

RELIGION, MORALITY AND REPRODUCTIVE CHOICE

Richard S. Gilbert – Clergy for Choice – January 2011

While I do not believe that intimate family matters should play a significant role in political campaigns, it is fascinating to see how they do impact social values and public policy. And this episode once again reminds us that reproductive choice is a moral, religious, and, yes, even political issue. I discovered that reality years ago.

I was minister at the First Unitarian Church of Ithaca and a Chaplain at Cornell University in the winter of 1969 when my colleague David Evans, minister of the First Baptist Church, called me. In those days abortion was essentially illegal in New York State and problem pregnancies were rampant. In 1967 the Rev. Howard Moody of New York City had formed the Clergy Consultation Service on Abortion (CCS), a counseling service for women with problem pregnancies. David asked if I would be interested in forming a similar group in Ithaca. I was.

We brought Howard Moody to Ithaca and subsequently launched the Upstate New York Clergy Consultation Service on Problem Pregnancies in March of 1969. In preparation, we met with obstetricians and gynecologists to learn something of human biological development; with psychiatrists to explore the psychological dynamics; with lawyers to apprise ourselves of the potential legal ramifications; and we had our own theological/ethical discussions.

We developed a counseling discipline, not only to provide effective consultation, but also to maximize our legal protection should that become necessary. We counseled only at our church offices. We required that all women seeking our services must have a note from a doctor indicating in weeks the length of the pregnancy and must complete a counseling form: "(1) My reasons for wanting an abortion at this time; (2) My reasons for or against parental or other family involvement in this decision; (3) The involvement and decision of the other person in this choice; (4) My experience with and feelings about contraception."

In each case, we explored with the woman (sometimes accompanied by her partner) all the options available to her: bringing the pregnancy to term and keeping the child; placing it for adoption; abortion. No specific information was given until we were convinced she had firmly opted for abortion. If the man who impregnated her was there, we tried at some point to speak alone with the woman to be sure this was her decision.

In every case we tried to determine if the woman might qualify for a legal therapeutic abortion in New York State, but that was only if the "life of the woman were threatened" and that had to be certified by two doctors. Through the Clergy Consultation Service on Abortion we had a list of safe and legal alternatives for women seeking abortions. We used only physicians licensed in the state where they were practicing. Each physician had been checked out by someone in the CCS. We would not refer women for non-hospital abortions after 12 weeks. There was England, where abortion was legal. And Puerto Rico. There were doctors in other states where abortion was less restrictive than in New York State. We went over the list of doctors, their requirements and their fees. Some of the women were poor, but we were seldom able to provide adequate financial aid. Arrangements were to be made by the woman herself directly with the doctor. Upon her return, we advised a physical examination by her own doctor, discussion of contraceptives and their use to prevent further unwanted pregnancies. We asked that they report their experience to us.

Our caseload grew quickly. I counseled with 50 women in our 15 months of operation, 17 in one unusually hectic week. It was not pleasant business. Each of us took a week on call, leaving our office phone number on the answering tape of the service. Women from all over New York State and beyond called us.

Those who appeared in my office seemed a microcosm of the nation's social problems: a young college coed whose parents were so sexually repressive that she feared telling them of her pregnancy; a young Cornell couple, seniors heading together to medical school, both intending to be doctors. Their contraceptive had failed; pregnancy now would scuttle their plans for one if not both; they wanted to have children when they completed their professional preparation - to some an abortion of convenience; for them potentially a lifetime career decision; a couple both near 40 who already had five children and could not afford more. There was a Native American woman who had failed to obtain a legal abortion. It turned out we could not help her obtain an abortion; she left my office in anger, threatening suicide. I counseled women whose stories were so heartbreaking that I knew an unwanted pregnancy was only a symptom of much larger personal problems.

From the beginning we agreed that we would combine counseling with advocacy work toward legalizing abortion in New York State. Local Republican Assemblywoman Constance Cook had introduced legislation to repeal the then-current restrictive abortion law. The debate on the Assembly floor was bitter and the vote was close. The legislation passed when Auburn's George Michaels, whose son I knew as a Cornell student activist, changed his mind, risked his career and cast the deciding vote, legalizing abortions as of July 1, 1970. In the next election he was swept from office. To this day I regret not having worked in his re-election campaign.

With a great sense of relief we disbanded in June 1970. It had been heartbreaking to speak with desperate women forced to sneak about like common criminals to exercise their right to control their own bodies. We assumed that the new law would make our consultation service unnecessary. Our relief turned to hope when the Supreme Court handed down its decision in *Roe v. Wade* in 1973. We could turn to other issues, or so we thought. In April, Connie Cook went to the office of the coalition that had supported her efforts. On the locked door she found a sign that said simply, "We Won" - as if to say that the battle was over. That was 1970. The lesson is too painfully obvious in 2008.

The 2008 political campaign has surfaced reproductive issues in yet another way – at mega-church pastor Ric Warren's now famous interviews with John McCain and Barack Obama on how their faith influences their politics. When Warren asked each when life begins, McCain said without hesitation, and to the cheers of the audience. "Life begins at conception." I thought it must be nice to have his utter confidence in the rightness of that conviction on an issue that has baffled saints, sages, scholars down through history.

Obama, in typical liberal fashion, said making a decision like that was, in his words, "beyond my pay grade," meaning beyond his capacity to know for sure. He now believes these words were a bit too flip and acknowledges differences of opinion, all within the right of choice for individuals to decide. The Democratic Party platform has moved from Bill Clinton's words that abortion should be "legal, safe and rare" to an effort to reduce the incidence of abortion, while preserving a woman's right to choose.

Where are we in this conundrum? Values are born out of fundamental religious convictions - the beginning of life is at its root a theological question. And on theology there are bound to be striking differences. Knowing the same essential biological facts, we cannot agree when a single human life begins. That is not susceptible of empirical proof. In arguing from this perspective, anti-abortionists are perhaps without knowing it joining hands with materialists who reduce the human to the biological. Thus it is impossible to argue from the "is" to the "ought" - from facts to values - what ethicists call the "naturalistic fallacy." We might better talk of "person" which includes not only the biological, but also the social and moral status.

Though abortion is a terribly serious issue, there is a "Ziggy" cartoon that gets to the nub of the matter. Ziggy is patiently listening to his pet parrot: "Well, if you go by when my egg was laid, I'm a Sagittarius. But, if you go by when I was hatched." When does human life begin, or, since all sides acknowledge the

fetus is human tissue with at least the potential for human life, the more appropriate question is when does human personhood begin?

The Roman Catholic position has been debated over the years, from Augustine to Aquinas to the 19th century papal encyclical which made abortion a mortal sin. One can sum it up in these words: "It is not up to the biological sciences to make a definitive judgment on questions which are properly philosophical and moral, such as the moment when a human person is constituted. Even if a doubt existed concerning whether the fruit of conception is already a human person, it is a grave sin to dare to risk murder.¹ The rationale is that since we don't know the exact moment of ensoulment, we must assume it is at conception. On the basis of that theological assumption we have the abortion wars that so divide our nation.

If human life begins at conception, does that constitute a moral equivalency among a just-fertilized egg and a mother of 35? How do we balance these rights? At a meeting of the American Society of Christian Ethics, one ethicist confronted delegates with a case of a three-year-old child and an 18-week fetus, each with a dread disease for which there was only a single portion of life-saving medicine in Chicago, whose airports had been closed by a blizzard. John Swomley wrote: "We unanimously concluded that the three-year-old child should get the injection. The moral difference is that the child is among us in a way that the fetus is not. It is a claim based on relationship, rather than a legal point of birth."²

I cannot attribute full personhood to a fertilized egg one mili-second old, which is what the "life begins at conception" argument requires. I cannot equate a fetus 1/5 of an inch long at 4 weeks, 2 inches long at 8 weeks, 3 inches long at 10 weeks (by which time nine out of ten abortions are performed) with a fully human being who has a whole web of relationships with other human beings.

Abortion is an unyielding dilemma. No one person, no one group, has a firm handle on the issue, no matter how emphatic their claims. Each articulation of value is marked with ultimate uncertainty. We do not know and will not know who is "right." It is incumbent upon us, then, to accept the mystery that inheres in human existence, work out human problems as best we can and accept the finitude of our judgment with awe and humility.

Roman Catholic theology is absolute – no abortion save in cases of the so-called "doubt effect" – in trying to save the woman's life the fetus may be destroyed. Some bishops would deny Communion to politicians who support a woman's right to choose – just ask Senator John Kerry or Governor Kathleen Sebelius of Nebraska. One pro-life former political advisor to Ronald Reagan has asked "how can we not support Barack Obama?" He feels the McCain Palin ticket would enshrine the state quo, whereas Obama and the Democrats advocate actually reducing the number of abortions by comprehensive sexuality education and better birth control. John Smiec was admonished for this position at a Catholic Mass as he was denied Communion in person.

Former Governor Mario Cuomo gave a rationale for his Catholic position that, while he personally opposed abortion, he felt as a public official he could not impose his morality on the wider community. The numbers of Catholics favoring birth control and abortion as a last resort is not greatly different from a cross section of the population. Christian evangelicals are all over the map, many opposing abortion but avoiding one-issue politics as global warming, the persistence of poverty and the energy crisis take precedence. Still other Christians believe emphasis should be not only on prevention of unwanted pregnancies, but also public services that support families having children – nothing that many anti-abortion politicians have a poor record in supporting these human services. In all this Christian theologizing about abortion it is interesting to note that Jesus says not a word about it in the Gospels.

This continuing argument between liberals and conservatives on the abortion issue reminds me of a Garry Trudeau Doonesbury cartoon captures our problem as we set our sails in a tsunami of conservatism. Zonker, the 60's liberal, is in the radio studio watching TV. "Fox News: We report, you decide." He responds, "That has to be the most cynical slogan in the history of journalism." His fellow talk-show host, Chase the conservative, chimes in: "Drives you crazy, doesn't it? You know why? Because you liberals are hung up on fairness! You actually try to respect all points of view! But conservatives feel no need whatsoever to consider other views. We know we're right, so why bother? Because we have no tradition of tolerance, we're unencumbered by doubt! So we roll you guys every time." Zonker ponders as Chase pauses, and finally says, "Actually you make a good point...." To which Chase grins and says, "See! Only a loser would admit that!"¹

Those of us who advocate for reproductive choice cannot afford to be "losers." It seems to me the basic issue is whether or not each human being is allowed to follow his or her conscience – whether or not the state can mandate motherhood. We need also to acknowledge the wider picture – the thousands of women around the globe who die of aseptic abortions for want of access to abortions – and the reality of a world which even now has probably exceeded its optimum carrying capacity in terms of population.

All of this takes me back to some of the pioneers in the Planned Parenthood movement: Margaret Sanger and her incredible courage; David Rhys Williams, one of my predecessors at the Unitarian Church, who in 1934 urged the congregation to vote to use the church parish house as the Mother's Consultation Center, the precursor to Rochester Planned Parenthood. And, yes, Carol Love, recently retired Executive Director of Rochester/Syracuse Planned Parenthood, who has had to endure the increasing militancy of the anti-abortion movement.

What I have learned over the years is that social justice is never a once-and-for-all enterprise. It is always a work in progress – a life-long endeavor. Battles we once thought were won, must be fought all over again. Look at South Dakota – another anti-choice initiative is on the ballot; look at the federal gag rule on international family planning; look at the effort to get the Federal Drug Administration to approve even a limited Plan B; look at the political power of anti-abortion forces. Look at some Catholic bishops essentially excommunicating public officials who defy church doctrine and defend reproductive freedom. It is possible, in their view, to have a "just war" in which thousands may be killed, but not to grant women the right to an abortion.

Defending reproductive freedom is hard work, but it is satisfying work. Furthermore, it is religious work, "sacred work" in a book of the same title by the Rev. Tom Davis. Working for this freedom taps our most basic religious beliefs and tests our deepest faith commitments. I am proud to be prayerfully pro-choice.

And I must remember that the important social justice work in this world is often done by people who are tired, have no time and don't feel well. These are hard times for our movement, but I leave you with the words of Father Daniel Berrigan – a strange source it would seem at a Planned Parenthood gathering. But he spoke wise words for all of us. When asked at a Cornell University lecture if he didn't despair of bringing peace and justice to a hurting world he said: "Despair is a luxury I cannot afford." Nor can we. Thank you and keep on keeping on.

That basic insight was grasped by a teen-ager from Kirkwood, Missouri: "I remember most of how it was then, God making me out of sand and foaming dust. I remember hearing the sea shifting behind, and seeing the sun, bald and bloody, torn from some universe, and angry. I can even see the embarrassed look on Time's face, and recall my fleeting desire to please God, now that He had made me and His moment of glory was gone. But what He said I was for, that I have long-since forgotten. I asked a small child once, 'What did God say we were for, in the beginning?' But she was making mud pies."³

While we may never know what we were made for, we continue to be part of a conspiracy for life, co-creators with that mysterious cosmic power in which we live, each in our own humble way, forming life out of lifeless clay.

³ Mike Nolan, "In Whose Image?" Eliot Chapel (Unitarian) Kirkwood, Missouri, (church newsletter).

REPRODUCTIVE FREEDOM AND THE CANDIDATES
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Richard S. Gilbert – Planned Parenthood Conference – UR – September 27, 2008

1. Will you support expanded access to family planning services for low-income women through the Title X national family planning program and Medicaid?
2. Will you support funding for comprehensive, medically accurate sex education instead of abstinence-only programs?
3. Will you support a requirement that all hospitals receiving federal funding offer emergency contraception (EC) to victims of rape?
4. Will you support patient access to emergency contraception (EC) without delay?
5. Will you support increased international funding for family planning and reproductive health services and to fight HIV/AIDS (including abortion services)?
6. Will you support the right to privacy which protects access to contraceptive services as a constitutional right?

¹ Doonesbury, 7/13/03.