

# THE 5-MINUTE PRO-LIFER



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## **Issue #8 - THE HARD CASES OBJECTION: Does Rape Justify Abortion?**

*By Scott Klusendorf*

Whenever possible, I take questions from the audience after my talks. I don't need to guess what the first one will be, because it's nearly always the same. "Okay, say a woman is raped. If she gives birth, the child will remind her of the rape—forever! Do you think abortion is wrong in that case?"

Two types of people ask about rape and abortion, the learner and the crusader. The learner is genuinely trying to work through the issue and resolve it rationally. The crusader just wants to make you, the pro-lifer, look bad. In either case, it's our job to demonstrate wisdom and sensitivity. I begin with the following:

"That's an important question and you are absolutely right: She may indeed suffer painful memories when she looks at the child and it's foolish to think she never will. I don't understand people who say that if she'll just give birth, everything will be okay. That's easy for them to say. They should try looking at it from her perspective before saying that. Even if her attacker is punished to the fullest extent of the law—which he should be—her road to recovery will be tough."

Then, very delicately, I ease into my reply by asking a question:

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Me: Given we both agree the child may provoke unpleasant memories, how do you think a civil society should treat innocent human beings that remind us of a painful event? (Pause and let the question sink in.) Is it okay to kill them so we can feel better?

Listener: Well, no, I guess not.

Me: And why is that?

Listener: Because they are human?

Me: That's right. So if the unborn are human beings, how do you think we should treat them when they remind us of something painful?

Listener: Hmm. I don't know.

Me: Think of it this way. Suppose I have a two-year-old up here with me. His father is a rapist and his mother is on anti-depressant drugs. At least once a day, the sight of the child sends her back into depression. Would it be okay to kill the toddler if doing so makes the mother feel better?

Listener: No.

Me: And that's because he's a human being?

Listener: Yes.

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That first question—“How should we treat innocent human beings that remind us of a painful event?”—gets to the crux of the issue that must be resolved: What is the unborn? Only after clarifying the primary issue do I make my case:

Me: Here's the point I'm getting at. If the unborn are human, killing them so others can feel better is wrong. Hardship doesn't justify homicide. Admittedly, I don't like the way my answer feels because I know the mother may suffer consequences for doing the right thing. But sometimes the right thing to do isn't the easy thing to do.

Listener: These are hard things to think about.

Me: I agree. Here's one more example that may help. Suppose I'm an American commander in Iraq and my unit is captured by terrorists. My captors inform me that in 10-minutes, they'll begin torturing me and my men to get intelligence information out of us. However, they are willing to make me an offer. If I will help them torture and interrogate my own men, they won't torture and interrogate me. I'll get by with no pain. Can I take that deal? There's no way. I'll suffer evil rather than inflict it. Again, I don't like how the answer feels, but it's the right one. Thankfully, the woman who is raped does not need to suffer alone. Pro-life crisis pregnancy centers are standing by to help get her through this. We should help, too.

What I've said so far usually satisfies the learner. She may still

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feel uncomfortable thinking about the rape victim suffering for doing good, but she's begun to grasp the moral logic that's in play.

The crusader, on the other hand, will hear none of it. He's out to score debate points. He appeals to the hard case of rape, but his appeal is flawed because it is not entirely truthful.

Here's why. The abortion-choice position he defends is not that abortion should be legal only when a woman is raped, but that abortion is a fundamental right she can exercise for any reason she wants during all nine months of pregnancy. Instead of defending this position with facts and arguments, he disguises it with an emotional appeal to rape. But this will not make his case. The argument from rape, if successful at all, would only justify abortion in cases of sexual assault, not for any reason the woman deems fit. In fact, arguing for abortion-on-demand from the hard case of rape is like trying to argue for the elimination of all traffic laws because a person might have to break one rushing a loved one to the hospital.<sup>1</sup> Proving an exception does not prove a rule.

To expose his smokescreen, I ask a question: "Okay, I'm going to grant for the sake of discussion that we keep abortion legal in cases of rape. Will you join me in supporting legal restrictions on abortions done for socioeconomic reasons which, as studies on your side of the issue show, make up the overwhelming percentage of abortions?"<sup>2</sup>

The answer is almost always no, to which I reply, "Then why did

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you bring rape up except to mislead us into thinking you support abortion only in the hard cases?”

Again, if an abortion-choice crusader thinks that abortion should be a legal choice for all nine months of pregnancy for any reason whatsoever, including sex-selection and convenience, he should defend that view directly with facts and arguments. Exploiting the tragedy of rape victims is intellectually dishonest.

Sadly, some abortion-choice crusaders totally disregard the horror of rape when it's convenient to their argument. Steve Wagner recounts one such example from the University of New Mexico in 2006.<sup>3</sup> A pro-life advocate was making her case in front of a jeering crowd. At one point, the crusaders present demanded to know if she had ever been raped. She replied, “Yes.” They responded with more jeering. They didn't stop for even a moment. They kept calling her a pawn of the Republican Party.

Pro-life advocates aren't mean when they insist that one human should not be killed to benefit another one. They're simply refocusing the debate on the one question we can't ignore: What is the unborn?

1. Francis Beckwith uses this example in *Politically Correct Death: Answering Arguments for Abortion Rights* (Baker, 1992) p. 69.

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2. Warren Hern, *Abortion Practice*, pp. 10, 39. Dr. Hern is America's leading abortionist and he writes, "The impression of clinical staff is that all but a few women seek abortions for reasons that can broadly be defined as socioeconomic, and many cite strictly economic reasons" (*Abortion Practice*, p.10). See also Akinrinola Bankole, Susheela Singh, and Taylor Haas, "Reasons Why Women Have Induced Abortions: Evidence from 27 Countries," *International Family Planning Perspectives*, Vol. 24, Number 3, September 1998.

3. Steve Wagner relayed this sad story in an email last year.

