

Chapter Seventy-Seven

Do We Violate the Commandment of “Thou Shall Not Kill” by Allowing Abortion?

Technology allows yet another modern advancement that was not really known in biblical times—a safe, elective abortion. Many fundamentalist Christians believe that abortion should be criminalized. Abortion was illegal in most states in this country until 1973, when the US Supreme Court, in the famous *Roe v. Wade* decision, ruled that a woman’s decision to abort her pregnancy, at least during the first trimester, is a guaranteed constitutional privacy right. The court therefore struck down any and all state laws criminalizing first-trimester abortions. The issue of abortion rights continues to be controversial and the subject of much angry political and ethical disagreement in the United States.

Legally, the issue has now become about how far and how extensively the government should be able to regulate abortion services, even if it cannot prohibit all of them outright, at least very early-term abortions. As with the 2nd Amendment right to bear arms, opponents try to regulate the exercise of the right, with the staunchest opponents attempting to regulate the right out of existence. Each court fight is often over the constitutional reach of such regulations.

Although there is widespread disagreement on whether abortion is murder, there is no disagreement that the killing of a human being that already has been born is murder. Some countries, and many US states, further criminalize the abortion of a viable fetus that is near birth, usually if it is done at some late stage in the last trimester of the pregnancy; however, very few countries, and no US states, legally consider an abortion to be murder if it is done fairly early in the pregnancy, well within the first trimester.

The reason many fundamentalist Christians, as well as various other religious groups, consider abortion to be murder is that they believe life begins at the moment of conception. They believe that a complete human life as we know it begins that instantaneous moment when the male sperm permeates the female egg and the process of cell division into a human being begins. A passage in the Bible that is sometimes quoted to support the notion that life begins at conception is Psalms 139:13–16:

[13] For thou hast possessed my reins: thou hast covered me in my mother's womb.

[14] I will praise thee; for I am fearfully and wonderfully made: marvellous are thy works; and that my soul knoweth right well.

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[15] My substance was not hid from thee, when I was made in secret, and curiously wrought in the lowest parts of the earth.

[16] Thine eyes did see my substance, yet being imperfect; and in thy book all my members were written, which in continuance were fashioned, when as yet there was none of them.

Also, many Christians would argue that the passage in Exodus 21:22–25 (below) applies not only to infanticide (the killing of a viable late-term fetus, such as a person punching a pregnant woman in the stomach to harm or kill the fetus) but also to abortion done at *any time* during the pregnancy, by either someone committing a physical assault against a pregnant woman, or by the pregnant woman herself, so that both infanticide and abortion would be murder:

[22] If men strive, and hurt a woman with child, so that her fruit depart from her, and yet no mischief follow: he shall be surely punished, according as the woman's husband will lay upon him; and he shall pay as the judges determine.

[23] And if any mischief follow, then thou shalt give life for life,

[24] Eye for eye, tooth for tooth, hand for hand, foot for foot,

[25] Burning for burning, wound for wound, stripe for stripe.

The entirety of the abortion debate as a religious, historical, and public policy matter in this country is well beyond the scope of this book; however, I raise the debate here as an interpretive matter to question whether most Christian fundamentalists actually believe that life begins at the moment of conception and, as a result, that abortion is necessarily the equivalent of murder and should therefore be criminalized. Some fundamentalists, sincere as they are in that belief, do not appear to fully believe all of the related implications of their stated belief.

For example, shouldn't those fundamentalists who believe in the death penalty for premeditated murder also believe in the death penalty for both abortionist doctors *and* any pregnant mother who has chosen to have an abortion? If an abortion is truly a murder of a human being, then along with the abortionist murderer, isn't the pregnant woman also guilty of murder? Wouldn't all health care and/or hospital personnel participating in the abortion also be murder accomplices, and any supportive family and/or friends of the mother? Consider the full implications. Should a mother who wants to murder her child be able to hire a certain type of "hitman" (an abortionist) such that only the "hitman" and not the mother herself, is guilty of the murder? After all, she hired the hitman to commit the murder.

Many fundamentalists do not believe that the mothers of aborted fetuses should be punished so harshly or receive anything near the death penalty. Instead, they tend to focus only on making abortion itself as a medical procedure illegal so it should not be offered by hospitals and health clinics, and perhaps on making the abortionist doctors, at most, the ones who receive any criminal punishment. But if an abortion is really premeditated murder the same as the murder of a two-year-old child by its mother, who has made a premeditated decision to stab the child to

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death; shouldn't the mothers in both cases receive the same harsh criminal punishment for the same type of premeditated murder of a human life? What could justify this inconsistency in fundamentalist beliefs if they really believe that an abortion is truly the same as, say, the murder of a four year-old child?

An even a more curious inconsistency is when fundamentalists allow an abortion exception in cases of rape and incest. I can appreciate their Christian compassion and understanding for the mother in allowing such an exception, but it raises an important issue. If abortion is murder, then why should it be allowed simply based on the criminal decisions made by the fetus's father before the fetus was ever conceived? If a father raped and impregnated his fourteen-year-old daughter and when their resulting child was one year old, the mother-daughter decided to hire someone to stab their baby to death, would people who believe abortion is murder really say that stabbing a one-year-old to death should be allowed because the mother had been raped by her own father a year and nine months earlier and conceived the child as a result? Why should the method of conception matter so much? Why would it be murder to kill a child if that child's parents had consensual sex but *not* murder to kill a child if that child's father incestuously raped the child's mother? The fact that this inconsistency exists demonstrates that fundamentalists who allow for a rape or incest exception must not really believe their own argument that human life truly begins at conception. If they do believe that life begins at conception but still would allow for abortion in cases of rape or incest, at best, they would have a very seriously flawed, patently unfair, and wholly discriminatory sense of justice, in which it is OK to kill children whose fathers committed sexual crimes against their mothers before the children were ever conceived and born. Understandable compassion for the mother, sympathetic as it is, should not justify murder—should it?

In raising these inconsistencies in the rape/incest exception and the death penalty, it is very disturbing that some fundamentalist extremists would agree that there are indeed inconsistencies and therefore would conclude that they should take some rather extreme, but at least consistent, positions. For instance, they probably would conclude that (1) all pregnant mothers who have abortions should receive the death penalty, (2) abortionist doctors are nothing more than mass murders, and perhaps even (3) abortionist doctors should be hunted down and killed by “defenders” to protect the innocent human life that will be destroyed with every new abortion.

Such extremists actually believe that God would excuse their killing of these doctors in defense of human life, just like God would excuse a soldier fighting in a “just war” trying to resist an actual holocaust or genocide—in this case, the genocide of unborn children. For them, abortionists are evil murders who, just like Adolf Hitler in WWII, must be violently confronted and stopped. It is tragic that such extremists use this logic to justify bombing abortion clinics and killing abortionist doctors, rationalizing that such killing is justified because that is what God would have wanted them to do.

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It is also ironic that they see themselves as totally justified religious heroes doing God's work, but they would see the likes of Osama bin Laden and the nineteen hijackers who flew planes into the World Trade Center and the Pentagon on 9/11 as despicable terrorists who kill in the name of their misguided religious beliefs. They see Jihadist terrorists as murderers, despite the terrorists' religious and political views that the "Great Satan," the United States, perpetrates cultural, economic, and militaristic imperialism that has led to the death and misery of many Muslims, who must be avenged as well as defended and protected in the future, in the name of Allah. Isn't it unfortunate when anyone—Christian or Muslim—uses his or her very passionate religious beliefs to justify such violent actions?

I believe that during a pregnancy, the fetus slowly crosses over from *potential* human life to *actual* human life. As such, it is not murder to abort human tissue that is closer to the conception side of the spectrum, where it is still merely *potential* human life. With every passing moment during a pregnancy, however, that fetus is transforming from potential human life over to actual human life, such that it would be murder to terminate a pregnancy much closer to the birth end of the spectrum because the killing of a prematurely born baby not technically in the womb still would be murder. If the moment of conception is an arbitrary point in time to assume that human life begins, so is the moment when the child passes through the birth canal. Instead of some precise instant in time—either conception or birth—I believe that the manner in which a conceived fetus becomes an actual human life is a much slower *process* that takes place over much of the earlier course of a pregnancy. I disagree that it is only at some precise and very brief moment in time, either just after conception or just after birth, that there is suddenly instant human life when there was no human life just a moment, a mere nanosecond, before.

I admit, however, that it is much easier to grapple with the ethical issues involved if we can simply select a precise moment in time when we consider human life to begin and say that anything before that moment in time is not murder but anything just after that moment in time is murder. Ease of administration should not be such a controlling factor in such a deep ethical issue, however. In fact, why not back up the precise moment life begins to even before conception? After all, human eggs and human sperm are also living human tissue, and some Christians say we are spirits that God recognized and was planning for entry into the world even *before* we were ever conceived (Jeremiah 1:5: "Before I [God] formed thee in the belly I knew thee; and before thou camest forth out of the womb I sanctified thee, and I ordained thee a prophet unto the nations").

So why is it not criminally negligent homicide every time a woman has her period instead of making sure that she gets pregnant according to her religious, life-giving duty? Indeed, would it be criminally negligent homicide if a man masturbates and his sperm dies, as he obviously has no intention of impregnating a female's egg pursuant to his religious, life-giving duty? In short, why is it not murder to purposefully let sperm and/or an unfertilized egg die instead of forming a human being? The Catholic Church and other strict literalists historically have opposed birth control, as well as certain sexual acts that are not sexual intercourse, even between heterosexual

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married couples, to avoid frustrating God’s will and the entire, allegedly sole, reason for sex and marriage, in the first place—procreation.

Because the precise moment when live human tissue becomes human life complete with all attendant human rights is not definitive, as a matter of law, the government cannot and should not impose the religious views of some citizens regarding when life begins onto all other citizens as a matter of law. Instead, the government should leave that decision to us, individually, unless and until it becomes legally definitive that a fetus, at any and all stages in a pregnancy, is an actual human life equivalent to that of someone who has already been born. If some people believe that life begins at conception but others have a religious belief that our purpose in life is to procreate, such that if a man and woman do not always join their available eggs and sperm and their actions would thus be criminally negligent homicide, such religious beliefs should not be controlling on the rest of society. We should not pass a law making it illegal to fail to procreate, even though some people would subscribe to that as a personal religious belief.

Finally, although I may see the development of human life more as a slow and ever-changing developmental process over the course of a pregnancy instead of just as an instant moment in time (conception or birth), one could argue that those who believe that life begins at conception also believe that it is a similar process, albeit a much shorter one. For example, what would happen if we had the technology to perform abortions of human eggs at very precise moments in time that constitute very different stages of an egg’s conception? Would an abortion of an egg be considered a murder if the sperm had penetrated the egg but no cell division had yet begun? What if the sperm had only begun to penetrate the egg’s outer membrane but had not yet penetrated completely—if that partially impregnated egg were to be aborted at that point, would it be murder, or would it be just the removal of human tissue (potential human life, but not yet human life)? What if the sperm had merely *touched* the outside of the egg but had not yet begun to penetrate the egg’s outer membrane at all, even though that sperm would do so shortly and would impregnate the egg if left alone? Would it be murder to abort that egg at that point, which would have been merely *touched* by the sperm at that moment? Would an egg touched by a sperm be human life, or would it at that point be only *potential* human life, where the process has just begun?

People who believe that life begins at conception and therefore think that they are necessarily united in that belief might have very different answers to these questions about the process of conception and at what precise moment in time in the process that human life begins, even though conception is a relatively short process. The ethical questions are the same whether the process is very short (the process of the sperm impregnating egg; conception) or much longer (the process of a fetus developing in the womb over the course of the pregnancy). Just as I do not believe that there is no human life at all and then suddenly, a mere instant after conception, there is human life, I do not believe that there is no human life at all and then, a mere instant later after birth, there is suddenly human life. It is very difficult to draw arbitrary lines in a

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spectrum or in an overall process of constant minute change and development, because a spectrum often is not really conducive to such arbitrary line drawing. That difficulty, however, does not justify the drawing of arbitrary lines to oversimplify the complicated ethical and even scientific and biological issues involved.

This idea brings us back full circle to considering whether we should necessarily enact all of the teachings set forth in the Bible into the secular laws of our society, so let's return to the "God and gays" part of the analysis regarding the legality of same-sex marriages and whether we should try to enact the Ten Commandments into public laws.