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# Introduction

In two short decades, the issue of abortion has moved from the fringes of public concern to center stage. By now, no level of American political life has escaped a confrontation with it. Adoption of the federal budget has been delayed several times over the past decade while Congress has debated the issue.[1] The same kinds of delays have confronted state legislatures across the country. Even on the local level, once-sleepy school boards have become tumultuous when asked to consider the place of abortion in sex education curricula, and zoning boards have split over whether an abortion clinic should be permitted to operate in a community.[2]

What is it about abortion—of all the myriad moral issues we face daily—that makes it so troubling, so hard to deal with in reasoned tones? This question becomes even more difficult to answer when we recall just how recent the abortion debate really is. Although the nineteenth century had its own "right-to-life" movement (which will be explored in this book), for most of our century, abortion was simply not discussed in polite company. As recently as twenty years ago, although abortion existed as a very real *private* dilemma, as a *public* phenomenon it was of interest only to a few scattered reformers, theologians, and public health physicians.

Much as the slavery question once did, the abortion issue polarizes. Some abortion clinics have been attacked by arsonists; others have suffered minor sabotage, such as the injection of epoxy glues into the doorknobs of locked doors.[3] Most dramatically, in 1982 the director of an abortion clinic and his wife were kidnapped, allegedly by people who opposed abortion.[4] On a less melodramatic level, the abortion ac-

tivists I interviewed in the course of researching this book frequently broke into tears of rage and grief when speaking of their feelings on the subject.

Why is the debate so bitter, so emotional? Part of the answer is simple: the two sides share almost no common premises and very little common language. For example, those who oppose abortion usually begin by stipulating that since the embryo* is an unborn child, abortion is morally equivalent to murder. But for those who accept abortion, this initial stipulation is exactly what is problematic; from their point of view, the embryo has the capacity to become a child but it is not a child yet, and it therefore belongs in a very different moral category. Thus, one side begins with a given that the other side finds highly debatable, that the embryo is the moral equivalent of the child it will become.

Early in the process of becoming involved in the abortion issue, people on each side (pro-life and pro-choice) often feel compelled to "share the faith" or to "enlighten" their opposition. In most cases, they rehearse those details about embryonic life that have led them to believe that the embryo is self-evidently either a "baby" or a "fetus." Most of them, however, reached their conclusion about the nature of the embryo very early in their lives; they are unable to see why the data they find so convincing are not equally compelling to someone who was brought up with a very different view of the embryo. If things go further, tempers often flare. A pro-life person can confound a pro-choice attacker by simply stating that it is obvious that the embryo is a baby, pointing out its very evident similarities to a newborn child and brushing aside its evident dissimilarities. Conversely, a pro-choice person can enrage a pro-life person by admitting that although the embryo is human (it is not, after all, some other species) and alive (it is not, after all, dead), this nevertheless does not prove that the embryo is "a human life"—in any case not a "meaningful" human life.

* In political movements, language becomes politicized: a choice of words is a choice of sides. In referring to the form of life that exists between conception and birth, to use either the word *fetus* or the word *baby* is to make a political judgment; in pursuit of neutrality, I will use the term *embryo*, even though it is technically inaccurate. Similarly, I will refer to people as *pro-abortion* and *anti-abortion* activists, although each side finds this general description of its activities much too limited. I will also call the two sides the *pro-life* (or *right-to-life*) and *pro-choice* movements, although each side is emphatic that the label used by the other is a mockery of what it is really up to.

For people who are deeply involved in the abortion issue, these differences of opinion, and the inability to have anything resembling a dialogue about them, are not serious problems. They dismiss those who disagree with them as being either ignorant of the facts or perversely unwilling to admit the truth when it is presented to them. More negatively, they see their most committed opponents as bigots, as people so deeply in thrall to some other interests (the Catholic church, or feminism, or "utilitarianism") that they are unable to think freely about the abortion issue. It should be clear that such explanations preclude any real understanding of why people differ on this issue.

And that, quite simply, is the purpose of this book: to discover how people come to differ in their feelings about the rightness or wrongness of abortion. By way of exploring the question, we shall present a number of arguments about abortion. It is important to make these arguments explicit at the outset, not only because they support the whole logic of the rest of the book, but also because they are bound to upset, offend, and vex those on both sides of the issue.

The first and most important argument is that *the moral status of the embryo has always been ambiguous*. Though both sides turn to history and philosophy and law to buttress their argument that the embryo is or is not a baby, none of these disciplines gives any evidence that can prove the status of the embryo "beyond a reasonable doubt." With respect to history, for example, it is true that the early Christian church denounced abortion (along with other barriers to procreation, such as contraception, homosexuality, or surgical sterilization); but it is also true that the church's sanctions against abortion were almost never as severe as the penalties for the murder of an adult person. Moreover, throughout most of the history of Western Christianity, abortion early in pregnancy, though verbally chastized, was often legally ignored.[5] In philosophy, too, the status of the embryo has been ambiguous. For most of the last two thousand years, the embryo, like a child or a woman, was not considered a legal person. And in harmony with the theories of embryology in vogue until the nineteenth century, most philosophers did not call it a "natural" person. (Even here, there was dispute. The Greek Pythagoreans assumed that the embryo *was* a natural person, but the Stoics did not.) Finally, in Anglo-American common law it is certainly true that embryos have certain legal rights—the right to inherit property, for example. But it is equally true that the

embryo must generally be born alive in order to benefit from them. Thus, these rights are not invested in the embryo per se but are held in trust, as it were, until the embryo becomes a newborn child.[6]

In short, philosophy, law, and history only confirm something we already knew about embryos, that they are located on a continuum that stretches from a single sex cell (an egg or a sperm) to a newborn human infant. All that these disciplines can tell us is that sometimes embryos are treated as the babies they will become while at other times they are treated as the primitive single-celled creatures they once were.

Until recently, there has been very little pressure to clarify this state of events, no need to determine, once and for all, where on this continuum an embryo "belongs." Until the mid-nineteenth century, what went on during pregnancy was in large part simply mysterious. In fact, until fifty years ago it was impossible even to diagnose pregnancy with any degree of reliability until "quickening," the point at which the woman can feel the embryo move within her, an event that occurs during the fifth or sixth month of pregnancy. Until at least 1850, the act of inducing an abortion was itself a rather haphazard affair based primarily on herbal medicines. Because these medicines were difficult to prepare in accurate doses and were typically quite poisonous to the woman herself, abortion was unreliable, probably excruciatingly unpleasant, and often fatal. The arrival of the curette on the gynecological scene in the 1880s probably made abortions more effective, but this technological "advance" brought with it new dangers of perforation and infection. Until the invention of antibiotics in the twentieth century, therefore, most abortions were ineffective or lethal.

But this ambiguity about the status of the embryo reflects more than the limits of medical knowledge and the dangers of abortion as a medical procedure. It is important to remember that for most of its history, the United States has been a rural, agrarian country and that such countries generally place a very high value on the birth of children. In addition, the United States was a frontier country where land was plentiful, and inexpensive land is usually associated with high fertility. In fact, during the country's early history, the birthrate was among the highest in the world, on a par with those modern-day Third World countries that we now think of as having "exploding" populations.[7]

In order for the status of the embryo to become a major public issue, therefore, there are a number of preconditions. For example, people today have not only a theory of prenatal development but also direct

visual "evidence" of the embryo in the form of intrauterine photographs. Anesthesia, antiseptics, the vacuum curette, and antibiotics have made abortion relatively painless, almost 100 percent effective, and much less physically threatening to the woman involved than bearing her pregnancy to term.[8] Similarly, the United States has become an urban, industrial society with birthrates that have gone from among the highest in the world to among the lowest. Of course, these changes do not in themselves explain why abortion has become a major issue in the last twenty years. But they do explain why the status of the embryo could have remained ambiguous for so long. When the embryo was invisible, when pregnancy did not officially exist until the fifth or sixth month, when fertility was highly valued, and when abortion was unpleasant, dangerous, and often ineffective, there were few pressures to define the status of either the embryo or abortion.

Most people active in the abortion debate today will take offense at this first argument, that the status of the embryo has always been ambiguous. Partisans on each side of the issue can point to articles, monographs, and "facts" that "prove" that the embryo has always (or almost always) been accorded the social and legal attributes they favor. This leads to our second major argument: *the abortion debate is not about "facts" but about how to weigh, measure, and assess facts*. For example, both sides agree that embryos have heartbeats by approximately the twenty-fourth day of pregnancy but that they do not breathe until birth. They cannot agree, however, about what these facts mean. For those on the pro-life side, it is important that embryos have heartbeats. They consider the lack of respiration unimportant and argue that in any case it will occur in time. For pro-choice people, the converse is true: because embryos do not breathe until birth, and all babies breathe, the presence of a heartbeat is merely an indicator that a baby may eventually be born, and until then the embryo is something else, namely, a fetus. The two sides therefore examine exactly the same set of "facts" but come to diametrically opposed conclusions about them.

The third argument we shall make is that *the debate about abortion is a debate about personhood*. Whether the embryo is a fetus or a baby is important because virtually all of us agree that babies are persons and that persons have what our eighteenth-century ancestors called "inalienable rights"—basic rights that cannot as a rule be lost, sold, or given away. Perhaps the most precious inalienable right is the right to not have one's life ended except by due process of law.[9] If the embryo

is a baby—and hence a person—then to end its life deliberately, except under very extraordinary circumstances, is something akin to murder. However, if it is not a baby but rather a fetus, then whatever rights it has are more similar to those of the fertilized egg it once was than to the baby it may become; to end its life is therefore something closer on the moral scale to contraception than to murder.

The technological advances of modern medical science have created an urgent need for Americans to arrive at some reasonably explicit decision rules about what it takes to be a full-fledged member of the human community. Before these technological advances, persons were conventionally thought of as having a group of attributes that necessarily functioned together. People had heartbeats, respiration, and brainwaves, and the failure of one meant the failure of the others in short order. Now, however, with the rapid proliferation of new medical technologies, a person missing one of these attributes can be kept alive indefinitely. Because the demand for medical services is potentially inexhaustible, as Victor Fuchs has argued, those concerned with the costs of medical care have begun a debate about who should receive the benefit of scarce medical resources.[10] For reasons we shall explore at length, once a debate such as this ceases to be merely a technical one concerned only with which patient is most likely to recover, it raises terribly difficult philosophical questions. These "bioethical" questions, as they are usually called, have become pressing because so many individuals are now equally entitled to medical care: if modern technology is applied, they are all equally likely to recover. Thus, some participants in the bioethical debate have begun to discuss the moral status of patients. They argue, in effect, that certain kinds of injuries (such as "brain death") prevent a person from being an active member of the social community and therefore make him or her less of a person.[11]

Thus, abortion is simply the most visible (and perhaps most accessible) place for ordinary Americans to grapple with the philosophical issue of personhood. Determining the morality of abortion depends upon determining whether or not the embryo is a full-fledged person. And this effort, in turn, calls on different assumptions about what are the important boundary markers of personhood.

It is particularly relevant that the debate on personhood—whether it occurs in the broader context of bioethics or in the narrower context of abortion—is a debate about *the allocation of scarce resources.*

Abortion is therefore one of the few questions on which ordinary people have presumed to make judgments about bioethics. Perhaps because pregnancy is such a common experience in all corners of the social world, people have firsthand ideas and feelings about it and are less willing to defer to experts. But the fact that people use everyday language to talk about the abortion issue should not obscure a basic point: part of what makes the abortion issue so heated is that people do in fact see it as related to these larger issues. The people interviewed for this book understand clearly enough that the way in which personhood is defined in the case of abortion is related to the way in which it is defined in the cases of heart transplants and kidney dialysis. They also understand that the issue of personhood is intimately related to decisions about who will get scarce resources—a point that leads directly to our next argument.

The fourth argument to be made is this: *the abortion issue is emotionally charged because new political constituencies—primarily women—have vested social interests in whether the embryo is defined as a baby or as a fetus*. Although both sides can fairly claim to be altruistic—the pro-choice side on behalf of women (especially poor women) who need safe, clean, legal abortions, and the pro-life side on behalf of unborn babies—their involvements also reflect personal vested interests. To be sure, these interests are not crassly materialistic: no one enters the abortion debate with an eye to fame and riches. They are deeper, broader, and more subtle. People see in the abortion issue a simultaneously pragmatic, symbolic, and emotional representation of states of social reality—states that they find reassuring or threatening. With respect to the issue of personhood, for example, the different location of pro-life and pro-choice people in the social environment predisposes them to use different traditions of moral discourse in thinking about the issue and to perceive different definitions of personhood as more moral or less moral. The view that personhood is basically social in nature, which implies that some individuals have a less compelling claim than others on scarce resources, is perceived quite differently by persons who expect to have access to those resources and persons who have reason to fear that they may be denied such access.

Participants in the abortion debate, therefore, are defending a *world view*—a notion of what they see as sacred and important—as well as a view of the embryo. Concretely, a decision about the moral status of the embryo is an implicit statement about the role of children and

women in modern American society. If the status of the embryo has always been ambiguous, as argued here, then to attribute personhood to the embryo is to make the social statement that pregnancy is valuable and that women should subordinate other parts of their lives to that central aspect of their social and biological selves. Conversely, if the embryo is held to be a fetus, then it becomes socially permissible for women to subordinate their reproductive roles to other roles, particularly in the paid labor force. As this book will demonstrate, the past twenty years have seen the emergence of two very different constituencies of women, two groups that have different experiences in the world and different resources with which to confront it. Whenever a decision about the status of the embryo, and therefore about abortion, is set forth, it enhances the resources held by one group and devalues the resources held by the other.

The outcome of the debate about personhood will affect all of us. On the broadest scale, individuals in this generation have witnessed tremendous technological change with respect to life and death, which the abortion issue touches closely. On a more personal scale, women of this generation have lived through massive social changes that have shaped (and been shaped by) the abortion issue. A thorough study of the abortion debate, therefore, must look at the most critical and rarely examined parts of social life: the meaning of life and death, the meaning of parenthood, the role of sexuality, what is "natural" for men and women, and how morality is formed and experienced.

The first part of this book offers an account of how the abortion debate came into being; it demonstrates that the way in which the issue was framed in the nineteenth century fundamentally determined how it would be framed in the twentieth. The second half of the book examines why persons active in the abortion debate think and feel as they do and how their thoughts and feelings are related to the larger fabric of their lives. In this respect, much of this book is a sociology of knowledge. It argues that how people align themselves in the abortion debate depends in part upon the social worlds in which they live. To be sure, their positions on this issue are rarely a straightforward reflection of their "interests." More typically, an individual's reaction to abortion draws on social, psychological, symbolic, and moral resources, as she or he tries to fit abortion into a larger world view.

The first part of the book, which describes the history of thinking on abortion and its evolution as an issue of public policy, is based pri-

marily on a variety of historical records. Abortion in America emerged as a public issue for the first time in the nineteenth century, and materials from that era—books, medical journals, newspapers, and persuasive literature—have been used to document the origin and meaning of that first debate. Chapter Two therefore discusses the emergence of what might be thought of as the first "right-to-life" movement. The resolution of that first debate resulted in the disappearance of abortion as a moral issue of public concern and its reemergence as a technical issue managed by physicians. Chapter Three documents the "century of silence" that surrounded abortion once it had become medicalized. Chapter Four examines how the medical control of abortion eventually broke down, in large part because of technological changes within the medical profession itself.

The second part of the book, which deals with how people active in the present-day debate think about and deal with the abortion issue, is based primarily on verbatim transcriptions of extensive interviews with highly committed activists, those people who are most deeply involved in the debate. These are the people who do the concrete, sustained political work of the debate in order to bring law and public opinion on abortion into line with their own values. Though it is true that they are not representative of the broad panoply of American thought or belief on abortion—because they are so politically energetic in defense of their views—their beliefs and values predominantly shape the debate. At least one person from every major pro-life and pro-choice group in the state of California was interviewed for this book so that comparisons between the two sides could be based on intensive data. (In fact, the research also included comparative interviews with abortion activists in six other states.) The advantages and drawbacks of this case-study approach and the technical details about the selection of interviewees are discussed in Appendix One.

Therefore, Chapter Five uses excerpts from these interviews with abortion activists to explore the reemergence of abortion as a political and moral issue; it documents the rise of a new constituency in the abortion debate, a group of people who began to talk of legal abortion as a woman's *right*. Chapter Six documents how a second constituency emerged in response to that claim, by making the counterclaim that a woman's right to abortion was outweighed by another right, the embryo's right to life. Chapter Seven shows how beliefs about abortion are intimately tied to the two very different world views of the pro-life

and the pro-choice activists; their beliefs about abortion are intimately connected to their attitudes toward children, sexuality, parenthood, the proper role of women, and the like. Chapter Eight examines who these new activists on each side were and why abortion in this new context aroused such passionate and emotional commitments. Chapter Nine speculates about the future of the debate.

Given the arguments this book makes about the history and meaning of the abortion controversy in America, one thing is clear: the abortion debate is likely to remain bitter and divisive for years to come. Beliefs about the rightness or wrongness of abortion both represent and illuminate our most cherished beliefs about the world, about motherhood, and about what it means to be human. It should not surprise us that these views admit of very little compromise.