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Abortion, Culture and the New Elite

by

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Abortion as a legal and moral right has been culturally accepted in the U.S. some twenty three years after the *Roe v. Wade* decision of the U.S. Supreme Court. All the polls taken in the past five years have shown this beyond any doubt. There are pockets of resistance — some evangelicals, some Catholics and a few others — but they most probably will not be able to overturn the decision. Abortion is no longer a question of putting more conservative members on the Court — or even changing the law — it has penetrated far too deeply into the culture for that. As Sandra Day O'Connor has put it in the 1992 *Casey* decision, the people of the U.S. have culturally accepted abortion as a backup for contraception and nothing will change that because it is cultural not legal. This is a harsh judgement but the law has now changed the culture and the value of human life which, ironically, the law per se can no longer change. The law can go one way but not the other. Once it has changed the ethics of the culture for the worse people will no longer permit or tolerate a change the other way. You cannot go from a loose sexual ethic to a more stringent one; you can only go from the stringent ethic to the loose.

Historically there are precedents in the sexual area. When the Emperor Justinian I changed the law of no fault divorce in the middle of the sixth century by his *novella* 2, it was repealed by his son Justinian II a year after the elder Justinian's death. The Romans had no fault divorce as part of their sexual ethic for a thousand years and it could not be changed by law. No culture on record has gone from a loose sexual ethic to a more stringent one. All attempts have failed.

When the Supreme Court gave the people of the U.S. abortion on demand in 1973, this loosed the sexual ethic as an open one for which no consequences had to be paid. The more stringent ethic had consequences, elements of shame and a price to pay. Now this was no longer the case and sexual freedom became almost absolute with few consequences of a visible nature.

The ethic of sexuality has changed because of *Roe v. Wade* and along with it, a totally new view of human life which is now dependent on the will of the individual woman. Human life has no longer an inherent dignity whose demands are made on others, the law and on society. People are now free to determine when

human life would come to be *vel non* whether already begun or not . . . This decision is now one of "privacy" under the Constitution as a fundamental right which can be changed only by a Constitutional amendment. Further and more profoundly, it can be changed only by a change in the cultural ethic which, unbeknownst to the people, has changed from one of inherent dignity of all human life, to the pragmatism and individualism of the woman to choose whether this child is to be or not to be.

The difficulty is that American culture still gives lip service to a Christian ethic on which the original Declaration of Independence was predicated: "We hold these truths to be self evident that all men are *created* equal and that they are endowed by their *Creator* . . ." The foundation of human rights was not "privacy" but the transcendent nature of man created in the image and likeness of God. Such rights were then thought to be inherent in each person by the reality of creation (natural law) and man's unique destiny to become a child of God. In such an ethic, human rights are absolute and not dependent on the will of others, neither individuals nor the state.

This ethic clearly no longer obtains in law in our culture. The right to be born in existence is dependent on the will of others. The culture has therefore radically changed because the law has changed it in *Roe*. The problem is how to change the residue of that Christian ethic in which and by which people still consider abortion wrong, immoral. Once again, the polls show that up to 80% of Americans still believe abortion is wrong and is a species of murder. Yet because the law has changed (Americans still identify law with morality), that has changed the mores or customs of the people and therefore the culture has changed. People still feel guilt and know *from another ethic* that abortion is evil, but in fact accept another ethic while giving lip service to an older traditional ethic.

In pagan societies and non Christian societies, such as in many places in the Far East, abortion is simply a medical procedure with little or no guilt by those who do them. They certainly do not think abortion is wrong and there are no pro-life groups in those countries opposing abortion on a larger scale. Only where there was once a Christian culture does this pro-life phenomenon of opposition appear.

Besides the law in the U.S. which has been used to change the culture, this society has refused to call abortion by its right and correct name: infanticide of the unborn. There was no such scruple in pagan law because rights were not inherent in the person because there was no such thing as creation by God and the special creation of man as transcendent person made in the image and likeness of God destined for eternal life.

Pagan law also had a choice - only it was for the man, the *paterfamilias* who had (like a woman today) an absolute right to say yea or nay even after the birth of the child or during the pregnancy. He had the right to kill it before birth as well as after birth since the child had no inherent rights independent of the will of the *paterfamilias*. The pagan law had no scruple about infanticide ("exposure"). American culture and its ethic in regards to human life is exactly that of pagan societies (e.g. Rome) but only in fact not yet in theory.

This open calling of infanticide is as yet too difficult for Americans to accept because they still think they cling to the former Christian ethic. So there has been a

change in nomenclature to cover and not admit to what everyone knows to be happening: the killing of children. We use words which are either Latin ("fetus") or impersonal: product of conception, womb content, evacuate, D and C, potential life and other such euphemisms to cover what we are really doing: slaughtering our young for whatever reasons. People simply cannot accept that they are killing babies so they have been given a new nomenclature to hide reality and soothe their consciences. This is particularly the work of lawyers and judges who think that by using impersonal terms to cover what we are doing, they can transubstantiate the reality of what we are doing. It is a secular form of transubstantiation by the uses of impersonal words to make people non persons. Just the opposite of Catholic transubstantiation which goes from object (bread) to person (the flesh and blood of the resurrected Lord). This is indeed strange since the judicially annointed claim no supernatural power but the power of words alone. Unfortunately for them, the reality remains the same. The person does not become object no matter how hard we wish or how many words we pronounce on him or her.

Such pagan authors as Peter Singer, Naomi Wolf and George McKenna readily admit that abortion kills babies and that we must return to the pagan ethic of acceptance of infanticide and away from the Christian view of creation/supernatural destiny of every single person whose rights are inherent and inviolate because they are made in the image and likeness of God. The new pagans are now willing to admit that abortion kills babies but that there is a necessity for allowing it anyway.

But to do this you must change the ethic from Christian personalization to a philosophical nihilism and relativism where there is no objective truth and only the individual can determine right and wrong for himself. That was Stoicism in the ancient world and nihilism in the modern. Its motto is "nothing is true; everything is permitted", which is the only logical and legitimate response to the emptiness of life without transcendence. According to nihilism (and its pagan versions) all notions of right/wrong are based on the arbitrary decision of the community—therefore it is better simply for the individual to make them. This results in the view that no set of values, whether those of our civilization or cannibalism, is demonstrably superior to any other set of values.

Eliminate God and transcendence and human beings are left without anything by which they can take their bearings. All is permissible so we may as well leave the decision to the individual. The truth is that there is no truth (nihilism). What we end up with in reality is not just a new philosophy but a new type of philosophy which denies the very possibility of philosophy, that of seeking truth as transcendent value. More generally stated, if traditional transcendent values on which the dignity of the human person is predicated are jettisoned, then traditional ethics which is rooted in it will also have to be forsaken and replaced by a totally new morality which has nothing but the name in common with older moral doctrines.

This is exactly what Singer and Wolf are doing in finding a new ethic for abortion. Their pagan ethic is forever contrary to the Christian ethic and there is no dialogue possible between them. Frederich Nietzsche saw all this quite clearly. He

could not stomach the Christians who tried to save Christian ethics without a Christian God. If we eliminate creation, a personal God, a special creation of man, inherent human rights from nature and supernatural destiny from a person - from belief in a personal God, the result is utterly absurd. Christian ethics and therefore a culture dependent on such an ethic, is absolutely dependent on the existence of God. Eliminate the latter and the former must collapse as in fact is happening in America.

That is where we are today in the abortion debate. We have changed the ethic and foundation of the right to life - the heart and progenitor of all other rights. We have in fact eliminated God from our culture because we have changed the ethic of life - no matter how much mouthing we give to the word "God" or religion in our public talks. It is action not talk which speaks. This is utterly absurd because we live by a culture which is inherently pagan because we have paganized the right to life in the abortion phenomena in western societies. In the absence of such transcendent beliefs about creation and man as the image of God, should mere membership in the human family give any protection to the right to life? The answer is, it cannot, and that is what the abortion freedom has done to the ethic of this society.

The rest is following hard on this new ethic; experimentation on live "fetus", euthanasia whether willed or unwilled (e.g. Holland), infanticide post partum for the defects we have not detected earlier, forced abortion, etc. What makes China so terrible in its policy of forced abortion rather than giving that arbitrary power to any woman? In fact, it is probably more pragmatic for the government to have that power since it is doing so for what it perceives as the common good (overpopulation) not open to the purview of the individual woman. There is no rational reason, if we deny the transcendent nature of the human person, why Chinese policy is "wrong" and American policy on abortion is "right". Both policies are predicated on the pragmatic ethic of rights, statist or individualistic, where others determine who will live or who will die.

The new pagan philosophers in our midst in regard to abortion are absolutely logical. They see clearly as Nietzsche did before them that the Christian ethic against killing children today lies in tatters in the new abortion freedom when divorced from Christian religious belief. The abortion freedom has destroyed the notion of the inherent right to life from transcendent origins and shifted it to the woman (or in the case of China, to the state which is the very same thing).

Someday the fog of euphemism about abortion will lift to reveal to us what we are really doing. But it is already too late because, in fact, the ethic of our culture has changed and historically speaking, no society, no culture has ever gone from a free sexual ethic to a more restrictive one. People, once used to loose sexual mores, never go back to a former stringent sexual ethic.

All the talk of changing the law or judges or making abortion "rare" is so much empty talk, nonsense really. None of that is going to change a thing because the people have become at home with easy, loose and free sex with abortion as its guarantor.

Perhaps we can call it original sin or as the Council of Orange in 528 called it, that our nature goes to "*in deterius*", for the worse. When that *deterius* becomes part of the culture, particularly when it proclaims itself to be "Christian", it only adds hypocrisy to blindness.

It's the culture that has changed.
