following that service and said, "George, how many women do you know personally who took the decision to abort a fetus casually?"

I knew none! Over my 33 years in the ordained ministry, I've talked with many women who made the decision to have an abortion. None looked at the issue casually or flippantly. Often it was traumatic. Many times burdened with heavy guilt. Always a troubled spirit. Frequently, desperation pushed them on. Most of these women respected a growing life within them. That gradual development of a human being was going on from the moment of conception – however unwanted the pregnancy, however cruel or grotesque the sexual experience had been. Among the women I have talked with there has always been a basic respect for the sanctity of that unborn life. That is why abortion is a trauma, a tragic last resort.

But there are moments when a woman decides abortion is her only way. Without it life would just come apart for her. She simply is unable, no matter what, to have this baby. The realities around giving birth to that growing fetus are so bleak and devastating, they harshly close out the possibility of having the child.

For many women, the decision to have an abortion is one of the most important decisions they ever make. Two sanctities, two ethical concerns about life are there: the sanctity of the potential human person in all its wonder and glory; and the sanctity of a mother's life and her moral decision over her own body. She struggles with the quality of life she could offer the baby at birth, the impact of that birth on the already existing web of her other responsibilities and relationships and her own mental health and well being.

I am not pro-abortion – but I am passionately pro choice. I believe a woman is the moral agent deciding the use of her body; she should have the choice of carrying to maturity her pregnancy. As a theologian, I see no way the moral status of a fetus can be of greater moral standing than a pregnant woman deciding her destiny.

Third, it is a question of the individual conscience.

I refuse to give over the moral issue of abortion to the Roman Catholic Church and the Religious Right. How then do I delineate the moral dimensions of this complex human dilemma?

The freedom of choice is a deeply theological issue. In creation, God gave us the freedom to choose. What shall a woman do with body – her life? That freedom of choice is central to what it means to be a human being.

You may disagree with abortion. But I believe it is terribly unwise for a religious community to try to force the population to conform to its religious tenets. That is exactly what many in the Roman Catholic Church and many of our fundamentalist friends are attempting to do on abortion – impose through state legislatures their value systems on society as a whole.

You may have your reservations about abortion and strongly disagree with a person's moral interpretation for aborting a fetus. However, I think it is an immoral act legally to force a society-wide policy on abortion on this radically diverse and pluralistic nation.

There may be times I would disagree with the reasons for abortion. Yet even though I may be in disagreement with an individual decision, I still believe it is immoral to force a woman to have an unwanted baby. It's the woman's choice. The wishes of the pregnant woman are the compelling factor. Whatever our views are, the woman must be the moral agent in that decision.

Prior to the 1973 Supreme Court decision that made abortion on demand legal, a woman often chose to risk her life in order not to have an extra child that would destroy her family's ability to cope or that would bring about an unmanageable crisis within her life. There were some ghastly practices used when surgical, safe abortions were not available. I have seen the emotional scars on women who years ago went to the back alley butchers for an abortion.

The radical nature of the methods once resorted to speaks of the desperation involved in unwanted pregnancy. There is something vicious and violent about coercing a woman to carry to term an unwanted child. To force the unwanted on the unwilling, to use a woman's body against her will and choice, is a kind of legalized rape that is morally repugnant.

The growing restrictions that state after state will place on abortion, which in many instances re-criminalize abortion, will not reduce the instances of abortion. Women will continue to put their lives at risk to terminate a pregnancy they do not want. New restrictions will only put poor women in a more desperate place and leave all women who have taken this risk more mentally scarred for life. I cannot believe such action reflects a moral society.

Fourth, a way out.

As a priest of the Church and as an ethicist, I want to stand up and be counted as pro choice, keeping abortion legal, safe and available to all – rich and poor alike. But I seek a society in which abortion is less and less necessary. We live in a society where there is one abortion to every three live births, so count me among those who favor public policies that will reduce the number of abortions without coercing women. The only way that is possible is to create a different kind of nation.

The society we seek must have as its primary agenda the rights of the born, the improved quality of life for those who come into this marvelous world, adequate care and protection from the first stirrings to the final groans. My grievance is severe with so many of the anti-abortion advocates who demand justice for the unborn, but who also advocate the dismantling of social programs that provide a decent life for children once they enter the world.

Some politicians speak eloquently of their concern for the innocent fetus, but it is the cruelest irony how so many of these anti-abortionists have no interest in the things that make that newborn child healthy and beautiful. It's brutal to force a poor mother to have a child and then deny her healthy prenatal care. For many poor people in America, life begins at conception and ends at birth. If we are to reduce abortions, we must reaffirm by work and action the rights of the born.

The society we seek provides good, affordable child-care so a woman can have children and still work, a society where her wages are just and she is able to climb out of the "feminization of poverty", a society where men accept an equal responsibility for the care and nurture of children.

The society we seek doesn't flaunt and exploit sex at every turn. Vast numbers of adults today participate in the devaluing of human sexuality by separating sex from love and commitment. Can we embrace sex in all its mystery and loveliness as sacramental? Yes, passionate, ecstatic life but a sexual love where a whole life is shared with the readiness to exercise self discipline and to bear the children of that love.

The society we seek is one where greater scientific effort goes into developing safer and more reliable birth control, as well as where the highest commitment is made to have this contraceptive information and these contraceptives available to all people. Today 50% of all teenagers are sexually active. I believe that reality is a very unhealthy phenomenon in our culture. There are many complex dimensions to teenage sexual activity. However, only 33% of teenagers use any birth control method consistently. Add to this the fact that 25% of all abortions are among the teenage population. Condoms prevent pregnancy and protect people from transmitting the AIDS virus. It's immoral not to act with urgency in getting contraceptives to teenagers who are sexually active.

The society we seek says life is sacred everywhere, for if it is cheap anywhere, it is cheap everywhere. The right to life pertains to the unborn, but it is also extended to prisoners on death row, the poor and elderly in urban ghettos, and all the children of this planet that live under the frightening shadow of the nuclear bomb. All have the right to life.

President Nixon was extremely vocal in his support of the anti abortion movement in the spring of 1971, calling for the sanctity of life and denying legal abortion to women. He did that at the very time he was ordering the most ferocious carnage of the Vietnam War.

Only as we see every human being across this planet as a sacred person to be cherished – only then will we see emerging a society where abortion is less and less a necessary option.

That, dear friends, is where I am on the highly divisive issue of abortion.

May God correct me where I am in error, and may all of us be spared the arrogance of thinking there is one final answer to this ethical question. I offer these thoughts only as a guide to your won exploration of this complex issue.

So with hearts that feel and brains that think, let us continue to walk as disciples of the Christ. And for me, at this moment in time, that means to stand up for pro choice and join my life in solidarity with women who claim the moral responsibility over their own bodies. May God direct our efforts and illuminate our path.

Amen.