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Prudence and Telos in Pro-Life Evolution

James R. Kelly

ABSTRACT: It has been almost four decades since *Roe v. Wade* and abortion remains an inconclusively disruptive part of every Supreme Court nomination process and every presidential election. While decades old national surveys show only glacial change in public opinion, though in a pro-life direction, the public debate has changed in morally significant ways. Abortion opponents now unanimously accept that stopping abortion requires comprehensive help for woman who are pregnant and tempted to abortion by life circumstances—often of poverty and male irresponsibility. Abortion proponents increasingly acknowledge that abortion most often is more an unhappy decision than the consciousness enlarging experience intrinsic to the practice of authentic human rights. To continue as a vital cultural presence, social movements require both prudence and telos. Since the 1992 Supreme Court *Casey* decision the pro-life movement has prudently pursued an “incremental way” characterized by persuasion, assistance, and truth. But to remain vital, prudence requires an explicit beckoning horizon, a telos. The animating moral core, the essence, the ultimate goal of the movement opposing abortion is to become ever more consistently pro-life in its commitment to nonviolence. The ultimate fates of the peace and pro-life movements are morally intertwined.

ON NOVEMBER 7, 2006 BY A REFERENDUM VOTE of 55 to 45 percent, voters in South Dakota overturned the nation’s most stringent abortion ban. Supporters had hoped to use it to challenge once again the then 33- year-old *Roe vs. Wade* decision, which overthrew all state laws proscribing or limiting abortion, some of them going back to the nineteenth century. The South Dakota referendum prohibited abortion in all stages and had no exceptions for either women’s health, though it did allow abortion if the mother’s life was threatened, nor any rape or incest or fetal deformity exceptions. Polls

showed that, even while expressing moral discomfit with abortion, voters favored all of these exceptions. In fact, the South Dakota right to life movement was itself by no means unanimous about seeking a no-exception abortion law. Indeed, based as it is on the absolute and rock-bottom principle that everyone, from conception on, possesses an intrinsic and inalienable right to life and community support, it has been and will be a continuing moral, religious, and legal challenge for the movement to craft and support laws that voters will pass and citizens will accept.

After the South Dakota defeat of the movement's morally preferred right to life abortion bill, the longest serving presidents of the nation's leading and centrist right to life organization, The National Right to Life Committee, founded immediately after *Roe*, quickly sought to encourage abortion opponents to seek more achievable legal approaches. In his monthly publication from the Life Issues Institute Dr. John C. Willke, who served as NRLC president during the 1970s and 80s and whose *Handbook on Abortion*¹ is the most widely published of any piece of right to life literature, wrote: "It seems obvious that if the solidly pro-life state of South Dakota can't pass and maintain a law that has no rape exception, not many other states could either." Certainly such a law could not pass nationally. It also seems obvious that a major precedent has been set. Willke's National Right To Life Committee presidential successor, Wanda Franz, Ph.D., similarly acknowledged that "the large 'middle' of the public is still not ready to ban abortion altogether" and reminded readers that she has "frequently urged pro-lifers" that "the point is not to make a statement but to make a difference," adding that "the perfect is the enemy of the good."²

In the light of the comments by Franz and Willke, both highly experienced right to life activist leaders, in reflection on the failure to pass a strict abortion ban in South Dakota, it is instructive to consider

¹ After 1985 the title of this book has been *Abortion Questions & Answers* by Dr. and Mrs. J. C. Willke (Cincinnati OH: Hayes, 1985).

² *National Right to Life News* (Dec. 2006), p. 3.

the letter written by Blasé Cupich, the Bishop of Rapid City, South Dakota. This letter was read aloud at all the diocesan masses on September 23-24, six weeks before the referendum. He cautioned that abortion opponents must make known their commitment to women and the social and policy changes needed for their well being so that we “create the conditions for others to hear us.” Cupich called for “mature” bills that were comprehensive and consistent.³

Cupich’s challenge to the South Dakota abortion opponents can serve to outline the argument of what follows. In contemporary pluralistic societies persuading citizens, achieving social policy, and protecting values through law entails a discerning prudence that, in Cupich’s words, “create the conditions for others to hear us.” Such an ongoing dialogue requires a pro-life comprehensiveness animated by a consistency that is evolving toward its grounding in a commitment to non-violence. My linkage of the practice of prudence and the telos of non-violence is indebted to the late Charles Tilly, perhaps the foremost American theorist of social movements. Tilly observed about even scholarly social movement analyses: “Although we tell them forward, their logics run backward,” for “they involve a subtle teleology... [and] impute a kind of coherence.”⁴ Pertinent to Tilly’s insight that “teleology” is central to making coherent sense of social movements is the too often forgotten fact that the core objections to abortion and to war are rooted in the same moral principle. This conjunction appeared at the very beginning of the modern opposition to making abortion a constitutional right. In 1964, almost a decade before *Roe v. Wade*, Tom Cornell, one of the founders of the Catholic Peace Fellowship, said that it was pacifism that brought him to protest both the Vietnam War and abortion. “Catholic pacifists,” he explained, “are opposed to war because it is the planned, mass taking of human life for political purposes...(and) we are opposed to abortion, euthanasia, capital punishment, and economically

³ “Coming Vote Against Abortion,” *Origins* 36/17 (2006): 267-68.

⁴ *Regimes and Repertoires* (Chicago IL: Univ. of Chicago Press, 2006), p. ix.

enforced starvation also, on the same basis.”⁵ Just two years before *Roe* the late Gordon Zahn, one of the founders in America of *Pax Christi*, the international Catholic peace organization founded after World War II, also linked opposing abortion and opposing war: “It is not just a matter of consistency; in a very real sense it is the choice between integrity and hypocrisy. No one who publicly mourns the senseless burning of a napalmed child should be indifferent to the intentional killing of a living fetus in the womb.”⁶ But before examining this linkage, we should examine the more immediate centrality of *prudence*.

The Primacy of Prudence

To be moral requires wisdom. Having the right principles—and especially the right absolute, such as all human life is sacred—and being well-intentioned does not make our public acts and activisms moral. *The Catechism of the Catholic Church*⁷ acknowledges the complexity of translating moral principle into law and societal practice, particularly in §1805-06 where the cardinal virtues and prudence are described. The term “cardinal” signifies the pivotal role of the four cardinal virtues (temperance or self-control, courage, justice, and prudence) and especially of prudence, the most cardinal in that it employs conscience and intelligence to achieve the most justice amidst the complexity of social reality.⁸

⁵ Cited in Patricia McNeal, *Harder Than War: Catholic Peacemaking in Twentieth-Century America* (New Brunswick NJ: Rutgers Univ. Press, 1992), p. 169.

⁶ “The Unborn Life and the Protection of Life,” *Commonweal* (May 28, 1971): 337-39. On the early linking of war and abortion opposition, see my “Why the Pro-Life Movement Should Return to Its Roots,” *America* (Feb. 16, 2009): 11-14.

⁷ *Catechism of the Catholic Church* (New York NY: Image Books, Doubleday, 1995).

⁸ Still the classic treatment of the classical cardinal virtues and the centrality of prudence is Josef Pieper, *The Four Cardinal Virtues* (Notre Dame IN: Univ. of Notre Dame Press, 1980 [1954]). Regarding the centrality of prudence, Pieper writes: “He alone can do good who knows what things are

Like the *Catechism*, the *Compendium of the Social Doctrine of the Church* (Pontifical Council For Justice And Peace, 2004) summarizes Catholic traditional teaching on abortion (§155, 233, 553, 570) and explicitly adds the priority of prudence in any attempt to make the Church's constant teaching about the sacredness of human life from conception to death a vital part of contemporary culture and politics. The *Compendium* (§568) informs us that social science is a core aspect of discernment and cautions that "no problem can be solved once and for all," thus requiring an ongoing process of discernment and the search for prudence that includes the social sciences. The *Compendium's* last (§570) entry on abortion explicitly locates it within the context of prudence and the need for discernment in efforts to make the teaching about abortion a central dimension of cultural, social and political life:

When—concerning areas or realities that involve fundamental ethical duties—legislative or political choices contrary to Christian principles and values are proposed or made, the Magisterium teaches that a well-formed Christian conscience does not permit one to vote for a political programme or an individual law which contradicts the fundamental contents of faith and morals. In cases where it is not possible to avoid the implementation of such political programmes or to block or abrogate such laws, the Magisterium teaches that a parliamentary representative, whose personal absolute opposition to these programmes or laws is clear and known to all, may legitimately support proposals aimed at *limiting the damage* caused by such programmes or laws and at diminishing their negative effects on the level of culture and public morality. In this regard, a typical example of such a case would be a law permitting abortion. The representative's vote, in any case, cannot be interpreted as support of an unjust law but only as a contribution to reducing the negative consequences of a legislative provision, the responsibility for which lies entirely with those who have brought it into being.

like and what their situation is...appropriate to the real situation, that is, to the concrete realities which form the 'environment' of a concrete human action; and that we therefore take this concrete reality seriously, with clear-eyed objectivity" (p. 31).

So, it is clear that the Roman Catholic Magisterium includes the teachings that abortion is a grave offense against human dignity, an attack on the first human right, the right to life, *and* that the protection of this value in modern pluralistic and democratic societies, far from being a simple opposition, requires discernments, both personal and communal, involving ongoing acts of prudence that, in turn, cannot be expected to resolve the public policy and legal issue “once and for all.” To survive, movements must continuously evolve. Prudence aims not only at giving witness but at achieving some actual good effects in the real world inhabited by a majority who are not Roman Catholics and whose traditions might not entirely confirm the Catholic teaching that each human being from conception onward should be regarded as a person with rights equal to its mother and the rest of us. So, it may well take some time and constant discernment to achieve a worthy prudence, or, we might say, a civic wisdom, on the issue. The *Compendium* itself offers as the “typical example” a law and policy that cannot be expected to remove an evil but can only “limit the damage” and “diminish their negative effects on the level of culture and public morality” (§570).⁹ In the American abortion controversy the major event creating challenges for the exercise of prudence and pro-life social movement evolution is the June 29, 1992 Supreme Court decision *Planned Parenthood of South*

⁹ In §21 the Congregation draws on the classical distinction between law and morality and explicitly acknowledges that “civil law cannot expect to cover the whole field of morality or to punish all faults” and that it “must often tolerate what is in fact a lesser evil in order to avoid a greater one.” Then the Congregation proceeds (§23) to offer the criteria that an acceptable abortion law be placed within a larger legal and policy framework “so that there will always be a concrete, honorable and possible alternative to abortion.” These alternatives, the Congregation continues, require the active involvement of the state and public agencies: “Help for families and for unmarried mothers, assured grants for children, a statute for illegitimate children and reasonable arrangements for adoption” and, the Congregation adds, this requires, in effect, an abortion-related option for the poor “starting with the most deprived, so that always and everywhere it may be possible to give every child coming into this world a welcome worthy of a person.”

Eastern Pennsylvania vs. Casey. *Casey*, in fact, challenged both sides of the abortion controversy and opened a moral ground for the search for *common ground*.¹⁰

The 1992 *Casey* decision was a narrow (5-4) ruling that satisfied neither legal abortion promoters nor opponents nor, for that matter, any clear majority of supreme court scholars. In *Casey* the Supreme Court reaffirmed *Roe*'s key holding—a woman had a right to abortion—but the court rejected Justice Blackman's "trimester" framework as "too rigid" and explicitly added that a state may enact abortion restrictions that do not, in retired Justice Sandra Day O'Connor's now famous legal phrase, pose an "undue" burden on a woman's decision to choose an abortion. The Pennsylvania law required that a woman seeking an abortion give her informed consent prior to the abortion, that she be provided with information about abortion and her stage of pregnancy and about state and private resources available to help her if she chooses childbirth, and that an unmarried woman under eighteen have the informed consent of one of her parents or obtain a judicial bypass if she is not willing to involve her parents. (The Court ruled as an undue burden Pennsylvania's requirement that a married woman seeking an abortion obtain a statement indicating that she had notified her husband about her intended abortion.) Most pertinent to prudence, the core *Casey* addition to *Roe* was the prominence that it gave to the state's right to establish procedures and policies "designed to persuade her to choose childbirth

¹⁰ Too briefly, "Common ground" refers to pro-life and principled pro-choice (those who say they do not encourage abortion but judge that the woman alone can judge whether her abortion would be just) collaborate without any compromise of principle by ensuring that an abortion is not coerced by others or by circumstance. See my "Common Ground for Pro-Life and Pro-Choice," *America* (Jan. 16, 1999); "Beyond Compromise: Casey, Common Ground, and the Pro-Life Movement," Chap. 12 in *Abortion Politics in American States*, ed. Mary C. Segers and Timothy A. Byrne (Armonk NY: M.E. Sharpe, 1995), pp. 205-24; and "Truth, Not Truce: 'Common Ground' On Abortion, a Movement within Both Movements," *Virginia Review of Sociology* 2 (1995): 213-41.

over abortion” and to permit “a state to further its legitimate goal of protecting the life of the unborn by enacting legislation aimed at ensuring a decision that is mature and informed, even when in so doing the state expresses a preference for childbirth over abortion.”

Casey, an Exemplar of Prudence

The late Robert P. Casey, a two-term governor of Pennsylvania (1987-1994), was well known for his opposition to abortion. A graduate of Holy Cross College and a prominent and observant Catholic, he recalled in his autobiography¹¹ that he found himself in opposition to abortion “instinctively...(as) I cannot recall the subject of abortion ever being mentioned, much less discussed in depth, in school or at home. My position was simply a part of me from the beginning.” Casey worked with the Pennsylvania Right to Life groups but found that he could not, in prudence, support the abortion regulations they had successfully gotten the Pennsylvania legislature to adopt in 1987. In fact, on December 17, 1987 he vetoed Pennsylvania’s first Abortion Control Act. In his veto message, Casey challenged Pennsylvania Right to Life and told the legislature:

I must note that our concerns cannot end with protecting unborn children, but must extend to protecting, and promoting the health, of *all* our children and their mothers. The right to life must mean the right to a decent life. Our concern for future mothers must include a concern for current mothers. Our respect for the wonders of pregnancy must be equaled by a sensitivity to the traumas of pregnancy. This Administration has called for significantly increased support for child and maternal health programs, for education, for rape counseling and support services.

Casey invited the legislature to search with him for a “strong and sustainable Abortion Control Act, one that forms a humane and constitutional foundation for our efforts to ensure that no child is denied his or her chance to walk in the sun and make the most out of life.”

¹¹ *Fighting For Life* (Dallas TX: Word Publications, 1996), p. 178.

At a March 11, 1993 address to a Conference on Abortion and Public Policy at St. Louis University¹² Casey explicitly reflected on prudence and opposition to abortion:

Prudence we all know to be a virtue. Classical thinkers rated it the supreme political virtue. Roughly defined, it's the ability to distinguish the desirable from the possible. It's a sense of the good, joined with a practical knowledge of the means by which to accomplish the good. A world in which every unborn child survives to take his first breath is desirable. But we know that such a world has never been. And prudence cautions us never to expect such a world. Abortion is but one of many evils that, to one extent or another, is to be found at all times and places.... But the point is that after facing up to such facts, the basic facts of our human condition, prudence does not fall silent. It is not an attitude of noble resignation; it is an active virtue.... It doesn't capitulate. It's tolerant, but not timid.... Prudence asks: "If there is no consensus, how do we form one? What means of reform are available to us?"

Casey's attempt to bring his pro-life convictions to the highly divisive political debate about abortion scanted neither principle nor the empirical realism required for prudence. He explicitly drew on the long philosophical and religious tradition of the pre-eminence of prudence among the cardinal virtues. He explicitly cautioned the pro-life movement not to expect the end of abortion but continuously to seek ways of achieving a greater consensus on the right to life and for legal and comprehensive policy reforms that would better safeguard the principle of the sacredness of all forms of human life. Casey's stress on comprehensive and consistent pro-life approaches, though present from the movement's inception, had publicly dimmed mainly because of the political alliance of prominent right to life social movement organizations (SMO) with Republican Party fiscal conservatives following Ronald Reagan's 1979 presidential campaign promise to seek a Supreme Court reversal of *Roe v. Wade*.¹³

¹² *Human Life Review* 19/2 (1993): 54-64.

¹³ There are many commentators who characterize the Republican pursuit of what came to be known as *Regan-Democrats*, working and middle-class

In fact, early on, even before *Roe*, the Right to Life Movement understood that, in the words of the National Conference of Catholic Bishops' first statement on abortion (*Human Life In Our Day*, April 17, 1969) that a persuasive anti-abortion response had to include efforts to "provide to all women adequate education and material sustenance to choose motherhood responsibly and freely." And while only recently acknowledged outside the movement,¹⁴ grass roots volunteers have long sought to provide material help and counseling to women conflicted by abortion. In 1970 Louise Somerhill founded Birthright to provide counseling, financial assistance, medical help, and even private "birthright" homes for women whose futures were threatened by an unwanted pregnancy. In 1971 Lori Maier founded Alternatives to Abortion International. Many others followed, such including Care Net, Heartbeat International, and the U.S. National Institute of Family and Life Advocates, so that by the end of the 1980s there were more than

people whose economic interests better aligned with Democratic Party ideology, as more tactical than principled. For a summary of the evidence of the solely tactical connection of post-Reagan Republican leadership, see Robert G. Morrison, "Breakfasting With Champions," *Life And Learning*, vol. VIII (Washington, D.C.: University Faculty for Life, 1998), pp. 187-97. While not impugning Reagan's moral disapproval of abortion, a scrutiny of his daily diary and personal notes and writings found only one passing mention of abortion. Regarding its political and legal centrality for him, it is worth noting that Reagan's name appears as the author of *Abortion and the Conscience of a Nation* (Nashville TN: Thomas Nelson Publishers, 1984); see Annelise Anderson, Martin Anderson, and Kiron K. Skinner, *Reagan In His Own Hand: Reagan's Writings 1975-1991* (New York NY: Free Press, 2001). His own appointed biographer, Lou Cannon, reports that "neither in his campaigning nor governance did Reagan give primacy to abortion." See "How Church and State Made Their Match," *The New York Times* (May 20, 2007). Reagan's wife and his two children endorsed legal abortion.

¹⁴ The February 15, 2007 issue of *Time* contained one of the few national media reports on grassroots voluntary pregnancy resource centers (Nancy Gibbs, "The Grassroots Abortion War") and its tone was more of fairness than of favor, as the author spent much space inspecting the volunteers' medical claims about the dangers of abortion.

3,000 such emergency pregnancy centers (now called pregnancy resource centers) in the United States.

But Casey's prudence required more than the grass roots volunteer efforts to provide women with unwanted pregnancies emergency relief and counseling. After all, the data has long showed that poor women, while statistically less likely to approve of abortion, were more likely than affluent women to have abortions. A study done by Planned Parenthood demographers in the mid-1980s found that while fourteen percent of all American women fall below the poverty line, one-third of all abortion patients do.¹⁵ Recent data say that poor women are four times as likely to have abortions as richer ones. And though they comprise about twelve percent of America's women, and are far more likely to personally disapprove of abortion, blacks represent more one-third of aborting women.¹⁶

Post-Casey Social Movement

Whatever the legal status of abortion, the heart of opposition to abortion must always be persuading a pregnant women that abortion is wrong and that there are those willing to help her in bringing her child to birth and, afterwards, that her foregoing of abortion does not result in the death of her aspirations. In terms of the law and abortion it is another truth that while the social movement activists on both sides tend to hold the absolute positions of ending all legal abortions or making any abortion legal, the majority of Americans, and this for the past four decades, hold positions that entail a range of restrictions on abortion but

¹⁵ Ada Torres and Jacqueline Darroch Forrest, "Why Do Women Have Abortions?", *Family Planning Perspectives* (July-August 1988).

¹⁶ Nancy Gibbs, "The Grassroots Abortion War," *Time* (Feb. 15, 2007). Abortion alternative groups acknowledge that they should increase their availability to minorities. For example, Care Net's "Touchdown Cities" project aims at bringing free pregnancy services—pregnancy tests, peer counseling, material resources, childbirth and parenting classes, and community referrals—to inner city areas. Their first effort is a collaboration with *People For People* Ministries in Philadelphia.

not a return to its complete illegality. Though social movement organizations do not use the term “complexity” in their slogans or appeals, to succeed in their policy and legal efforts, abortion opponents must, in prudence, factor into their tactics the long-standing¹⁷ complexity of American opinion about abortion. Thus, since *Casey vs. Planned Parenthood* the movement opposing abortion has largely¹⁸ adopted an incremental approach to law and social policy that ideally seeks to make more vital the truth that abortion kills a developing human being and that, in tandem with *Casey*-apt restrictions, offers assistance that helps women to choose birth rather than abortion. In this way, the movement opposing abortion has made more concrete the otherwise abstract “choice” in the pro-choice slogan. The *National Right to Life*’s preamble to its state information website on incremental abortion laws explicitly refers to the core principle of the *pro-choice* movement:

An informed consent bill protects a *woman’s right to know* [emphasis in original], the medical risks associated with abortion, its alternatives, and nonjudgmental, scientifically accurate medical facts about the development of her unborn child before making this permanent and life-affecting decision. If advocates of legal abortion were truly ‘pro-choice’ instead of ‘pro-abortion,’ they would not object to allowing women with unexpected pregnancies access to *all* [emphasis in original] the facts. Perhaps they fear that full knowledge might lead to fewer abortions.

¹⁷ Recent survey data show slight increases in pro-life support and slight decreases in pro-choice, and especially among young adults, but there is no significant change in the long-standing support for some abortion legality. See Raymond J. Adamek, *30-Plus Years of Abortion Polls: What Have We Learned?* (New York NY: Ad Hoc Committee in Defense of Life, 2002). Adamek concludes: “Our review of major abortion polls and of analyses of these polls by social scientists indicates that a majority of Americans endorse neither the prolife nor the pro-choice position.... Once could argue, however, that the public is closer to prolife positions” (p. 39).

¹⁸ Social movements are always plural. For a critique of the *Casey* incremental approach see, Colin Harte, *Changing Unjust Laws Justly* (Washington, D.C.: The Catholic Univ. of America Press, 2005).

Operationalizing Casey

A leading proponent of the “incremental” approach, Peter A. Samuelson, a former president of Americans United For Life,¹⁹ the first national right to life group and one that now specializes in formulating pro-life legislation and laws for state legislators and activists, in his January 10, 2007 fundraising letter wrote: “We know that the majority of Americans are in favor of the common-sense pro-life laws that AUL promotes. And we know that these laws save lives.”²⁰ The movement’s incremental efforts began almost immediately following the Supreme Court’s *Casey* decision, with Idaho in 1993 and North Dakota in 1994.

Involving Parents

The post-*Casey* state restriction that has the most widespread support are those state laws that require parental involvement in a minor’s decision to have an abortion. As of the summer of 2007 a majority of states— thirty-five—require *some* parental involvement in a

¹⁹ Since 2005 AUL has distributed annually updated copies of *Defending Lives: Proven Strategies for a Pro-Life America* to more than 4,500 state legislators and policy groups in all fifty states.

²⁰ Another former AUL president, Clark Forsythe, has just published (2010) a book entitled *Politics for the Greatest Good* in which he summarizes the teaching about prudence in the works of Aristotle, Augustine, Aquinas, and others with special attention to the right to life strategy of incrementalism. There are some studies that show that such abortion restrictions lower the abortion rates. Virginia Cartoof and Lorraine Klerman, “Parental Consent for Abortion: Impact of the Massachusetts Law,” *American Journal of Public Health* 76 (1986): 397-400; Theodore Joyce, Robert Kaestner, and Silvie Coleman, “Changes in Abortions and Births and the Texas Parental Involvement Law,” *The New England Journal of Medicine* 354 (2006): 1031-38; F. Althaus and Stanley K. Henshaw, “The Effects of Mandatory Delay Laws on Abortion Patients and Providers,” *Family Planning Perspectives* 26/5 (1994): 228-31, 233; Michael J. New, “Analyzing the Effect of State Legislation on the Incidence of Abortion during the 1990s (Heritage Foundation Center For Data Analysis, 2004), Report 04-01. New’s more recent studies confirm his earlier conclusion about the impact of abortion restrictions on lowering abortion rates.

minor's decision to have an abortion. And all thirty-five have an alternative process— appearing before a judge or specified health professionals if a judge is unavailable; moreover, twenty-nine states permit a minor to obtain an abortion without notification of parents in case of a medical emergency, and fourteen in cases of abuse, assault, incest or neglect. Twenty-two states require one parent's consent.

Counseling, Waiting Periods, and Resources Information

Thirty-two states require that women receive counseling before an abortion. The counseling provisions vary by state but most often they require that the women receive information that encourages them to choose the birth of their unborn child rather than abortion. Most of these states require that the women considering abortion receive state-developed information on fetal development. They typically show pictures of fetal development at various stages and the relative risks of both childbirth and abortion. Three states include data on the possible link between abortion and breast cancer and three on the possible psychological after-effects of abortion. Twenty-one states require that women be told about the public and private assistance that is available for prenatal care, childbirth and infant care; seventeen states require that women be given a list of agencies that provide educational referral or counseling services designed to help women carry their pregnancies to term. Most (twenty-four) of the states that require counseling (thirty-two) also require women to wait for some period of time—typically twenty-four hours—after they have received the information and before an abortion can be performed. Seven states require that the counseling be in-person; eighteen states permit a variety of ways, including phone, mail, fax, and website.

Deepening the “Know” in “The Right to Know”

Twenty states have statutes that require that abortion providers inform their clients of the availability of ultra sound pictures of her fetus prior to an abortion. Right to Life activists describe ultrasound legislation as “window to the womb” laws. There are no systematic studies of

their impact on a woman's decision, but analysts opine that gestational age of the fetus would be a major factor.²¹ Other recent state additions to the Casey-like "right to know" incremental laws include information about fetal pain. Five states (Arkansas, Georgia, Illinois, Minnesota, Oklahoma) already include these data in their required pre-abortion information. The consideration that at least by the early third trimester the developing fetus experiences pain during an abortion is becoming more difficult to dispute. The Georgia Women's Right To Know Act requires that the woman seeking an abortion read or hear that:

By 20 weeks' gestation, the unborn child has the physical structures necessary to experience pain. There is evidence that by 20 weeks' gestation unborn children seek to evade certain stimuli in a manner which in an infant or an adult would be interpreted to be a response to pain. Anesthesia is routinely administered to unborn children who are 20 weeks' gestational age or older who undergo prenatal surgery.

Under Georgia's statute, the woman also receives

materials designed to inform the female of the probable anatomical and physiological characteristics of the unborn child at two-week gestational increments from the time when the female can be known to be pregnant to full term, including any relevant information on the possibility of the unborn child's survival and pictures representing the development of unborn children at two-week gestational increments, provided that any such pictures must contain the dimensions of the fetus and must be factually accurate for the stage of pregnancy depicted. The materials shall be objective, nonjudgmental, and designed to convey only factually accurate scientific information about the unborn child at the various gestational ages.

Safe Haven Laws

Beginning with Texas in 1999, forty-eight states have enacted a provision intended to provide a safe and confidential means of abandon-

21 Kevin Sack, "In Ultrasound, Abortion Fight Has a New Front," *The New York Times* (May 28, 2010), p. A1.

ing an infant, ranging from seventy-two hours to one year (North Dakota) in specified locales without threat of prosecution for child abandonment. *Safe havens* include hospital emergency rooms, firehouses, police stations, adoption agencies, and calling 911. Still, dozens of cases of neonaticide occur each year.²² Timothy Jaccard, a safe haven law activist, attributes some of this failure to insufficient public awareness of the law and the lack of funding to publicize it.

On April 1, 2004 Congress passed the *Federal Unborn Victims of Violence Act*. It allows states to prosecute those who kill a pregnant woman for double homicide or assault. Thirty-five states have a law holding someone guilty of homicide who, in the course of an attack on its mother, causes the death of her fetus. Ten states provide partial coverage, such as Arkansas which begins this coverage at twenty weeks and after. From the pro-life standpoint a major dimension of the law is that it permits states to define the unborn child as “a member of species homo sapiens, at any stage of development, who is carried in the womb.” From 1990 to 2004 more than 1,300 pregnant women have been killed, and the woman’s unwillingness to obtain an abortion has often been a major factor in her murder.

A recent development pertinent to the *Unborn Victims of Violence Act* is the amending of state right to know bills to require abortion providers to inform women that it is illegal for someone to coerce them into having an abortion and that the state offers help for women who feel they have no recourse but abortion. Seven states (Alabama, Arkansas, Kansas, Louisiana, Pennsylvania, Utah, and West Virginia) have statutes dealing with forced abortions. For example, a Wisconsin legislative panel in September 2007 approved a bill for an Assembly debate and

²² Safe haven provisions also serve to remind us of the constancy of infanticide-abortion, as the equivalent–foundling wheels, which was a revolving wooden barrel inserted into a convent or hospital wall–were institutionalized by a papal bull issued in the twelfth century by Pope Innocent III, who was shocked by the number of dead babies found in the Tiber. Elisabetta Povoledo, “Updating an Old Way to Leave the Baby on the Doorstep,” *New York Times* (February 28, 2007), p. A4.

vote that would require abortion clinics to inquire whether women seeking abortion feel pressured by their partners or parents and, if so, to refer them to an agency or group that deals with domestic violence or family issues. Current Wisconsin law requires women to consent to the abortion but does not monitor whether pressure led to her decision.²³

The notion of fetal pain, in turn, correlates morally and emotionally to the question of legal gestational limits to abortion. *Roe* legalized abortion up to viability (then thought to be around twenty-four weeks) except when a woman's life or health required even a late abortion; but the accompanying *Doe* decision gave an expansive definition of health that included psychological and even economic considerations that, in effect, made abortion legal throughout gestation. Thirty-six states prohibit abortions after fetal viability (or in the third trimester), except when necessary to protect a woman's health. In eighteen states a second physician must participate in these late abortions.

Gonzales v. Carhart

The April 18, 2007 decision (5-4) that upheld the Partial-Birth Abortion Ban Act of 2003 (reversing the Court's 2000 decision in its *Stenberg v. Carhart* ruling that the ban violated the federal constitution as interpreted in *Roe* and *Casey*) is a right-to-life legal highpoint in that it bans a particular kind of abortion and brings to public attention in the most vivid way possible the fact that abortion kills a human being. By 2000 about thirty states had enacted bans designed to prohibit this kind of late-term abortion, giving empirical credence to Judge Anthony Kennedy's observation "that there was a moral, medical, and ethical consensus that partial-birth abortion is a gruesome and inhumane procedure that...should be prohibited."²⁴

²³ *LifeNews.com* (Sept. 19, 2007).

²⁴ Kennedy noted that Congress had amended the bill in a way that was consistent to the *Casey* criteria that the state's "legitimate, substantial interest" in expressing "profound respect for the life of the unborn" must not place an undue burden on a woman's right to an abortion as found in *Roe*. *Carhart* ruled that Congress had met the *Stenberg* objections that the ban's overreach and

Carhart also builds on the post-*Casey* right-to-life movement's efforts to diminish abortion by advancing a woman's right to know the facts about and the consequences of abortion. Kennedy wrote:

Respect for human life finds an ultimate expression in the bond of love the mother has for her child. The Act recognizes this reality as well. Whether to have an abortion requires a difficult and painful moral decision. While we find no reliable data to measure the phenomena, it seems unexceptionable to conclude some women come to regret their choice to abort the infant life they once created and sustained.... The State has an interest in ensuring so grave a choice is well-informed. It is self-evident that a mother who comes to regret her choice to abort must struggle with grief more anguished and sorrow more profound when she learns, only after the event, what she once did not know: that she allowed a doctor to pierce the skull and vacuum the fast-developing brain of her unborn child, a child assuming the human form. It is a reasonable inference that a necessary effect of the regulation and the knowledge it conveys will be to encourage some women to carry the infant to full term, thus reducing the absolute number of late-term abortions. The medical profession, furthermore, may find different and less shocking methods to abort the fetus in the second trimester, thereby accommodating legislative demand. The State's interest in respect for life is advanced by the dialogue that better informs the political and legal systems, the medical profession, expectant mothers, and society as a whole of the consequences that follow from a decision to elect a late-term abortion.

lack of a health exception created an undue burden for a woman seeking a late term abortion. Kennedy noted that "if intact D&E is truly necessary in some circumstances, a prior injection to kill the fetus allows a doctor to perform the procedure, given that the Act's prohibition only applies to the delivery of 'a living fetus.'" A doctor who decides that a partial-birth abortion is necessary, in Congress's words, "may seek a hearing before the State Medical Board on whether the physician's conduct was necessary to save the life of the mother whose life was endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself." Congress also specified that a woman upon whom a partial-birth abortion is performed may not be prosecuted.

The post-*Casey* achievements in state legislatures, characterized by a high degree of movement prudence, mark a major shift²⁵ in the abortion controversy. The only certainty about social movements is that they continually evolve; otherwise they lose a grassroots energy and devolve to ever more marginal public status. The movement opposing abortion has met this empirical criterion of evolution, beginning mostly as a counter-movement against a few pro-abortion activists, then developing quickly from anti-abortion to *right-to-life* that almost immediately included programs, both of grass roots volunteers and of social policy, intended to narrow the circumstances when abortion might otherwise seem the only substantive choice for a desperate and despairing mother. Further evolutions include the actualization of the moral intuition present from its beginning that consistency about the sacredness of life required commitments that contested the resort to violence as a reasonable option in all dimensions of human life. Even in his prudence, Casey adumbrated the telos of non-violence at the core of opposing abortion. Besides an increasing comprehensiveness, Casey believed the movement against abortion required an even deeper evolution. Casey considered opposition to abortion as ultimately a part of an active non-violence: “Let me say it directly: Abortion is the ultimate violence. If a child in the womb, the most innocent thing on earth, is not safe—then who is? If as a nation we don’t revere that child, that innocence, what will make us revere any life?”²⁶ So, following Tilly’s mature realization

²⁵ For some pre-Tilly efforts (efforts that do not explicitly employ the notion of “telos”) to characterize the evolution of the movement opposing abortion, see my “Learning and Teaching Consistency: Catholics and the Right-To-Life Movement” in *The Catholic Church and the Politics of Abortion*, ed. Timothy A. Byrnes and Mary C. Segers (San Francisco CA: Westview Press, 1992), pp. 152-68; “Seeking A Sociologically Correct Name for Abortion Opponents” in *Abortion Politics in the United States and Canada*, ed. T.G. Jelen and M.A. Chandler (Westport CT: Praeger, 1994), pp. 15-40; and “Pro-life Politics: From Counter-Movement to Transforming Movement” in *Consistently Opposing Killing*, ed. Rachel M. MacNair and Stephen Zunes (Westport CT: Praeger, 2008), pp. 159-72.

²⁶ *Fighting for Life* (Dallas TX: Word 1996), p. 140.

about social movement analyses, let us teleologically examine the further evolution of the modern movement opposing abortion.

The Beckoning Horizon of Prudence

After the late Joseph Cardinal Bernardin's December 6, 1983 Gannon Lecture at Fordham University the phrase *the consistent ethic of life* achieved some prominence but not immediate acceptance within pro-life social movement organizations. He entitled his address "A Consistent Ethic of Life: An American Catholic Dialogue." Bernardin had been invited to speak on the American Bishops' just published and widely commented on pastoral letter "The Challenge of Peace," which strongly criticized the Reagan Administration's arms build-up and especially the government's unwillingness to reduce the number of nuclear weapons and to renounce any first-use policy. The document said that it was highly unlikely that any use of nuclear weapons could be morally justified. In their document the bishops taught (§286-87) that the same moral principle governed both the classical just war principle of *discrimination* (prohibiting any direct targeting, much less the killing of non-combatants) and the traditional prohibition against induced abortion. "Nothing," they taught, "can justify the direct attack on innocent human life, in or out of warfare. Abortion is precisely such an attack." Bernardin anticipated the huge task it would be to persuade others to make the connection between opposing abortion and opposing war,²⁷ acknowledging that those who opposed a nuclear arms buildup

²⁷ While the consistent ethic of life has been endorsed by the American Catholic Bishops in all of the major election year statements of the USCCB, there has been constant disagreement within the right to life movement, and within American Catholicism, on its validity and on how to translate this ethic into electoral politics. Prominent activists, such as Judy Brown of American Life Lobby, the late Nellie Gray, organizer of the annual January 22 March On Washington, the late James McFadden, publisher of *The Human Life Review*, and many others have complained that a "many issues approach," in McFadden's words, "still cloaks pro-abort Catholic politicians" such as Edward Kennedy, Geraldine Ferraro, Mario Cuomo, Patrick Leahy, and we can add the

did not often oppose abortion, and vice versa. Such a congruence would require the continuing moral evolution of both movements. But it is important to note that within the pro-life movement the linkage has been present from its inception. The moral insight that objections to abortion and objections to war are rooted in the same moral principles appeared at the very beginning of the modern anti-abortion movement. As mentioned earlier, in 1964, almost a decade before *Roe*, Tom Cornell, one of the founders of the Catholic Peace Fellowship, said that it was pacifism that brought him to protest both the Vietnam war and abortion. Two years before *Roe* Gordon Zahn, one of the founders of *Pax Christi*, the international Catholic peace organization formed after World War II, linked opposing abortion and opposing war. So too did Dorothy Day, a founder of *The Catholic Worker*. Cornell, Zahn, and Day were not solitary figures.

In 1973, the year the Supreme Court in its *Roe vs. Wade* decision (7-2) struck down all state laws prohibiting or restricting abortion, the first college social movement organization formed in the abortion controversy, The National Youth Pro-Life Coalition at the University of Minnesota, morally intertwined its opposition to abortion and to the Vietnam War: “The Coalition is deeply concerned that our contemporary society is not consistent in its respect for human life” and it challenged those who were “antiabortion, pro-war and pro-capital punishment” to moral consistency because “true conservatism should involve a willingness to ‘conserve’ all human life.”²⁸

contemporary 2007 catholic democratic candidates for president such as Denis Kucinich, Bill Richardson, and Joseph Biden. Bernardin acknowledged the political complexities involved in trying to apply a consistent ethic of life to elections. When he gave a speech entitled “Linkage and the Logic of the Abortion Debate” at the annual National Right to Life conference held the next year after his Fordham *Consistent Ethic* address, Cardinal Bernardin recalled that, at its conclusion, only about half applauded (personal interview).

²⁸ Telephone interview with Susan Hilgers, a founder of the National Youth Pro-Life Coalition.

The year following *Roe* the Catholic Peace Fellowship published its *Statement on Abortion* (June 28, 1974), saying: “For many years we have urged upon our spiritual leaders the inter-relatedness of the life issues, war, capital punishment, abortion, euthanasia and economic exploitation.” It was signed by Dorothy Day, Eileen Egan, Hermene Evens, Joseph Evans, M.D., Thomas C. Cornell, James H. Forest, and Gordon Zahn.

Six years after *Roe*, in 1979, Juli Loesch began *Pro-lifers for Survival*, which linked the oppositions to war and abortion. In 1980, the Evangelical Christian journal *Sojourners* explicitly joined opposition to abortion to its long-standing opposition to the arms race and to capital punishment. Though largely ignored by the media and prominent pro-life social movement organizations, by the mid-1980s there was a wide and dense network of groups that explicitly linked their non-violence and rejection of modern warfare to a moral critique of abortion. At the last Prolifers for Survival gathering in March 1987 the “Seamless Garment Network” was formed. Its mission statement reads:

We the undersigned are committed to the protection of life, which is threatened in today’s world by war, abortion, poverty, racism, the arms race, the death penalty and euthanasia. We believe that these issues are linked under a consistent ethic of life. We challenge those working on all or some of these issues to maintain a cooperative spirit of peace, reconciliation and respect in protecting the unprotected.

By 2003 the Network had over 120 member organizations, most of them with religious identities, such as Catholic Worker groups and diocesan Peace and Justice Committees, Pax Christi, Evangelicals for Social Action, Sojourners, and the Buddhist Vihara Society. Because the metaphor “seamless garment” (as in John 19:23-24) required constant explication in a secular society, the network now identifies itself as “Consistent Life—An International Network for Peace, Justice, and Life.” At the end of the year 2009, the Consistent Ethic—Voices for Peace and Life web site listed 215 group affiliates. In efforts to overcome media stereotypes of abortion opponents, Consistent Life has taken out ads in

publications explaining the consistent ethic of life. Signers have included prominent peace activists such as Daniel and the late Phillip Berrigan, Elizabeth McAlister, Jim and Shelly Douglass, Joan Chittister, O.S.B., the late Eileen Egan (the first to apply the seamless garment metaphor to abortion opposition), Jean Goss and Hildegard Goss-Mayr of the International Fellowship of Reconciliation, Bishops Thomas Gumbleton, Walter F. Sullivan, and Raymond J. Hunthausen; Nobel prize recipients Mairead Corrigan Maguire and Adolfo Perez Esquivel, and the high-profile Protestant theologians Harvey Cox and Stanley Hauerwas.

The linking of the fates of the movements opposing the violence of abortion and the violence of war is still far from the empirical center of the pro-life movement and public notice. But that this telos is at the moral core of the movement is implicit in the ways that activists find themselves speaking when they must respond to their critics, especially on the occasions when fringe elements commit violence in the name of the pro-life movement.

Towards Making the Implicit Explicit

After each murder of an abortion performing doctor, pro-life social movement organizations and leaders first accurately note that the killer is a “lone wolf” unattached to any pro-life group and then—and here is the pertinence to telos—they unfailingly characterize their movement as *inherently* non-violent. For example, after the Eric Rudolph series of terrorist bombings in the Atlanta area in the mid-1990s, the chairman of the Bishops’ Committee for Pro-Life Activities said, “Such violence is the opposite of everything we stand for.” The executive director of the Georgia Right to Life said that violence “is never the solution to social problems.” Gary L. Bauer, then president of the Family Research Council, said: “Violence is not the answer to violence.” David O’Steen, long-time executive director of the National Right to Life Committee said: “The goal of NRLC is to break the cycle of violence, which includes abortion, not perpetuate it.”

After Scott Roeder murdered Dr. George R. Tiller in the vestibule of his church on the last Sunday of May in 2009, the remarks of leading pro-life organizations simply recycled these avowals of non-violence from a decade earlier. Father Frank Pavone, the founder and director of Priests for Life, a prominent pro-life Catholic group said: “We at Priests for Life continue to insist on a culture in which violence is never seen as the solution to any problem. Every life has to be protected, without regard to their age or views or actions.” Thomas Glessner, a pro-life attorney who heads NIFLA, a group that provides legal services to hundreds of pregnancy centers, said “violence is never a solution. The pro-life movement stands against violence and killing and this opposition is in our DNA.”²⁹

The repetitive pattern of these remarks show that when pro-life leaders respond to their severest critics in a morally persuasive way they link their opposition to abortion to the nascent non-violence movement, adumbrated in the gospels and embodied by, among others, Gandhi, Martin Luther King, Dorothy Day, and countless others. But these leaders and the mainstream movement opposing abortion have yet to apprehend personally and organizationally the deeper meaning and full moral implications of their immediate response to any use of violence to stop abortion.³⁰ Some religious leaders, however, more explicitly and prophetically call for a more direct linkage of oppositions to the violence of war and of abortion, as well as some of the most significant of contemporary pro-life social movement organizations, such as Feminists for Life.³¹

²⁹ All of the above are cited in “Atlanta Archbishop Decries Bombing of a Clinic,” *The Tablet* (Jan. 25, 1997) and “A Truly Horrendous Bombing” (Jan. 16, 1997).

³⁰ An examination of their responses show their animadversion to violence is not tactical—it gives pro-life a bad name—but principled: violence is inherently contradictory to the core meaning of opposing abortion.

³¹ Important too is the publication of some key commentary on the practice of the consistent ethic of life in *Consistently Opposing Killing: From Abortion to Assisted Suicide, the Death Penalty, and War*, ed. Rachel M. MacNair and

It is important to note that even when the phrase “a consistent ethic of life” is not explicitly employed, positions taken against abortion made in a dialogic or non-polemical context strongly tend toward, first, a comprehensive approach and then, with more reflection, to a vision of non-violence. In his 2007 World Day of Peace Message entitled “Both Gift and Task” Pope Benedict XVI, in his section on the right to life, in the fashion of the Second Vatican Council and of Joseph Cardinal Bernardin, explicitly linked opposition to the various kinds of violence in the context of a vision for a just peace:

As far as the right to life is concerned, we must denounce its widespread violation in our society: alongside the victims of armed conflicts, terrorism and the different forms of violence, there are the silent deaths caused by hunger, abortion, experimentation of human embryos and euthanasia. *How can we fail to see in all this an attack on peace* [emphasis added]?³²

In his address to the bishops of Switzerland on the day after his World Peace Day message, Pope Benedict says that since “there can be no contradiction between defense of life and defense of values such as peace, justice and nonviolence,” he is troubled that these movements are not yet united:

Stephen Zunes (Westport CT: Praeger, 2008).

³² It is also pertinent to point out that, because abortion as a direct attack on innocent human life is intrinsically unjust, some Catholic commentators justify making abortion a single issue that trumps all others in voting. But in his message for World Peace Day 2007, Pope Benedict XVI recalls the teaching of the Second Vatican Council that nuclear weapons and other means of indiscriminate destruction are intrinsically evil and merit “unequivocal condemnation”: “When it [the cold war] came to an end, there was hope that the atomic peril had been definitively overcome and that mankind could finally breathe a lasting sigh of relief. How timely, in this regard, is the warning of the Second Vatican Council that “every act of war directed to the indiscriminate destruction of whole cities or vast areas with their inhabitants is a crime against God and humanity, which merits firm and unequivocal condemnation.”

I have pondered on this—I have been pondering on it for a long time—and I see ever more clearly that in our age morality is, as it were, split in two. Modern society not merely lacks morals but has “discovered” and demands another dimension of morality, which in the Church’s proclamation in recent decades, and ever earlier perhaps, has not been sufficiently presented. This dimension includes the great topics of peace, nonviolence, justice for all, concern for the poor and respect for creation. They have become an ethical whole which, precisely as a political force, has great power and for many constitutes the substitution or succession of religion.... And it also fascinates young people, who work for peace, for nonviolence, for justice, for the poor, for creation.... And they are truly great moral themes that also belong, moreover, to the tradition of the Church.... The other part of morality, often received controversially by politics, concerns life. One aspect of it is the commitment to life from conception to death, that is, its defense against abortion, against euthanasia, against the manipulation and man’s self-authorization in order to dispose of life.... *I believe we must commit ourselves to reconnecting these two parts of morality and to making it clear that they must be inseparably united* [emphasis added].³³

Efforts to recognize what Benedict XVI laments—the separation of pro-life from peace-movements—are present when the setting is dialogic and the emphasis is on integrity and moral plausibility. Here are two more representative examples of the continuing evolution of the pro-life movement and its telos, one from hierarchical Roman Catholicism, one from pro-life feminism.

At the January 21, 2007 mass on the eve of the annual march for life, in his homily Cardinal Justin Rigali, Bishop of Philadelphia and Chair of the USCCB Committee on Pro-Life Activities, preached: “To choose life ... involves rejecting every form of violence: the violence of poverty and hunger, which oppresses so many human beings, the violence of armed conflict, which does not resolve but only increases divisions and tensions; the violence of particularly abhorrent weapons.”³⁴

³³ Zenit, text from the Vatican (Dec. 8, 2006).

³⁴ *Origins* (Feb. 1, 2007).

Serrin M. Foster, the President of *Feminists For Life*, is in constant dialogue as she speaks at colleges and other institutions and has published a list of the most commonly asked questions that challenge her. Her toughest questions concerning choice and women's autonomy always lead her to place opposition to abortion in the context of the aspiration of non-violence. Here are the three most common questions about choice and Serrin's responses.³⁵ Each is anchored on a rejection of violence as a solution:

Don't you respect women enough to allow them to make a choice?

Most women do not have abortions as a matter of "choice," but because they feel they have no resources to support a different choice. A coerced decision is not a free choice—it's a last resort. We support nonviolent choices—single motherhood, fatherhood, grandparenthood, marriage and various adoption options—along with practical resources and support. A society that promotes abortion as a "necessity" or "necessary evil" underestimates women and the violence of abortion and disregards what women really want.

If you don't trust me with a choice, how can you trust me with a child? All choices aren't equal, but all people are. We reject violence against women and children through abortion, and promote peaceful alternatives that benefit both women and equality.... It's not about trust—it's about condemning violence.

Don't women need to control their own lives? No one has complete control over his or her life. Once a woman is pregnant, the question is, 'What is the best possible nonviolent outcome for her?'

From such various and emergent efforts by those who explicitly place themselves in a condition of dialogue where the stress is on integrity and moral plausibility³⁶ we can see, at least in an anticipatory way, that the telos—the fullest coherence—of the right to life movement opposing abortion is to become fully pro-life and join contemporary Christianity

³⁵ Cf. www.feministsforlife.org.

³⁶ We simply run out of space. See, for example, the March 2007 Board of the National Association of Evangelicals' *An Evangelical Declaration Against Torture: Protecting Human Rights in an Age of Terror*. At the very end the authors place their witness in the context of a seamless garment, the metaphor that Cardinal Bernardin used for a consistent ethic of life.

to the first witness of the Christian Church, and with many others, in a commitment to non-violence.

The Telos of Abortion Opposition Is a Commitment to Non-violence

The telos—the vital moral core, the essence, and the ultimate goal—of the movement opposing abortion is to become ever more consistently pro-life in a commitment to non-violence. Principled non-violent antiwar activists comprised one of the core early streams of the modern movement that sought to prevent abortion from becoming a normal dimension of human life. To keep its vitality the movement opposing abortion must keep returning to its deepest and more inclusive moral insight: that a resort to violence in any dimension is a negation of the human good. And to keep its deepest vitality, movements opposing war must learn from the early opponents of abortion that at its deepest moral justification abortion is a personalization of just war theory applied to a unique and vulnerable developing human life. Abortion is the individualization and thus the continuation of just war theory. The fates of the moral flourishing of the non-violence animating both the anti-war and the anti-abortion movements are irrevocably linked.

Admittedly, a consistent ethic of life as the core of the movement opposing abortion will sound like transcendent ideals that belong to Kingdom of God language and the category of the eschatological rather than sociological analysis. But invitations to such a witness answers a call from our deepest moral centers and from the transcendent human aspiration to solidarity. And, following Tilly once again, a truly vital social movement will tell its story backwards. A consistent ethic of life can protect anti-abortion prudence from losing sight of its beckoning vision by grounding it in the most comprehensive and ultimate meaning for opposing abortion: a growing commitment to non-violence.