

# Slate

## Abortion Common Ground: A Pro-Choice Agenda What pro-choicers can learn from the Princeton abortion conference

By William Saletan

Yesterday I described highlights of a recent abortion conference at Princeton University. The conference brought together pro-lifers and pro-choicers for an open-minded discussion of their differences and possible areas of collaboration. It illuminated various steps each side could take to advance a common agenda. In yesterday's article, I suggested some lessons for pro-lifers. Today I'll sketch some ideas for pro-choicers.

**1. Admit the value of the fetus.** At the conference, several pro-choice speakers conceded truths that have been hard for their allies to admit. Rachel Laser, a pro-choice activist who has worked with pro-lifers on abortion reduction legislation, noted that her colleagues were inching closer to admitting the significance of the fetus. Peter Singer, the philosopher often maligned as an abortion-rights radical, called the fetus a "human being" and "unborn child," and he agreed with pro-lifers that abortion is killing. Robin West, a Georgetown law professor, added:

*I have many, many students who are against the criminalization of abortion, who are pro-sex, pro-birth control, and morally opposed to most or many or even all abortions because of their belief in or their commitment regarding the moral status of fetal life. That's a perfectly coherent argument shared by many. It's no longer an unusual position within the pro-life and pro-choice community.*

These pro-life, pro-choice young people are the voice of the future. Listen to them. Speak for them.

**2. Embrace abortion reduction.** Pro-choice leaders often point out that they're pro-choice, not pro-abortion. Prove it. Show that our high rate of abortion can be sharply reduced within a framework of free choice. At Princeton, Sarah Brown, CEO of the National Campaign to Prevent Teen Pregnancy, explained how: by targeting factors "upstream" from abortions. Brown said of abortions: "I would prefer that we have fewer, not by making it illegal or inaccessible or shameful, but by reducing the incidence of the unplanned, distressing, stressful pregnancies that are

behind the vast majority of abortions." Likewise, Dawn Johnsen, an Indiana University law professor who used to represent the National Abortion Rights Action League, called for policies that "reduce abortion through means that help women and their families avoid unintended pregnancy and choose healthy childbearing."

**3. Treat contraception as a moral practice.** Pro-choicers hate to moralize about sexual behavior. At Princeton, as elsewhere, most of them talked about contraception purely in terms of access: steep co-pays, lack of health insurance, inadequate Medicaid reimbursement. But pro-lifers didn't let them off with these excuses. The Rev. Joseph Tham of Regina Apostolorum University pointed to studies indicating that promotion and availability of contraception haven't reduced the rate of unplanned pregnancies. Terry McKeegan of the Catholic Family and Human Rights Institute noted that half of unintended pregnancies involve couples who claim to have used contraception.

These challenges forced some pro-choice panelists to admit that contraceptives fail because people don't consistently use them. Brown, in particular, stressed that couples must be "diligent" in using birth control. West proposed "a pro-contraception campaign that emphasizes the moral duty to use birth control." If contraception is going to work, this is the way its proponents must think and talk about it: not just as an option, but as a responsibility.

**4. Reclaim stigma.** The dirtiest word in the pro-choice lexicon is "stigmatize." Several times at Princeton, pro-choicers fretted that an abortion-reduction campaign might "stigmatize" abortion. One panelist warned that drawing a distinction between abortion and family planning might cause a woman to be labeled "bad" if she "ends up being pregnant when we know she shouldn't have" because she "had these tools available to her." A pro-choice attendee refused to "judge women for making decisions about their reproductive lives that are best for them."

Come on. Just because judgment and stigma have been crudely applied in the past doesn't make them obsolete.

They're essential methods of transmitting culture. We judge people and their conduct all the time. Why should sex be exempt? Rape is bad. Infidelity is bad. And, yes, having sex without contraception when you know you can't handle a pregnancy is bad. That goes for both partners. Frances Kissling, one of the conference's organizers, faces this fact squarely in her review of its lessons:

*[P]ro-choice folks need to attend to our own house. We could start by not apologizing for or excusing women and girls who are sexually active and do not use contraception. Making babies is serious business, and sex is a pleasurable and meaningful activity with social consequences.*

**5. Target repeaters.** In her presentation, Brown delivered this brutal observation:

*About half of all abortions are to women who have had at least one previous abortion. Half. That suggests not only the family planning systems, but also the people who provide terminations, are not doing enough to prevent additional unintended pregnancies, including such things as immediate post-abortion IUD insertion.*

That's a scandal. One unintended pregnancy should be enough to warn you—and the doctor who vacuums out your uterus—not to risk another.

**6. Reconsider the legality of second-trimester abortions.**

This is the part I don't like. I hate the crudity of bringing criminal law into such personal matters. But people with stronger pro-choice credentials than mine have been thinking about it for some time. At Princeton, one of them, historian David Garrow, infuriated pro-lifers by equating *Roe v. Wade* with civil rights and by attributing much of the pro-life movement to "feelings about sex" rather than life. Then he said this:

*The discussion that I would like to have in a setting like this is: How negotiable should the legal status of the second trimester be? ... I quite frankly am not morally capable of having a discussion that doubts women's fundamental right of access up through at least 12 weeks. Now, having said all that, I'm perfectly willing to discuss everything about [weeks] 12 through 22. ... It is imaginable, as a pro-choice person ... to entertain the question of whether [week] 12 forward should be subject to the sort of hospital-committee regime that we saw in abortion law history in the late 1960s. ... That is a moral concession I'm willing to entertain as a possibility, even though I view it as a potentially dangerous slippery slope.*

After the conference, pro-lifers assailed Garrow for disrespecting them. They ignored his remarks about the second trimester, which represented by far the most significant offer from anyone on the pro-choice side. They should take him up on it, and pro-choicers should think seriously about following his lead.

Imagine a deal—I'd call it the Gushee-Garrow Compromise—in which pro-choicers accept restrictions on second-trimester abortions in exchange for pro-life support of contraception. Both concessions would hurt, but that's what makes the deal fair. Many stalwarts on both sides would reject the trade—most notably, the Catholic Church—but their cooperation might prove unnecessary. Abortion would remain safe and legal, but it would be rarer. And in exchange for a 12-week deadline on elective abortions, women would get better options for avoiding pregnancy.

I hate half of this proposal, but I think I could tolerate it. If you feel the same way—and the other side does, too—we might have a deal.