

## O. ABORTION A PUNISHABLE CRIME IN EARLY CHRISTIAN CIVILIZATION

"Be fruitful and multiply and fill the earth! ... I will exact your blood of your lives...at the hand of every man's brother. Whosoever murders a human being, must himself be killed by man. For God made human beings in His Own image. So you - be fruitful and multiply! Bring forth abundantly! ... If men...hurt a pregnant woman so that her fruit depart from her..., if any serious bodily harm follow - you shall give life for life, eye for eye, tooth for tooth!" - Genesis 9:1-7 & Exodus 21:22-24.

1647. In this chapter, we shall see that Early Christian Civilization always regarded abortion as a punishable crime. Christianity did so, even before Constantine the first Christian Emperor's establishment of a nominally-Christian State in A.D. 313-21f. For even Pre-Constantinian Christianity saw that both the Older and Newer Testaments took this position. So, by way of introduction to the anti-abortionism of the pre-Constantinian Church - we now summarize the anti-abortionistic teachings of the Older and Newer Testaments.

### The Older Testament: murderous abortion is a punishable capital crime

1648. Both before and during Moses' lifetime, and also in subsequent Older Testament times, abortion was very severely punished.<sup>1</sup> As the great prophet Moses himself declared - even from at least the time of Noah onward, God had decreed: "Surely, I will requite your blood of your lives! ... I will requite it at the hand of man. At the hand of every man's brother, I will requite the life of man. He who sheds the blood of a man, by man shall his blood be shed...for perpetual generations." Genesis 9:5-12.

1649. As many Jewish Commentators have pointed out, the above includes violence also against that **little** man known as a fetus. For in the original Hebrew, the above phrase: "he who sheds the blood of man, by man shall his blood be shed" - can also be translated: "the blood shall be shed of him who sheds the blood of a [little] man inside of a (wo)man."

1650. Further, after chronicling Pharaoh's wicked murder of newborn babies in Exodus 1:15f, the same Moses also added: "You shall not murder!" Exodus 20:13. "If [a man or] men...hurt a pregnant woman so that her fetus depart from her...he shall surely be punished.... If any mischief [or serious injury] follow - then you shall give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, [and] wound for wound." Exodus 21:22f. A 'burning' of the fetus with a saline solution, or a 'wound' inflicted upon him or her by the abortionist's curette - should therefore be requited against the offending abortionist.

1651. "If a man...happens to meet a girl...and rapes her - only the man who has done this, shall die." Deuteronomy 22:25-27. For "the father shall not be put to death for the children, **neither shall the child be put to death for the fathers**. Every person shall be put to death for his own sin." Deuteronomy 24:14. So: slaughter the raper, but not the rapee - and still less any little fetus conceived in the rapee, as a result of that rape!

1652. Especially the book of Proverbs (6:16f) condemns "hands that shed innocent blood" and "feet that be swift in running to mischief." In 24:11, it calls upon people "to deliver them who have been drawn unto death - and those who are about to be slain." In 31:8, it enjoins: "Open your mouth for the dumb in the cause of all such as are appointed to destruction." Yet no more clearly than in 28:17 ("a man who violates the blood of any person, shall flee to the pit") - is the punishability also of abortionists underlined.

1653. On the latter text, Rev. Dr. Matthew Henry elucidates:<sup>2</sup> "This agrees with that ancient law -

---

1. See chs. I & J.

2. M. Henry: *A Commentary on the Holy Bible*, London: Marshall Bros., n.d., III p. 567.

*whoso[ever] sheddeth man's blood, by man shall his blood be shed* (Genesis 9:6). It speaks: 1, The doom of the shedder of blood. He that has committed murder, though he flies for his life, shall be continually haunted with terrors; shall himself *flee to the pit*, betray himself and torment himself like Cain - who, when he had killed his brother., became a fugitive and a vagabond, and trembled continually." Genesis 4:8-14 (*cf.* First John 3:10-12's "children of the devil...like Cain who was of that wicked one, and slew his brother").

1654. It speaks: "2, The duty of the avenger of blood. Whether the Magistrate, or the next of kin, or whoever are concerned in making inquisition for blood - let them be close and vigorous in the prosecution, and let it not be bought off. They that acquit the murderer, or do anything to help him off, [be]come...sharers in the guilt of blood. Nor can the land be purged from blood, but by the blood of him that shed it. Numbers 35:33."

### **The New Testament: murder, from fetushood onward, is a hideous offence**

1655. Certainly the Newer Testament reinforces the above. Christ's incarnation - and His non-abortion despite the 'embarrassment' of His conception within an unmarried young woman - is a standing protest against all abortions by choice. Matthew 1:18f. So too is the hideous crime of ungodly King Herod's slaughter of young babies soon thereafter. Matthew 2:16f.

1656. When Jesus grew up, He Himself clearly taught: "You shall not murder - and whoever murders, shall be in danger of judgment!" Thus Matthew 5:21f. "Whoever shall offend one of these little ones..., it were better for him that a heavy stone were hanged around his neck and that he were drowned in the deep sea! ... Take heed that you do not despise one of these little ones..., for the Son of man has come to save those who were lost! ... So it is not the will of your heavenly Father that one of these little ones should perish." Matthew 18:6,10,14. "You shall commit no murder!" Matthew 19:18.

1657. Jesus taught His disciples to uphold these commands. So Stephen berated the Ancient Israelites for "cast[ing] out their young, to the end that they might not live." Acts 7:19f. Paul too insisted even the Pagan Roman State should punish violence and certain other infractions of God's Moral Law - and urged parents to raise and nurture their children even "from a fetus" onward. Romans 13:1-9 *cf.* Ephesians 6:4 & Second Timothy 3:15 (*cf.* 1:3-5).

1658. Also James (1:15f & 2:11) teaches: "When lust has conceived, it brings forth sin; and sin, when it is finished, brings forth death. Do not err...[and] do not murder!" Peter too urges people to "love life" - and adds: "Let none of you suffer as a murderer!" First Peter 3:10 & 4:15. Indeed, even the loving John declares: "Cain...was of that wicked one, and slew his brother.... No murderer has eternal life abiding in him." For "murderers...shall have their part in the lake burning with fire and brimstone, which is the second death." First John 3:12-15 & Revelation 21:8.

### **God's people denounced abortion even when living in the Pagan Roman Empire**

1659. At the time of Christ's incarnation, the Holy Land had come under the control of the Roman Emperor. Consequently, the Israelites were not then permitted themselves to inflict capital or even serious corporal punishment in respect of serious crimes - as they had done previously, before losing their independence to Rome from B.C. 63 onward. John 18:31.

1660. As a result, also the early communities of Christians both in Palestine and elsewhere throughout the Roman Mediterranean were finally subject to the punishments - and often also to the **lack** of punishments - of Pagan Roman Criminal Law (with its fluctuation and ambivalent attitude toward abortion). Consequently, even **Hebrew** Christians were for several centuries not able to apply the **Mosaic** Criminal Code as fully as they wished. Nor were **Gentile** Christians able to develop and especially to apply, as much as they desired, an updated and specifically-Biblical Gentile-**Christian** Criminal Code.

1661. Yet, as already seen,<sup>3</sup> even from the very time of the Apostles themselves until our own day and age, Christians roundly denounced intentional abortion as the sin of murder itself. Indeed, the Early Church Fathers all seem to have looked forward to a happier future time - which indeed started commencing at the nominal christianization of the Pagan Roman Empire and its Roman State (in A.D. 312 to 321f).
1662. For then, intentional abortion could again be punished by a godly Government - as the grave crime against humanity which it had always been ever since the foundation of the World (and especially under the Pre-Roman Mosaic legislation). So, from A.D. 321 onward, the penalties were restored.

### **God's Moral Law and all general equity abide everywhere even after 70 A.D.**

1663. Even after the B.C. 63 to 70 A.D. fall of Israel to the Pagan Roman conqueror, abortion remained a horrible sin. For, as the *Westminster Confession of Faith* rightly states, "the Moral Law doth for ever bind **all**, as well justified persons as others, to the obedience thereof..... Neither doth Christ in the Gospel any way dissolve, but much strength, this obligation."<sup>4</sup>
1664. Now because "the Moral Law doth for ever bind **all** persons," it forever binds also **judicial** persons - such as **Political** Governments and **Civil** Magistrates. For, states the *Westminster Confession*, "God...hath ordained Civil Magistrates to be **under** Him, **over** the people [*supra populum*], for **His** own glory, and [for] **the public good** [or *bonum publicum*]....
1665. "To this **end** [God] hath armed them [the Magistrates] with the power of the sword for the **defence** and encouragement of them that are **good** [or *propter bonorum quidem animationem*]." God did it also "for the **punishment** of **evildoers** [or *ac tutamen animadversionem autem in maleficos*]."<sup>5</sup>
1666. So, even to the Pre-Roman Israelites, "as a Body **Politic** [or *Corpori Politico*], He gave sundry **judicial** laws [or *leges multas...judiciales*]" Those particular sundry judicial laws of Ancient Israel "expired together with the State of that people [or '*istius populi Politeia*']"<sup>6</sup> - when the Romans destroyed that *Politeia* or State of Israel in 70 A.D.
1667. It is quite true that those "sundry judicial laws" of Ancient Israel are "not obliging any other [people] now" to keep them any "further than the general equity thereof [or *generalis et communis earum*] may require." But conversely, it is also true (as the *Westminster Confession* itself quickly goes on to insist) that those "sundry judicial laws" of Ancient Israel do **indeed** keep on "obliging" all "other" peoples to obey them "**now**" - to the extent that "the **general equity** thereof, may **require** [or *postulari*]."
1668. This was recognized both before and after the Roman destruction of the State of Israel in 70 A.D. See: Romans 13:1-4; First Peter 2:14; Revelation 22:14-19. Of course, the politically-powerless Early Christians could at that stage do little more than condemn abortionists to hell.<sup>7</sup> It was not until the time of Emperor Constantine's conversion and A.D. 321 establishment of a nominally-Christian Imperial State, that Christians received their first real taste of political power and civil clout.
1669. Meantime, abortion was specifically condemned by Post-Apostolic and Pre-Constantinian Christians. Strong extant statements against that murderous practice are found even in **Pre-Constantinian Christian Writings** such as the *Didachee*, Barnabas, the *Epistle to Diognetus*, the *Revelation of Peter*, Justin Martyr, Athenagoras, Tertullian, Minucius Felix, Clement of

3. See chs. J to M.

4. *W.C.F.*, 19:5.

5. *Ib.*, 23:1. The first Latin translation appeared at Cambridge in 1656.

6. *Ib.*, 19:4.

7. See paras. 1410f & 1428f *cf.* 1451f & 1464f.

Alexandria, Hippolytus, Methodius, and the *Apostolic Constitutions*. In fact, Tertullian explicitly and Origen implicitly wanted abortion to be punished as a crime.

1670. The **Pre-Constantinian Christian Church Councils** of Elvira and Ancyra excommunicated Christians who perpetrated abortion. And many **Post-Constantinian Theologians** (such as Basil and Jerome and Chrysostom and Augustine *etc.*) as well as **Post-Constantinian Church Councils** (from Nicaea I till Trullo I), of course, were even more outspoken.<sup>8</sup>
1671. What we have just said above, was and is true of the political application of God's Moral Law in general - also as regards the appropriate punishments for all of the various kinds of serious offences. In this regard, we have in mind especially crimes leading to the termination of human life in general - and, in particular, intentional terminations of human life by way of murder (including criminal abortion and infanticide).

### **Clement of Alexandria: abortion equated with murder because of Exodus 21:24f**

1672. Around 220 A.D., also Clement of Alexandria equated abortion with **murder** - precisely because of the abiding relevance of Exodus 21:24 & 23:19, Leviticus 22:28f, and Deuteronomy 14:21 *etc.*<sup>9</sup> As Professor Dr. W.E.H. Lecky points out in his book *History of European Morals* - Christian philosophy and Christian legislation applied from the first "the value and sanctity of infant life which so broadly distinguishes Christian from pagan societies."<sup>10</sup>
1673. Especially during the third century, abortions began to decrease even in the then-still-pagan Roman Empire. This was as a direct result of the ever-increasing forthright testimony of Christians. It can be seen in the witness of Church Fathers like Tertullian and Methodius - and also in the antecedents of that famous document known as the *Apostolic Constitutions*.

### **Tertullian: Mosaic penalties for abortionists should govern also Christians**

1674. For example, Tertullian the Presbyter of Carthage, the Father of Latin Christianity, declared around A.D. 220 that "the Law of Moses [Exodus 21:22-25] indeed punishes with due penalties the man who shall cause abortion." From this text, Tertullian then drew the obvious conclusion especially for Christians that "**we** may not destroy even the fetus in the womb" - because also "in **our** case, **murder** has been once and for all forbidden."<sup>11</sup>
1675. Hence, Tertullian could write in his work *To the Gentiles*: "Since your own transactions in human blood and infanticide have faded from your memory - you shall duly be reminded of them! ... You are forbidden by the laws to slay newborn infants...."
1676. "Is it, forsooth, only a trifle to lick up human blood - when you draw out the blood which was destined to live? Is it a light thing in your view to feed on an infant - when you consume one wholly, before it is come to the birth?"<sup>12</sup> Abortionism easily leads to cannibalism. Witness the cannibalizing of aborted human fetuses in Red China today!

### **Archelaus: Jesus at Matthew 10:34 upholds Exodus 22:22f's *lex talionis***

1677. Around 260 A.D., Presbyter-Bishop Archelaus of Caschar in Mesopotamia declared:<sup>13</sup> "**We** [re-]establish the Law of Moses and all things which are written in it.... We also proved that the

---

8. See paras. 1400-08f, 1413-19f, 1422-26, 1432-38f, 1449f, 1454-56f, 1464-66f, 1470 to 1489, and 1673f.

9. *Misc.*, II:18.

10. Lecky, W.E.H.: *History of European Morals*, London, 1890, II pp. 23f.

11. *Ag. Marc.* II:18 & *Ap.* 9.

12. *To the Nations*, I:15.

13. Archelaus: *Dispute with Manes*, 39-45.

whole Old Testament agrees with the New Testament, and is in perfect harmony with the same....

1678. "Jesus neither said nor did anything that was contrary to Moses. And first, as to the expression 'an eye for an eye and a tooth for a tooth' [Matthew 5:17-38 cf. Exodus 21:22-24] - that is the expression of **justice**. And as to His injunction that a man when struck on the one cheek should offer the other also [Matthew 5:39 cf. Lamentations 3:27-30] - that is the expression of **goodness**.
1679. "Well, then - are justice and goodness opposed to each other? Far from it! There has [here] only been an advance from simple justice to positive goodness.... Although my Lord Jesus Christ excelleth, it does not follow from this that the glory of Moses is to be scorned.... There, Moses smote down with the Word those who had set up the calf [Exodus chapter 32]. And here, the Lord Jesus said 'I came to send a sword upon the Earth and to set a man at variance with his neighbour' [Matthew 10:34] and so on."

### **Apostolic Constitutions: the aborted concepti shall be avenged**

1680. Not long before<sup>14</sup> Constantine became Emperor and established the beginnings of a Christian legal system for his Roman Empire, the Seventh Book of the *Apostolic Constitutions* was recorded in writing. It clearly reflects a genuine representation of the teachings of the Apostles themselves.
1681. It states<sup>15</sup> that the Sixth Commandment 'you shall not murder!' prohibits not killing as such, but only the **unrighteous** killing of **humans**. It also says: "Not as if all killing is wicked, but only that of the innocent. **But the killing which is just, is reserved to the Magistrates alone.**"
1682. The *Apostolic Constitutions* add: "**You shall not slay the child by abortion**, nor slay that which has been conceived! For everything that is being shaped [after conception and during subsequent zygotehood or later embryohood or yet-later fetushood]...has received a soul from God. **If it be slain, [it] shall be avenged**: having been destroyed **unjustly.**" Exodus 21:22.

### **Methodius: abortees will accuse their parents before God's judgment seat**

1683. The comment of the A.D. 260f Methodius (alias Eubulius), the Presbyter-Bishop of Olympus and later of Tyre, is even more significant. Writing specifically about conception and abortion - and still almost a quarter of a century before the beginning of even the nominal christianization of the Pagan Roman State - he makes the following searching remarks.<sup>16</sup>
1684. "Imagine our **birth** into the World" from the womb "to be, as if it were, [from] a house.... The house," representing a woman's womb, "extends a great way down - far from the entrance" to that house. Now "suppose that a Modeller seated within, is fashioning many statues." The Modeller represents [the Creator]...God in the house of the womb, and the statues represent babies being moulded from conceived zygotes.
1685. "Imagine again," Methodius goes on, "that the substance of clay" - representing male sperm - "is being brought incessantly" from outside of the woman's womb "to the Modeller" inside the womb. "Now suppose the house to be covered with mist and clouds" representing the moisture surrounding the early development of the zygote-embryo - "and nothing to be visible to those who are outside...."
1686. "Consider further what comes after this. The Modeller within, secretly...taking for His modelling the clay which He finds..., and having in a certain number of months made His model" alias

---

14. See paras. 1434f & 1669f.

15. *Ap. Const.*, VII:1:2-3.

16. *Banq. Ten Virg.*, II:4.

the full-term baby - "gives it back" through the entrance of the house, and brings it forth into the outside World.

1687. "Every lump of clay" or inseminated sperm "which is capable of being moulded" or which has fertilized an ovum and formed a zygote, "shall be worked up **without distinction** - even if it has been thrown **illegitimately**" into the entrance to the house. "**For the clay" or zygote "has done no wrong** - and therefore, being blameless, **should be moulded and formed.**
1688. "**But he who deposited it**" illegitimately in the entrance to the house, "**in opposition to the ordinance and law** in another's hole, **should be punished as a criminal and a transgressor.** For the **clay should not be blamed** - but [only] **he who did this in violation of what is right.**"
1689. Further: "those who have been **begotten, even if it were through adultery**" - Presbyter-Bishop Methodius then went on<sup>17</sup> - "are committed to guardian angels.... They come into being.... If they had to accuse their own parents, they could confidently - before the judgment seat of Christ - invoke Him and say: 'Lord, **You** did not **grudge** us this common light [cf. Job 3:3-23]. But **these** [our own wicked and **aborting** parents] **appointed us to death**, despising Your Command[ment]!"
1690. "For God says 'children conceived to unlawful beds, are **witnesses** of wickedness against their parents at the **trial** of the latter' [Wisdom 4:6]" - viz., where abortively "**appointed to death.**" Significantly, this "Book of Wisdom" - though not part of the infallible Holy Scriptures - is still, observed Methodius, a most sage "book full of all virtue."<sup>18</sup>
1691. Methodius's arguments here, are quite watertight. Those who generate children by way of **fornication or adultery**, "**are guilty before the judgment** seat of Christ" in all cases - even though those thus-conceived children are quite guiltless in that regard.
1692. However, **a fortiori**, a parent who would further "grudge" his or her conceived offspring the "common light" which the latter would see at their later births - by **abortively** deciding to go and "**appoint...to death**" those thus-conceived offspring - is guilty of the much greater and altogether quite "**criminal**" behaviour of **abortion**. He or she is then a heinous "**transgressor**" - and is in "**violation of that which is right.**"
1693. Further, Methodius insists that fetuses who accidentally get miscarried - are carried straight to glory. So too even intentionally-aborted embryos. For "untimely births are delivered to caretaker angels." This is so, "even if they are the offspring of adultery." Not so, however, parents who have **deliberately aborted** - when **they** die. For those parents - if unrepentant - face **everlasting punishment.**

### **Lactantius: God views strangling of babies as "the greatest impiety"**

1694. Lactantius Firmianus, the Christian Mentor of the first Christian Emperor of the Roman Empire Constantine the Great, recoiled in horror against both abortion and infanticide. He insisted:<sup>19</sup> "**God forbids us to kill....** Let no one imagine that it is allowed to strangle **even newborn children** - which is **the greatest impiety!** For God breathes into their souls for life, and not for death."
1695. This necessarily follows from the Noachic Laws of Genesis 9:6-12. "**He who slays a [little] man within a [wo]man**" or "he who slays a man" - "**by man shall his blood be shed.** For

<sup>17</sup>. *Ib.* II:6f (cf. too Tert.: *On the Soul* ch. 37, cited in para. 271).

<sup>18</sup>. Methodius's language here shows that this 'Book of Wisdom' was not being cited as if infallible Holy Scripture, but only as "a book full of all virtue" (both to Methodius and to his Christian audience). Cf. too *Belg. Conf.* art. 1.

<sup>19</sup> *Inst.* VI:20.

God made man as His image.... This is the...covenant...**for perpetual generations.**"

1696. Indeed, this also necessarily follows from the decrees of the **First General Assembly of the Christian Church** - which **corroborated** those **Noachic Laws**. "It seemed good to the Holy Ghost, and to us, to lay upon you...these **necessary** things: that you **abstain** from offerings to idols; and **from blood[shed]; and from stranglings**; and from fornication." Acts 15:28f.
1697. "**Parricides**" or slayers of their relatives (such as their prenatal or postnatal infants), continues Lactantius, "complain about the scantiness of their means - and **allege that they have not enough for bringing up more children**. As though, in truth, their means were in the power of those who possess them - and as if God did not daily make the rich poor, and the poor rich! Therefore, if any one on account of poverty shall be unable to bring up children - **it is better to abstain from marriage, than with wicked hands to mar God's workmanship!**"

### **Conclusion: abortion was a punishable crime according to Early Christianity**

1698. Conclusion. Abortion had been a punishable crime in Ancient Israel, and also in certain other parts of the Ancient World. Not surprisingly, this was also very much the case during Early Christian Civilization. None of the Early Church Fathers condoned it, and many condemned it. Some even urged that it be punished. Indeed, Irenaeus and Clement of Alexandria and Tertullian and Origen were all quite specific about the need for such punishment.
1699. As the time for the christianization of the Roman Empire steadily approached - the Church's strong stand against abortion was voiced with ever-increasing vigour. For churchmen like the outspokenly anti-abortionistic Presbyter-Bishops Archelaus and Methodius - and also parts of the *Apostolic Constitutions*, and Lactantius Firmianus - blessedly prepared the way for the 'infant-protecting' legislation of the first Christian Emperor, Constantine the Great and his imperial successors.



## P. PUNISHMENTS FOR ABORTION IN CHRISTIAN-WESTERN LEGAL SYSTEMS

"You have taken your sons...whom you have borne for Me, and you have sacrificed them to be devoured. Of all your whoredoms - is this a small matter, that you have slain My children and handed them over and passed them through fire? ... I will judge you; as women who break wedlock and shed blood, are judged.... I will hand you over to bloodshed, in fury and jealousy!" - Ezekiel 16:20-38.

1700. Among the Ancient Hebrews - the punishment for intentional and unlawful abortion was "life for life, eye for eye, tooth for tooth," etc. Exodus 21:22-25 cf. Leviticus 24:17-21 & Deuteronomy 19:10-21. See paragraphs 1226 to 1306.
1701. The Ancient Christians, as the successors of the Ancient Hebrews, agreed. Matthew 5:21f & 26:52; Luke 23:32-41; Acts 25:11; Romans 1:29 to 3:3 & 13:3-4; Revelation 13:10 & 21:8. This is seen - even while the Roman Empire itself was still pagan and tolerant of abortion - in early Christian Writings (like those of Clement of Alexandria and Tertullian and Archelaus and the *Apostolic Constitutions* and Methodius). See paragraphs 1672-79.
1702. Significantly, the previously-pagan Roman Criminal Code began to change dramatically - from A.D. 312 to 321f. This is because then, for the first time ever, the first of a series of Christian Emperors (namely the great Constantine) took control of the Roman Empire.

### Emperor Constantine the Great outlawed the abandonment of children

1703. Emperor Constantine the Great, himself a pupil of his mentor the famous anti-abortionistic Church Father Lactantius - see our frontispiece and paragraph 1694f above - in A.D. 315 and again in 321 legislated against the abandonment and also against the sale of children.<sup>1</sup> At the same time, the approximately contemporaneous Seventh Book of the *Apostolic Constitutions* was urging that "the child" subjected to "abortion" - if "slain, shall be **avenged** - as having been destroyed unjustly."<sup>2</sup>
1704. As stated by Rev. Dr. Cleveland Coxe (in his *Introductory Notice to Lactantius*):<sup>3</sup> "The 'conversion of Constantine'...introduced the most marvellous revolution in human empire, in practical thought, and in the **laws** and manners [or customs] of mankind ever known in the history of the World....Constantine [himself] had read the *Apologies* addressed to the Antonines [alias the Antoninian Emperors] by Justin Martyr.... [The anti-abortionistic Church Father] Lactantius tutored Constantine's son... [Moreover,] Lactantius - moved perhaps by Hosius or Eusebius - [even] undertook the instruction of the Emperor [himself]."
1705. At this point (and again later) - especially in the light of the pronouncements about prenatal human life made by the Early Ecumenical Synods and in the *Canons of Basile*<sup>4</sup> - we deem it extremely helpful to quote from Dr. Henry Percival's *Excursus on the History of the Roman Law and its Relation to the Canon Law*. Declares he:<sup>5</sup>
1706. "It is only in the time of Constantine the Great that we find once again the lawyers rising into prominence.... It was at this time that the *Imperial Constitutions* or *Edicts* were first

<sup>1</sup> Rushdoony: *Abortion*, p. 13.

<sup>2</sup> *Ap. Const.* VII:1:2-3,20.

<sup>3</sup> C. Coxe: *Introductory Notice to Lactantius*, in *Ante-Nic. Fath.* VII pp. 3f.

<sup>4</sup> See paras. 1438-47.

<sup>5</sup> H. Percival: *Excursus on the History of the Roman Law and its Relation to the Canon Law*, in *Nic. & Post-Nic. Fath.*, 2nd Series, XIV pp. i & ix & xxix.

collected. For until then, they existed only in detached documents.

1707. "This collection was made by two lawyers, Gregory [or Gregorian] and Hermogenes.... It is interesting to note that it was about this same time that the first attempt was made to collect the ecclesiastical canons, and so the Civil Law and the Canon Law (as we know them in aftertimes) had their rise about the same period."

### **Emperor Valentinian proclaimed infanticide to be a capital crime**

1708. Emperor Valentinian restated this Christian legislation in 366 A.D.<sup>6</sup> Indeed, in 374 he proclaimed infanticide to be a capital crime.<sup>7</sup>
1709. "All parents must support their children conceived," he enjoined. "Those who brutalize or abandon them, should be subject to the full penalty prescribed by law."

### **Emperor Theodosius I's contemporary Augustine denounced abortion as murder**

1710. Emperor Theodosius the Great, A.D. 346-95, ruled in the Roman Empire from 379 onward. This was the very timeframe in which the greatest of all Early Christian Theologians, Augustine of Hippo, himself flourished (354-430 A.D.).
1711. Very significantly, the Early Church Father Augustine of Hippo-Regius himself was at this very time alleging that the human destruction of the unformed human embryo was a punishable crime [cf. Exodus 21:22-25]. Indeed, he was also insisting that the premeditated prenatal destruction of the formed human fetus "is murder - punishable by death" to the murderer.<sup>8</sup>
1712. Further discussing Exodus 21:22-25, Augustine boldly declared<sup>9</sup> that if "a little unborn child...had been formed [in the womb] - he [who smote the womb and killed the child] shall give 'life for life.' **What else is meant here - than that he [the smiter] himself should then be killed**? For this is already commanded in the other things of this occasion: 'eye for

---

<sup>6</sup> Rushdoony: **Abortion**, p. 13.

<sup>7</sup> Presb. Church in America: *Report*, p. 276.

<sup>8</sup> Aug.: *Questions in the Heptateuch* II (Quest. No 80 in Ex. 21:22-25). See too his *Questions in the Old and New Testaments* 23. Aug. here, as elsewhere, makes the popular distinction (which he seems to derive from the Greek Sept.) between a zygote or an apparently 'unformed' pre-fetal child (cf. Ex. 21:22 LXX's *paidion...mee exeikonismenon*) and a fetus alias a 'formed' yet- still-unborn child (cf. Ex. 21:23 LXX's *exeikonismenon*). Thus, he himself renders Ex. 21:23 as: *si autem formatum fuerit (etc.)*. It is obvious that Aug. was quite rightly Anti-Pelagian. However, the Pelagians, in their hatred of the great truth anent the transmission and imputation of original sin at the very moment of conception itself (cf. Ps. 51:5 *etc.*) - which imputation-at-conception was so clearly taught by the Traducians - adopted a theory anent the origin of the soul in terms of which they believed that (at conception) a sinless soul is created with and within a sinless 'body' of each new tiny human being. Now the Pelagians were wrong as to the soul's untaintableness with Adam's sin, yet right as to the soul's creation at the very moment of conception itself (rather than only thereafter). However, Aug. never ceased **overreacting** against Pelagianism. For he himself (apparently under the strong influence of Jerome whom Aug. quite uncritically followed at this point) very unnecessarily embraced yet another brand of creationism - in which Augustine (as later followed also by Thomas Aquinas) rather questionably seems to have taught that the soul was created only **after** the creation of the formed body of the post-embryonic fetus. This is indeed surprising - especially so because Aug. also often tended toward Traducianism (which rightly asserts that the zygotic body present at conception did not come into existence then without first becoming fused with its own human soul). See especially para. 359\* and also paras. 358-91.

<sup>9</sup> Aug.: *Questions in the Heptateuch* II (Quest. No. 80 in Ex. 21:22-25).

eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, stripe for stripe' [Exodus 21:24-25].

1713. "This is equitable. The Law therefore constituted that matter in this way, in order to demonstrate what the punishment should be.... It is through the Law that it is known what kind of punishment there should be."<sup>10</sup>
1714. Furthermore, adds Augustine, there is not "any opposition" between Exodus 21:24 and Matthew 5:39. For "the old precept [Exodus 21:24] as well as the new [Matthew 5:39] is intended to check the vehemence of hatred, and to curb the impetuosity of angry passion.... To put a restraint upon a revenge unjust from its excess - the law established the principle of compensation, so that the penalty should correspond to the injury inflicted.
1715. "So the precept 'an eye for an eye, a tooth for a tooth' - instead of being a brand to rekindle a fire that was quenched - was rather a covering to prevent the fire already kindled from spreading.... There is no injustice in asking back a debt.... There is **no** sin in wishing for what is owing - within the limits of justice.... It **is** sin to demand more than is due - though it is no sin to demand [the repayment of] a debt."<sup>11</sup>

### **Emperor Theodosius II synthesized Law of Moses with christianized Roman Law**

1716. Emperor Theodosius the Second - who started to reign during the lifetime of Augustine - enacted further reforms, promulgating the *Theodosian Code* in 438 A.D.<sup>12</sup> This is a collection into one body of the laws of all of the *Imperial Constitutions* published since the *Edicts of Gregory* and the *Edicts of Hermogenes*.
1717. The *Theodosian Code* contained the laws set forth by Constantine and his successors. It was promulgated in the East during 438 A.D., and it was also received by Valentinian III as the then-Emperor of the West.
1718. This, in turn, was followed by the very important *Collation of Mosaic and Roman Laws*. The latter synthesized the Law of Moses with the texts of christianized Roman Law.

### **Emperor Justinian: those who abort infants are subject to penalty for murder**

1719. The Christian Emperor Justinian (483-565 A.D.) gave impetus to the development of a Christian Criminal Code, when the *Corpus Iuris* was completed in 529 A.D. It acquired sole authority in the law courts, to the exclusion of practically all previously-enacted constitutions.<sup>13</sup> It even provided that "one not yet born is regarded as already born as far as his commodities are concerned."<sup>14</sup>
1720. The *Code of Justinian* clearly states: "Those who expose children possibly hoping they would die, and those who use the potions of the abortionist, are subject to the full penalty of the law - both civil and ecclesiastical - for murder. Should exposure occur, the finder of the child is to see that he is baptized and that he is treated with Christian care and compassion. They may then be adopted...even as we ourselves have been adopted into the Kingdom of grace."<sup>15</sup>

---

<sup>10.</sup> See para. 1711 above, esp. at its n. 8.

<sup>11.</sup> Aug.: *Reply to Faustus*, Bk. XIX ch. 25 (in *Nic. & Post-Nic. Fath.*, IV p. 249). See too especially paragraph 1456f.

<sup>12.</sup> J.W.C. Turner: *Introduction to the Study of Roman Private Law*, Cambridge: L. Bowes, 1953, pp. 103f.

<sup>13.</sup> *Ib.*, p. 107.

<sup>14.</sup> Justinian's *Corpus Iuris* states: *Nasciturus pro iam natu habetur quoties de commodis eius agitur*. See G. Wille: *Principles of South African Law* (3rd ed.), Part II, p. 63.

<sup>15.</sup> *Code of Justinian*, 18.51-52.

1721. The great Barrister-at-Law Thomas Collett Sandars has written an excellent volume titled *The Institutes of Justinian*. There, he rightly says:<sup>16</sup> "The influence of Christianity on Roman Law was...even more remarkable in the changes which were suggested by its spirit - rather than introduced as a necessary part of its system." Significantly, he goes on to add:
1722. "If we compare the *Institutes* of [the Christian Emperor] Justinian with those of [the earlier Non-Christian Classical-Roman Jurist] Gaius - we find changes in the law of marriage, in that of succession, and in many other branches of law in which it is not difficult to recognize the spirit of humanity and **reverence for natural ties** which Christianity has inspired. The disposition to get rid of many of the more peculiar features of the Old Roman Law, observable in the later legislations, was...in a great measure due to the alteration of thought and feeling to which the new religion [of Christianity] had given birth."
1723. So in 535 A.D., Justinian's *Digest* appeared.<sup>17</sup> This required, among many other things, that a child in the womb is deemed 'already born' - whenever such a deeming is to the child's own advantage.<sup>18</sup> It also stated that exposure of infants is more cruel than murder itself. It even established homes for the care of such exposed children.<sup>19</sup> See too Justinian's *Anathematisms* on prenatal human souls (as discussed in paragraph 1482).
1724. Around the same time, Justinian's *Institutes* appeared. There, provision was made that when a man dies intestate, his "posthumous children also - who would have been under the power of the ascendant, if they had been born in his own lifetime - are among his heirs."<sup>20</sup> Indeed, even if "a child is born after the death of his [intestate] grandfather - provided he was conceived during the lifetime of that grandfather, if his father is dead and his grandfather's testament is abandoned by the [other] heir[s], that child will become the sole heir of his grandfather."<sup>21</sup>
1725. On the other hand, "obviously, a child both conceived and born after the death of his grandfather cannot become the sole heir."<sup>22</sup> Furthermore, throughout the Middle Ages, women guilty of abortion (which then very rarely occurred) were condemned to capital punishment<sup>23</sup> - as indeed also required by the Sixth Ecumenical Council. See paragraph 1484f.

### **Influence of Christian laws throughout Europe from seventh century onward**

1726. After the death of Justinian, his various Christian legal codices struck deep root in the various parts of the huge 'Holy Roman Empire' almost everywhere in Europe. That Empire then stretched from Armenia and Russia in the East, to Switzerland and Germany in Central Europe, and to Holland and Scotland in the West.<sup>24</sup> It then remained the chief legal code throughout Europe for many centuries - even while developing further into the various indigenous national systems in the Late Middle Ages.
1727. In addition, Christianity had an even more massive parallel influence - through the christianized Common Law of England. Yet also through channels like christianized Roman Law and Canon Law, Christianity so influenced the civil and criminal legal systems of the

<sup>16</sup> T.C. Sandars: *The Institutes of Justinian*, London: Longmans, Green & Co., 1927, p. xxx.

<sup>17</sup> J.W.C. Turner: *op. cit.*, pp. 107-10.

<sup>18</sup> Justinian: *Digest*, I:5:7.

<sup>19</sup> Rushdoony: *Abortion*, p. 13.

<sup>20</sup> Justinian: *Institutes of Civil Law*, III:1:2.

<sup>21</sup> *Ib.*, III:1:8.

<sup>22</sup> *Id.*

<sup>23</sup> S. Spangenberg: *New Archive of Criminal Law* 2:16, cited in Crawley's *op. cit.* (in *ERE* VI:56).

<sup>24</sup> See the art. *Roman Law* in the 1929 *Enc. Brit.*

various parts of Europe - that abortion became forbidden everywhere on that Continent for many centuries.<sup>25</sup> See, for example, Calvin's *Juridical Lexicon of Imperial and Canon Law*.<sup>26</sup>

1728. By his *Novel CXLI*, observes Dr. Henry Percival in his own *History of the Roman Law and its Relation to the Canon Law*, "Justinian had indeed given to the canons of the Church the force of law. He himself published a great number of constitutions upon church matters."<sup>27</sup>
1729. Shortly after Justinian, Percival continues, "a work which is often looked upon as the origin of the Canon Law was composed by a lawyer.... This jurist was John of Antioch, surnamed Scholastichus.... While still a simple priest at Antioch, he made his *Collection of the Canons of the Councils*" - and afterward ruled in Constantinople from 564 until 578.
1730. In the seventh century, a council in Arles decreed: "An inheritance is by no means to be...spurned, children being the greatest heritage of all. Therefore any and all means must be effected to safeguard their well-being - from their quickening in the womb to their assumption of powers."<sup>28</sup>
1731. The famous History Professor Dr. J.B. Bury, in his own and new edition of Edward Gibbon's greatest work, explains:<sup>29</sup> "In the troubles of the seventh century, the study of law...[and] the practical administration of justice [and] the prescriptions of the *Code* and the *Digest* were often...modified by the...precepts of Christianity.... Leo III the...Isaurian...issued a law book in A.D. 740...which changed and modified the Roman Law as it had been fixed by Justinian. The *Ecloga* - as it is called - may be described as a Christian law book. It is a deliberate attempt to change the legal system of the Empire by an application of Christian principles."

#### **Ninth-century Basil the First's *Basilica* updates Justinian's legislation**

1732. Under the A.D. 813-86 "Basil I..., the Roman Law of Justinian was partially restored" - explains Bury. Nevertheless, "the great achievement of the Basilean epoch is the *Basilica* - begun under Basil, completed under Leo VI - a huge collection of all the laws of the Empire."
1733. States Edward Gibbon in his famous work *The Decline and Fall of the Roman Empire*:<sup>30</sup> "The Basilian revival of Justinian's Law was permanent." Schoell in his *History of Greek Literature* further explains:<sup>31</sup> "The *Basilica* are a body of Roman laws in the Greek language extracted from the *Institutes*, the *Pandects*, the *Codes*, and the *Novels* of Justinian - as well as from the ***Imperial Constitutions*** posterior to that prince....
1734. "Here is found together the civil and the ecclesiastical law of the Greeks - these two laws having been in an intimate union by reason of the authority which the Emperors exercised over the Church.... An anonymous writer prepared an *Epitome* of the *Basilica*, digested into alphabetical order and **beginning** with [a section entitled] 'Concerning the Orthodox Faith of Christians.'

#### **14th- & 15th-century European Law Codes maintained beyond the Reformation**

1735. "In the fourteenth century," remarks Dr. Percival (in his *History of the Roman Law*), "we find

---

25. Presb. Ch. in Amer.: *Report*, p. 276.

26. J. Calvin: *Juridical Lexicon of Imperial and Canon Law*, Geneva: Chouet, 1668. Also cited in R.W. Lee: *Introduction to Roman Dutch Law*, Oxford: Clarendon, 1946, p. xiv.

27. *Op. cit.*, pp. xxxi & xxx.

28. *Concilia Galliae*, 7.884.

29. As cited in Percival's *op. cit.*, p. xxxi.

30. E. Gibbon: *The Decline and Fall of the Roman Empire*, Oxford: Frowde, rep. 1907, Appendix to Vol. V pp. 525f.

31. S. Schoell: *History of Greek Literature*, Vol. VII, book vi, ch. xcvi, pp. 226 & 229 & 238.

Constantine Harmenopolus...a Member of the First Court of Civil Justice (*Judex Dromi*). Subsequently, he was appointed Counsellor of the Emperor John Cantacuzene.... In the year 1345, he published a *Manual of Jurisprudence*.... Our chief concern with him is as the author of an *Epitome of the Divine and Sacred Canons*.

1736. "Constantine Harmenopolus was the last Greek Jurist.... Then, Constantinople fell - to the everlasting disgrace of a divided Christendom - into the hands of the infidel [Moslems].... The law of the false prophet supplanted the Roman Law, the Code of Civilization, and Christianity."<sup>32</sup>
1737. In Western Europe, however, the influence of christianized Roman Law lived on. There - in spite of the fall of Constantinople to the Moslem Turks in A.D. 1453 - the synthesis between the Mosaic Law and christianized Roman Law was considerably strengthened precisely through the Protestant Reformation.

### **Roman-Dutch Law and Calvinism on the crime of aborting human fetuses**

1738. We have already referred to John Calvin, who in his comment on Exodus 21:22f regarded the abortion of a fetus in the home of mother's womb also in his own time as even worse than killing an adult outside of his home. We have also referred to Calvin's great work: *Juridical Lexicon of Imperial and Canon Law*. See paragraph 1727. Indeed: 'Calvinized' Roman-Dutch Law to this very day holds that a child in the womb is deemed to have been born already, whenever such a deeming is to his or her own advantage.<sup>33</sup>
1739. In Roman-Dutch Law, this has the following very important consequences. First, the sentence against a pregnant woman of corporal punishment (and *a fortiori* of capital punishment) is not to be executed till after the child has been delivered.
1740. Second, anyone killing or aborting a fetus - except to save the mother's life<sup>34</sup> - is a criminal, and is subject to severe punishment. Third, an intestate inheritance is not to be distributed until an already-conceived but not-yet-delivered heir has been born alive. Fourth and finally, an unborn child may even have a right of action in respect of his father's previous death.<sup>35</sup>

### **Ancient British Common Law: abortion is homicide if not murder**

1741. In Britain too - even before the emergence first of Brythonic and then of Anglo-Saxon or English alias English Common Law - the traditional Biblical and Christian and Western view of the sacredness of human life was established most firmly. Declares the Historian Eugen Rosenstock-Huessy:<sup>36</sup> "Common Law was the product of a union between universal Christian laws and local customs.... Common Law...was the dowry of Christian Baptism."
1742. So first the Celto-British Common Law and later the Anglo-British Common Law of the Britannic Isles and all lands colonized therefrom - clearly and long-lastingly reflected the deep and ongoing influence of the Holy Bible in general and Christianity in particular. Also in the area of abortion and the personality of unborn human beings, this is seen.

---

<sup>32</sup> *Op. cit.*, pp. xxxii-xxxiv.

<sup>33</sup> Voet. 28:5:12 (*cf.* Grot. 1:3:4): "De ongeborenen worden voor menschen gehouden, tot haer voordeel, niet tot haer nadeel."

<sup>34</sup> See perhaps Ex. 23:19 & esp. Dt. 22:6f and Jh. 15:2, which seem to have guided the Dutch Calvinist Jurists toward their adage: 'prune the dying fruittree, so that she may thus live later to bear fruit yet again.'

<sup>35</sup> Prof. Dr. W. de Vos: *The [Roman-Dutch] Law of Persons*, Class Notes, University of Cape Town, 1953, p. 4; R.W. Lee's *op. cit.*, p. 31 - quoting *Chisholm v. East Rand Mines* (1909) T.H. 297.

<sup>36</sup> E. Rosenstock-Huessy: *Out of Revolution*, 1938, pp. 270f.

1743. Anglo-British Common Law has been reinforced by many centuries of judicial precedent and forensic equity - and has been massively influenced by the considerably-christianized Historic-British way of life. Consequently, in particular as regards British Common Law, very severe restrictions and penalties were administered against abortion - especially after the 'quickening' of the fetus.<sup>37</sup> Apparently, there never was a time under British Common Law when abortion was **not** regarded as a very serious crime.
1744. Both Celto-Brythonic Common Law and Germano-Nordic Common Law have always protected both fetuses and infants far more vigorously than has Roman Law. Anglo-Saxon Law before the Norman Conquest penalized abortion civilly - and by very heavy fines.<sup>38</sup> In the thirteenth century, abortion of a fetus was condemned as homicide - precisely by the British Jurist Bracton (and also in the *Fleta*).<sup>39</sup>
1745. In the 1601 case *Rex v. Sims*, the English Attorney-General (and later Lord Chief Justice) Sir Edward Coke stated that if an aborted child was born alive and then died - a murder had been committed.<sup>40</sup> This can be seen also in Britain's mid-seventeenth-century *Westminster Confession* 19:4 - which clearly upholds the anti-abortionist laws mentioned in "Exodus chapter 21." Later during the seventeenth century the renowned legal commentator Lord Chief Justice Sir Matthew Hale called abortion "a great crime."<sup>41</sup> Indeed, also in 1713 (in *Beale v. Beale*)<sup>42</sup> and again during 1740 (in *Wallis v. Hodson*),<sup>43</sup> the above position was reconfirmed.

### **Blackstone: abortion is "homicide or manslaughter" and "very heinous"**

1746. As Sir William Blackstone pointed out in his famous 1765 volumes titled *Commentaries on the Laws of England*:<sup>44</sup> "Life is the immediate gift of God, a right inherent by nature in every individual.... It begins, in contemplation of law, as soon as an infant is able to stir in the mother's womb.
1747. "For if a woman is quick with child, and by a potion or otherwise killeth it in her womb - or if any one beat her, whereby the child dieth in her body and she is delivered of a dead child - this...was by the antient law homicide or manslaughter [Exodus 21:22f &] Bracton 3:21." Indeed, Blackstone himself called it "a very heinous misdemeanor" alias a major felony.
1748. "An infant...in the mother's womb is supposed in law to be born for many purposes. It is capable of having a legacy.... It is enabled to have an estate limited to it's use, and to take afterwards by such limitation as if it were then actually born.... The edicts of the Emperor Constantine, commanding the public to maintain the children of those who were unable to provide for them in order to prevent the murder and exposure of infants, [was] an institution founded on the same principle as our foundling hospitals....

---

37. Presb. Ch. in Amer.: *Report*, p. 276.

38. G. Grisez: *Abortion - The Myths, the Realities and the Arguments*, New York: Corpus, 1972, pp. 186f.

39. Bracton (III:21) says: "*Si aliquis mulierem praegnantem percusserit, vel ei venenum dederit, per quod fecerit abortivam; si puerperium jam formatum fuerit, et maxime si fuerit animatum, facit homicidium.*" See too Quay's *Justifiable Abortion - Medical and Legal Foundations*, in 49 *Geo. Law Journal* (1961) pp. 395 & 431.

40. *Rex v. Sims*, in 175 *Eng. Rep.* 1075-76 (K.B. 1601). Cf. J.S. O'Neill's *Fetus - in Law* (Dunedin: Independent Pub. Co., 1976, pp. 92f).

41. See M. Hale: *History of the Pleas of the Crown*, ed. 1736, p. 433.

42. *Beale v. Beale*, 24 *Eng. Rep.* 373 (cf. 1713).

43. *Wallis v. Hodson*, 24 *Eng. Rep.* 472f (cf. 1740).

44. W. Blackstone: *Commentaries on the Laws of England*, Chicago: University Press, 1979 rep. I pp. 125f. See too Justice Tom C. Clark: *The Law As It Governs Decisions Today* (in Spitzer & Saylor: *op. cit.*, p. 359).

1749. "This natural life [of any human] being" is "the immediate donation of the great Creator [and] cannot legally be disposed of or destroyed by any individual - neither by the persons himself nor by any other of his fellow creatures merely upon their own authority. Yet nevertheless it may, by the divine permission, frequently be forfeited for the breach of these laws of society which are enforced by the sanction of capital punishments....
1750. Blackstone continues:<sup>45</sup> "Death is ordered to be punished - with death.... This is the highest penalty that man can inflict, and tends most to the security of the World - by removing one murderer from the Earth, and setting a dreadful example to deter others....
1751. "The crime of deliberate and wilful *murder*...is I believe punished almost universally throughout the World - with death. The words of the Mosaical Law - over and above the general precept to Noah that 'whose sheddeth man's blood, by man shall his blood be shed' (Genesis 9:6) - are very emphatical in prohibiting the pardon of murderers. 'Moreover ye shall take no satisfaction for the life of a murderer, who is guilty of death; but he shall surely be put to death. For the land cannot be cleansed of the blood that is shed therein but by the blood of him that shed it' (Numbers 35:31)....
1752. "Our law has provided one course of prosecution.... The king himself is excluded the power of pardoning murder.... Were the king of England so inclined, he could not...remit the penalties of murder.... To kill a child in its mother's womb is...a great misprision.... If the child be born alive, and dieth by reason of the potion or bruises it received in the womb, it is murder in such as administered or gave them."

### **French Revolution challenges the Law of God and God-given right to life**

1753. However, especially on the Continent of Europe, Christianity had been declining - ever since the horizontalism of the *Aufklaerung* alias the so-called enlightenment of man independently of the Word of God. This soon resulted in the so-called naturalism of the French Revolution of 1789, alias man's coming of age - and the enthronement of his own depraved reason as the highest good of that New Age.
1754. Especially in France did the principles of the new religion first take root. The French Revolution abolished Christianity, Christian names, and the Christian calendar - jettisoning the Lord's Day each Sunday and the description of the year as being "A.D." alias after Christ - and instead then starting to calculate years from that first year of the revolutionary New Age. In the place of the Almighty Triune God, it also enthroned a prostitute as the new goddess of reason in Paris.
1755. Even though the autocrat Napoleon soon overthrew the French Reign of Terror and reinstalled the Christian calendar, the principles of the revolution then went underground - and soon reemerged as communism, socialism, feminism and humanism. Soon in Lenin's Russia and other socialist countries, abortion would become rife. Even in the West, humanism and feminism - and finally abortion on demand - would increasingly expand.

### **Especially the English-speaking World resisted revolutionary abortionism**

1756. Fortunately, the English-speaking World in general and Bible-believing Britain and America in particular then reacted against - and thereafter long resisted - the ungodly principles of the French Revolution of 1789. Thus, during 1795, in *Doe v. Clarke*<sup>46</sup> a court rightly interpreted the ordinary meaning of the word "children" in a will - to include a child still in the womb.<sup>47</sup>

45. *Op. cit.*, IV pp. 9,12f,194f.

46. *Doe v. Clarke* (2H. Bl. 399 - 126 *Eng. Rep.* 617).

47. Willke: *op. cit.*, p. 96.

1757. In *Thelluson v. Woodford*,<sup>48</sup> the court said that unborn children are "entitled to all the privileges of other persons." Indeed, during 1803 - and also again during 1828 - the statutes *43 George III* and *9 George IV* provided that those found guilty of "the malicious using of means to procure the miscarriage of women...shall suffer **death**."<sup>49</sup>
1758. After the discovery of the human ovum in 1827, the British Parliament in 1837 enacted a new abortion statute effectively protecting unborn children even from the very moment of conception. In the United States (which by and large follows British Common Law), almost every State of the Union branded abortion as a forbidden crime.<sup>50</sup>
1759. Thus a New York statute of 1829 imposed a second-degree homicide or manslaughter charge upon any abortionist who caused the death of a quickened child or its mother, unless the reason was to preserve the life of the mother.<sup>51</sup> Indeed, Professor William Prosser, in his *Law of Torts*, has called the consequences of all of this - "sweeping."<sup>52</sup>

### **The English-speaking World opposed abortion till after World War II**

1760. It must be remembered that not just socialist France and its communist Russian daughter but also the latter's stepsister Nazi Germany all defended abortion - in their ongoing war against humanity in general and Christian values in particular. Indeed, one of the atrocities which offended the West and helped to precipitate the Second World War - was precisely the upholding of easy abortions by the Nazis, and by their initial allies the Russian Communists.
1761. Western opposition to abortion continued for several decades after its victory over the Nazis. Thus, after being a Rhodes Scholar to Oxford University, Thomas F. Lambert Jr. (A.B. & B.C.L.) became Editor-in-Chief of the American Trial Lawyers' Association. In his 1969 article *The Legal Rights of the Fetus*, he referred to the 1946 case *Bonbrest v. Kotz*.<sup>53</sup> There, stated Lambert,<sup>54</sup> "a trial court held that an infant born alive had a cause of action for prenatal harm suffered while in a viable state - in that case, brain damage caused by an obstetrician. The court persuasively reasoned that the unborn child was a separate biological (and hence legal) entity from the mother."
1762. The modern State of Israel was set up in Palestine during 1948. Its judicial system is a mixture between the British Criminal Law and the *Talmud*. There, illegal abortion constitutes manslaughter and carries possible life imprisonment - except where it saves the mother's life, when it is non-punishable.<sup>55</sup>
1763. In 1957, even Glanville Williams - himself later an active pro-abortionist - made a remarkable statement. He then admitted: "At present, both English Law and the Law of the great majority of the United States regard any interference with pregnancy, however early it may take place, as criminal - unless for therapeutic reasons. The fetus is a human life, to be protected by Criminal Law - from the moment which the ovum is fertilized."<sup>56</sup>
1764. Indeed, two years later, even the *United Nations' Declaration of the Rights of a Child* still upheld the above position. For it insisted in its preamble that "the child needs special

48. *Thelluson v. Woodford* (4 Ves. 277, 31 - 31 Eng. Rep. 117).

49. Cited in O'Neill: *op. cit.*, pp. 75 & 78.

50. Willke's *op. cit.* pp. 94f (*cf.* too the Presb. Ch. in America's *Report* p. 276 and esp. O'Neill's *op. cit.* pp. 100-108).

51. Presb. Ch. in America's *Report*, p. 276.

52. W. Prosser: *Law of Torts* (2nd. ed.), as cited in Willke's *op. cit.* p. 97.

53. *Bonbrest v. Kotz* (64 F. supp. 138 D.D.C. 1946).

54. T.F. Lambert: *Legal Rights of the Fetus*, 1969 (Spitzer & Saylor: *op. cit.* pp. 370, 383, 385).

55. *Enc. Jud.*, p. 101.

56. G. Williams: *The Sanctity of Life and Criminal Law*, New York: Knopf, 1957, p. 149.

safeguards and care, including appropriate legal protection, before as well as after birth."<sup>57</sup>

1765. In the 1960 case of *Smith v. Brennan*,<sup>58</sup> a child *in utero* was born with deformity of legs and feet as a result of injuries suffered by his mother and himself in an automobile accident two months and thirteen days prior to his birth." Even at the beginning of the nineteen-sixties, the court still held: "Whether viable or not at the time of injury, the child sustains the same harm after birth and therefore should be given the same opportunity for redress."

### **The tide turns toward abortion after the birth of thalidomide babies**

1766. Stated Rhodes Scholar, Trial Lawyer Lambert.<sup>59</sup> "The World has become aware that we have on our hands thousands of members of the thalidomide generation. These are the children born in the later 1950's and the early 1960's with misshapen limbs, dim hearing and other irremediable effects - of a tranquilizing drug [thalidomide] their mothers used early in pregnancy.

1767. "There were more than 10 000 of these stricken children.... Half of them, in a score of countries, survived infancy. When awareness finally seeped into the consciousness of parents and officials that an epidemic of monster births had afflicted West Germany, England, and to a lesser extent, other countries - the officials of the producing firm of Chemie Gruenthal were brought to court on charges of criminal negligence."

1768. Also Dr. and Mrs. J.C. Willke's *Handbook on Abortion* notes this. It observes:<sup>60</sup> "Children injured in the thalidomide tragedy - some of them from pills taken as early as two to three weeks after conception - have consistently won court decisions granting them sums of money for their support (because of the deformities they suffered from the drug while in the uterus)."

### **Cases during the early-1960s involving abortion or prenatal injuries**

1769. A rather important legal decision, was that in the 1960 case of *Sinkler v. Kneale*.<sup>61</sup> There, a 'mongoloid' child was born with Downs' Syndrome - allegedly as a result of injuries received when she was a preivable and only one-month-old fetus, at a time which her mother was the victim of an automobile collision caused by the negligence of the defendant motorist.

1770. In that case, as Mr. Justice Bok pertinently observed, "medical authorities have long recognized that a child was in existence from the moment of conception" - in existence as an individual human being distinct from his or her mother, "and not merely a part of its mother's body" until some unspecified time after conception. Then the Justice astutely added: "As for the notion that [to collect damages] the child must have been viable when the injuries were received" - a notion which had claimed attention in several of the United States - "we regard it as having little to do with the basic right to recover, when the fetus is regarded as having existence as a separate creature from the moment of conception."

1771. The previously-mentioned Legal Writer Lambert explains<sup>62</sup> that "in 1962" - in *Touriel v. Benveniste*<sup>63</sup> - "a husband apparently recovered damages against an abortionist who had performed an illegal operation upon the wife with her consent. The California court ruled that the husband had a cause of action - based on injury to his 'marital interest' - against one who performs an abortion on his wife without his

---

57. Cited in Willke's *op. cit.* p. 94, *cf.* Overduin & Fleming's *Test-Tube*, p. 42.

58. *Smith v. Brennan* (157 A.2d 497 & 504) N.J. 1960.

59. Lambert: *op. cit.*, p. 391.

60. *Op. cit.*, p. 92.

61. 164 A.2d 93 (Pa. 1960) 26-27 *NACCA L.J.* 143-46.

62. *Op. cit.* (in Spitzer & Saylor at p. 392).

63. *Touriel v. Benveniste*, Civil Docket No. 766790, Los Angeles Super. Ct., Oct. 20th 1961.

consent."

1772. In overruling the defendant's demurrer, the trial court held that the plaintiff-husband had a legally-protected interest in the unborn child. This husband's interest in the unborn child, held the court, was quite separate from the wife's interests in the same child [and both these interests were again quite distinct from the child's own interests]. So the husband's interest was quite unaffected by the wife's consent to have the abortion.<sup>64</sup>

### **Cases during the late-1960s involving abortion or prenatal injuries**

1773. In an interesting case during 1967, *Torigian v. Watertown News Co.*, the legal application of the principles of Exodus 21:22-25 is very well illustrated. There, in Boston, an automobile occupied by a pregnant mother was accidentally struck by a moving truck. This resulted in the unborn baby being injured. Damages were rightly recovered - for injury to the child wrongfully inflicted before he or she could be born normally.<sup>65</sup>

1774. Held the Supreme Court of Massachusetts in *Torigian's case*: "In the vast majority of cases where the present issue has arisen, recovery has been allowed.... Text writers and legal commentators...are unanimously of the view that non-viability of a fetus should not bar recovery."<sup>66</sup>

1775. In the 1967 Wisconsin case *Kwaterski v. State Farm Mutual Automobile Insurance*,<sup>67</sup> the court allowed recovery for the wrongful death of a child stillborn as a result of prenatal injury.<sup>68</sup> Stated the court: "Such a legal rule [as a live-birth requirement] would produce the absurd result that an unborn child who was badly injured by the tortious acts of another, but who was born alive, could recover - while an unborn child, who was more severely injured and [who] died as a result of the tortious acts of another, could recover nothing" through any action instituted by another interested party (such as his own mother).

1776. Rightly does the legal writer Del Tufo therefore claim (in his 1960 *Recovery for Prenatal Torts*):<sup>69</sup> "It is intolerable to hinge the right to sue upon the circumstances of birth.... In terms of a right of action, no justifiable distinction exists for example between the stillbirth of a fetus in an advanced stage of development and the birth alive of a comparable fetus with death shortly ensuing."

1777. Stated Justice Tom C. Clark in 1969: "The general rule (of U.S. Law) was to outlaw all abortions performed after conception. This conferred, by inference, a legal status upon the fetus at conception. See the 1967 case of *Gleitman v. Cosgrove*" (referred to in paragraphs 2048-51).

1778. There, the court had protected a Doctor who refused to abort a baby at the request of his parents - after the pregnant mother herself contracted German measles alias rubella.<sup>70</sup> For, said the court, "these statutes made no provision for the performance of an abortion in case of rape, incest, or complications that might endanger the woman."

### **Cases during the epoch-making 1970s involving abortion or prenatal injuries**

---

<sup>64.</sup> Lambert: *op. cit.*, p. 393.

<sup>65.</sup> See *Unborn Baby Ruled Person*, in *The Register*, Santa Ana, Apr. 29th, 1967, p. A-7.

<sup>66.</sup> See Willke: *op. cit.*, p. 98.

<sup>67.</sup> *Kwaterski v. State Farm Mutual Automobile Insurance*, 34 Wis. 2d 14, 148 N.W. 2d 107-110.

<sup>68.</sup> Lambert: *op. cit.*, p. 387.

<sup>69.</sup> R. Del Tufo: *Recovery for Prenatal Torts*, in 15 *Rutgers Law Review* 61 (1960).

<sup>70.</sup> *Gleitman v. Cosgrove*, 49 N.Y. (1967) 22.

1779. In the December 7th 1970 edition of the *Journal of the American Medical Association*,<sup>71</sup> in the article *When Does Life Begin?* the following legal facts are noted: "A fetus can maintain an action for the death of a parent while it is still *in utero*.... An action can be maintained on behalf of the child who was born deformed because of prenatal injuries negligently inflicted upon it....
1780. "An action can be maintained against a tort-feasor, if the child dies - regardless of whether the death occurred before or after birth.... American courts, when dealing with cases in tort law, followed a biological approach and...hold that life begins at conception - thereby according legal personality to the zygote."
1781. Both medically and legally, aborted babies are living human beings when *in utero*. Indeed, it is a fact that some children are sometimes born alive even **after** having been aborted. This is not a new phenomenon. In 1970, at least one baby 'aborted' by hysterectomy refused to die - and was adopted subsequently into a good home.<sup>72</sup>
1782. Indeed, many similar facts related by the well-known Theologian Rev. Dr. Francis A. Schaeffer and Dr. C. Everett Koop (M.D.) - the latter later to become the U.S. Surgeon-General - are well worth rehearsing. "In 1972," they explain,<sup>73</sup> "a brief in one case before the Supreme Court - *Markle v. Abele* - contained a table listing twenty-seven live births after abortions." Then again: "In the first year of liberalized abortion laws in New York State before the [1973] Supreme Court decision regarding abortion on demand, some of those 'products of abortions' were eventually adopted."
1783. Even after the epoch-making and revolutionary 1973 U.S. Supreme Court pro-abortion decision in *Roe v. Wade* (see paragraphs 1339f & 1414f *cf.* 1430), the obvious truth that human fetuses are living persons nevertheless still continued to assert itself. As Schaeffer and Koop pointed out: "Dr. William B. Waddill Jr., an obstetrician in California, was indicted and tried in January 1977 - for allegedly strangling to death a baby born alive following a saline abortion."

### **The abortive 1789 French Revolution triumphs during the 1980s**

1784. In July 1982, a U.S. District Court in Connecticut ruled in a \$250 000 damages suit that little Paul Douglas, then nine months old, had an equal and independent right to his mother to sue the Hartford Police Department. The suit was for unspecified serious injuries, sustained when the Department's employee[s] beat up his mother just over a year earlier - some three-and-a-half months before he was born.<sup>74</sup>
1785. Indeed, in November 1982, little Timothy John was deliberately assaulted in a hormone-induced abortion - and then abandoned to die in a hospital in Great Britain. Subsequently, he started screaming. Mercifully, he was then rescued from his abortionistic attackers - and thereafter put forward for adoption. See *The Courier Mail*, Brisbane, 20th November 1982.

### **Queensland Criminal Code still upholds the Common Law against abortion**

1786. The *Queensland Criminal Code Act* still reflects our historic Common Law. Thus, even in 1995, it still provides:<sup>75</sup> "Any person who, with intent to procure the miscarriage of a woman whether she is or is not with child, unlawfully administers to her or causes her to take any poison or other noxious thing, or uses any force of any kind, or uses any other means

<sup>71.</sup> *When Does Life Begin?* (in *Journal of the American Medical Association*, 214:10 p. 1993).

<sup>72.</sup> *United Press International*, Dec. 19th 1970 (cited in Willke's *op. cit.* p. 28).

<sup>73.</sup> F.A. Schaeffer & C.E. Koop: *Whatever Happened to the Human Race?*, Old Tappan N.J.: Revell, 1979, pp. 42f.

<sup>74.</sup> See *The Australian*, July 9th 1982, p. 7.

<sup>75.</sup> *Queensland Criminal Code*, sections 224-26.

whatever, is guilty of a crime, and is liable to imprisonment with hard labour for fourteen years....

1787. "Any woman who, with intent to procure her own miscarriage, whether she is or is not with child, unlawfully administers to herself any poison or other noxious thing, or uses any force of any kind, or uses any other means whatever, or permits any such thing or means to be administered or used to her, is guilty of a crime, and is liable to imprisonment with hard labour for seven years.... Any person who unlawfully supplies to or procures for any person the miscarriage of a woman, whether she is or is not with child, is guilty of a misdemeanour, and is liable to imprisonment with hard labour for seven years."
1788. Significantly, the historic punishment in South Australia was even more severe. For its Criminal Law used to provide even for life imprisonment for anyone who intentionally and unlawfully attempts to abort a human fetus.<sup>76</sup> Sadly, this was changed by the new (humanistic) *Criminal Law Consolidation Act Amendment Act* No. 109 of 1969 - assented to on January 8th 1970.
1789. Even in Queensland, the application of the anti-abortion laws has been weakened. Yet there, they are still on the books - and certainly enforceable. All it takes is a courageous court - to stand, as it should, against the wicked spirit of our revolutionary new age.

### **Conclusion: Western legal systems have historically punished abortionists**

1790. Conclusion. Early Christianity reiterated the Old Testament's implacable opposition to intentional abortion - condemning it as murder. Just as soon as Christians were able to take control of the Roman Imperial Government (at the beginning of the fourth century) - they progressively christianized Pagan Roman Law, until abortion was punished throughout the realm as the serious crime it indeed is.
1791. The Christian Emperor Justinian's legal documents form the basis of the later criminal codes throughout Europe - and indirectly even under the Common Law in Britain, the Commonwealth, and the United States of America. Indeed, **it is only during the last twenty years** - starting especially with the historic 1973 case of *Roe v. Wade* - that indeed revolutionary changes have been made anent abortion laws.
1792. For it is only now that humanism and socialism and feminism - those three ugly triplet daughters of the Anti-Christian French Revolution of 1789 - have finally succeeded (at least for the moment) in challenging the hegemony of Christianity in Western society. This we shall see in our next chapter "After '1984': the 'new morality'? - or the old immorality!"

---

<sup>76</sup>. *South Australian Criminal Law Consolidation Act* (1935-1966), as amended, section 81a (11).



## Q. AFTER '1984': THE "NEW MORALITY"? - OR THE OLD IMMORALITY!

"The wrath of God keeps on being revealed...against all ungodliness and unrighteousness of men who keep on suppressing the truth in unrighteousness.... Professing themselves to be wise, they became fools...[in] changing the truth of God into a lie and worshipping and serving the creature more than the Creator.... Therefore God gave them over to vile affections.... [Such men are] devoid of understanding; covenant-breakers; devoid of natural affection....He who is filthy - let him become still more filthy!" - Romans 1:19-31 & Revelation 22:11.

1793. In this chapter, we shall see that the road to Aldous Huxley's *Brave New World* and George Orwell's ominous year of '1984' was paved with the increasing incidence of abortion and other illicit experiments on tiny human beings. Anti-abortionistic and pro-family Christian Western Civilization had ruled the West for over fourteen centuries (after Constantine's christianization of the state in A.D. 321). But ever since Humanism grabbed control in the French Revolution and attacked Christianity there in 1789 and elsewhere later, Christian values have been attacked increasingly.

### **"Brave New World" of Red Russia & Nazi Germany legalizes abortion (1925-31)**

1794. The Bolshevik Revolution (truly the heir and descendant of the 1789 French Revolution and the 1848 *Communist Manifesto* of Marx and Engels) came to power in Russia during 1917. Then in 1925, abortion was legalized in the Soviet Union as the foremost citadel of International Socialism.
1795. In 1931, that cousin of international socialism, Adolf Hitler's National Socialism (see note 45) - legalised abortion and launched its even more radical 'racial eugenics' programme in human engineering, for its 'New Order' in Europe. This soon resulted in experimenting on human foetuses. This foreshadowed the later advent: of test-tube babies; of attempts to crossbreed humans and animals; of the development of non-human wombs for humans; and of genetic engineering upon human *DNA* (Di-Oxyribose Nucleic Acids) and even upon tiny human beings themselves.

### **The collapse of civilization: increasing abortions in Free West (1938-59)**

1796. Yet the legalization of abortion was not confined to totalitarian dictatorships such as Communist Russia and Nazi Germany. In 1938, the allegedly 'neutral' Sweden - in actual fact long alienated from true Christianity - by way of humanist legislation expedited abortion, and thus reverted to pre-Christian neo-Paganism. From 1944f, even America saw the (aborted) first attempts at human *in vitro* fertilization alias *IVF* - by Harvard's Dr. John Rock. Indeed, between 1949 and 1956, abortion was legalized in eleven other countries throughout Europe.
1797. In 1945 and 1948 the excommunist George Orwell first published his famous books *Animal Farm* and *Nineteen Eighty-Four*.<sup>1</sup> By A.D. 1984, he pessimistically predicted already during the nineteen-forties, the truly brutal principles of animalistic communism will have triumphed everywhere. Freedom, he added, will then have perished from our planet forever.
1798. Orwell's books each quickly sold over a million copies. Indeed, the very year '1984' soon became ominous to many. Many gazed on, helplessly, as the West continued to slide toward socialism - and as, increasingly in all the World, the *Communist Manifesto* continued to be implemented.

---

<sup>1</sup>. G. Orwell's 1945 *Animal Farm* and his 1948 *Nineteen Eighty-Four* (republished by Penguin of Harmondsworth from 1951 onward).

1799. With the collapse of one country after another to communism in the mid-seventies, observers viewed the advent of the ominous year 1984 with increasing apprehension. Fears of the advent of an elitist society manipulated by Geneticists, as foreshadowed in Aldous Huxley's *Brave New World*, strengthened the anxieties of many. Precisely during this timeframe, the 'legalization' of abortion, the perfecting of artificial insemination techniques and the pioneering of *in vitro* fertilization (with planned subsequent embryo transplants into surrogate wombs) - all increased apace.
1800. This period 1948 to 1984, was marked also by many subtle attacks against the sacredness of human life itself. It will be recalled that for more than two thousand years the *Hippocratic Oath* contained the promise: "I will not give to a woman a pessary to produce abortion." See paragraphs 1340f. Significantly, however, in 1948 - the very year of publication of George Orwell's book *Nineteen Eighty-Four* - the General Assembly of the World Medical Organization adopted the *Declaration of Geneva*. That declaration then soon started to replace the time-honoured *Hippocratic Oath* - at the graduation services of more and more medical schools.
1801. The *Geneva Declaration* softens the anti-abortion statement in the original *Hippocratic Oath*. For the *Geneva Declaration* simply states: "I will maintain the utmost respect for human life - from the time of conception. Even under threat, I will not use my medical knowledge contrary to the laws of humanity."
1802. During 1959 the Italian Dr. Petrucci created a monstrous human *IVF*-embryo. Yet even in Roman Catholic Italy, that embryo was then "terminated" - just several weeks after having been brought into being.

### **The spread of abortion in English-speaking lands in the nineteen-sixties**

1803. Then, in 1963, frozen sperm was used - for the first time - in attempts trying to engineer human *IVF*. Also during those early nineteen-sixties, a revised version of the *Hippocratic Oath* itself was produced. This revision, not even referring to the original's promise not "to produce abortion" - was put on display in the vestibule also of the Queensland University Medical School<sup>2</sup> in Australia.
1804. In 1967 the rapidly-dechristianizing if not dechristianized United Kingdom legalized abortion. Then, in just three years thereafter, seven states within the U.S.A. enacted legislation for abortion on demand.
1805. Britain's *Abortion Act* of 1967 marked the first really major movement in the English-speaking World - away from centuries of Christian Medical Ethics. It certainly helped prepare the way for the infamous 1973 American Supreme Court decision in *Roe v. Wade*.<sup>3</sup>
1806. The 1929 British *Infant Life Preservation Act*<sup>4</sup> had condemned as an offence the causing of death before birth to a child capable of being born alive - namely subsequent to twenty-eight weeks after conception, unless the act causing death were done in good faith for the sole

---

<sup>2</sup>. See J.C.A. Dique (M.D.): *Abortion, Euthanasia, and Hippocrates* (in the *Medical Journal of Australia*, Feb. 21st 1981). Also see his *Right to Life* (in the *Maryborough Times* of Sep. 9th 1981). Dr Dique built Australia's first artificial kidney machine, and developed a new type of blood transfusion set. The new Queensland University Medical School version of the original *Hippocratic Oath* reads: "I solemnly swear by all that I hold most sacred that...I will give no deadly drug nor perform any operation for a criminal purpose even if solicited, nor will I suggest any such counsels etc. See too *The Sunday Mail* of Nov. 24th 1979, which printed the entire Queensland Medical School revision of the original *Hippocratic Oath*.

<sup>3</sup> Paras. 1829f & 1914 & 1927.

<sup>4</sup> Infant Life Preservation Act 19-20 Geo. 5 c. 34.

purpose of preserving the actual life of the mother. But the 1967 *Act* would change this radically and, in practice, basically decriminalize abortion as such.

1807. The British *Abortion Act* of 1967 (see Sections 1:1-4 & 4:1-2) made new provision for abortions to be conducted in England. This could thenceforth be done if - in the opinion of "two registered medical practitioners" - the continued pregnancy "would involve risk to the life of the pregnant woman or injury to the physical or mental health of the pregnant woman or any existing children of her family, greater than if the pregnancy were terminated." The *Act* then also further provided that abortions could be executed with impunity if there "is a substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped."
1808. To facilitate arriving at either of these opinions advocating abortions, continues Britain's permissive 1967 *Abortion Act*, "account may be taken of the pregnant woman's actual or reasonably foreseeable environment" - whatever that may mean. Now, even if only one "registered medical practitioner...is of the opinion, formed in good faith, that the termination is immediately necessary to save the life or to prevent grave permanent injury to the physical or mental health of the pregnant woman" - he may proceed with the abortion by his own decision. He may even render a nurse prosecutable if he or she, having conscientious objections, refuses to assist him.
1809. Later, the Scottish Presbyterian Theologian Rev. Professor Dr. Thomas Torrance attacked all experimentation on human embryos. Tellingly, he added:<sup>5</sup> "Scientists must accept that from the moment of conception the human embryo is genetically complete and must be treated as such.... The ground for proper law has already been cut away by the *Abortion Act* [of 1967] - the greatest moral blot on the British Parliament and people this century."

#### **Nobel Prize-winner Dr. Crick's book *The Origin of the Genetic Code* (1968)**

1810. In his very influential 1968 book *The Origin of the Genetic Code*, Nobel Prize-winner Dr. Francis Crick sometimes spells 'nature' with a capital 'N'<sup>6</sup> - thus suggesting his perception that the ultimate reality is not the personal Triune God but rather the impersonal natural order. Then, in the Spring 1971 *Washington University Magazine*, Crick's article *Why I Study Biology* called for the complete genetic engineering of prenatal human beings.
1811. Crick admits he conducts biological research for "what you might call 'religious' reasons.... The future," he says, "is in our **own** hands.... It is not acceptable at the **moment** to discuss **who** should be the parents of the next generations, who should be born, and who should have children. There's a general feeling that, if we are all nice to each other, and if everybody has 2.3 children, everything will pan out. I don't think that is true.... Some **group** of people should decide that **some** people should have **more** children, and some should have fewer.... You have to decide who is to be born."<sup>7</sup>
1812. The next year, 1969, England experienced the World's very first successful **IVF** of a human egg - yet not to independent viability. Then, two years later - when the University of Pittsburgh changed from the *Hippocratic Oath* to the *Declaration of Geneva* - the University's medical students truncated even the latter. From the very clause beginning "I will maintain the utmost respect for human life" - they deleted the next words "from the time of conception."<sup>8</sup> Very significantly, that was also the very same year when the American Dr. Landrum B. Shettles for the first time successfully implanted a human IVF embryo into a second woman - before later

---

5. Australian Church Record, Nov. 25th 1984.

6. Dr. Francis Crick's *The Origin of the Genetic Code* (cited in Schaeffer's *How Should We Then Live?*, Old Tappan N.J.: Revell, 1976, p. 232).

7. *Ib.*, pp. 230-34.

8. F.A. Schaeffer & C.E.Koop: *Whatever Happened to the Human Race?*, Old Tappan N.J.: Revell, 1979, pp. 17-20.

excision.

### **Neo-Paganistic sacrifices of foetuses in the West during the nineteen-seventies**

1813. Of course, not all human embryos aborted today are excised or cut out of their mothers. Instead, some are **burned** to death - by being injected **with caustic saline solutions**. This is very reminiscent of the practices of the various pagan nations which inhabited Ancient Palestine, among whom also the Israelites went to live from B.C. 1450 onward. So the Lord warned them: "you shall not learn to do the abominations of those nations! There shall not be found among you - anyone that **makes his son or his daughter to pass through the fire.**" Deuteronomy 18:9f. "And you shall not let any of **your** seed pass through the fire to Molech" the false god of the Ammonites. "Whoever of the **Israelites or of the sojourning strangers...**that gives his children to Molech...**shall surely be put to death.**" Leviticus 18:21 *cf.* 20:2f.
1814. For this is what the Lord says: "I will send a fire upon Teman, which shall devour the palaces of Bosrah" in what was then Edom (just south of Ammon and Moab). "For three transgressions of the children of Ammon...I will not turn away its punishment, because **they have ripped up the pregnant women**" - says the Lord. "I will kindle a fire in the wall of Rabbah [the capital city of the Ammonites], and it shall devour its palaces." Amos 1:12-14.
1815. The fact is: the pagans of the Ancient Near East widely practised child sacrifice. In what is now Lebanon, the Phoenicians manufactured images of their false god Baal - with outstretched arms above hollow chests within which fires were ignited. The false priests then carried the babies sacrificed by mothers devoted to Baal, laying the tiny victims in the outstretched arms of that horned idol. Then, while prostitutes practised ritual sexual orgies, the babies were consumed in the flames.<sup>9</sup>
1816. Also the Canaanites practised child sacrifice. Indeed, the various pagan religions of all the surrounding nations required mothers to have their firstborn pass through the fire, as a sacrifice to their demon gods - in much the same way the modern neo-paganistic Chinese Communist Government requires all of its citizens to abort their second and all subsequent babies.
1817. Ancient Egypt sometimes slaughtered newborn babies. See Exodus 1:15-22. It was only the nation of Israel which then required its parents to dedicate their firstborn son to the lifelong service of Jehovah - thus sparing the infant, but slaughtering an animal sacrificed in his place.
1818. Yet even the Israelites, when influenced by such evil neighbours, sometimes fell into the paganizing sin of infanticide. So God had to rebuke even His own people: "**you have taken your sons and your daughters whom you have borne unto He, and sacrificed them...to be devoured.... You have slain My children, and handed them over, to permit them to go through the fire.... You gave the blood of your children [to idols].... I will give you blood-[shed], in fury and jealousy!" Ezekiel 16:3,20f,36-38 *cf.* Acts 7:19f.**
1819. Yet, even before their exodus from Egypt, God had said to Israel as His ancient people: "When the Lord shall bring you into the land of the Canaanites, as He swore to you and to your fathers, and shall give it to you - you must set apart unto the Lord all who open the matrix.... These you shall redeem with a lamb.... All the firstborn of man among your children, you must redeem!" Exodus 13:11f.
1820. Ancient Israel's practice of not slaughtering but sparing babies and dedicating them to the lifelong service of Jehovah, was followed by the Christian Church as the New Testament Israel. Matthew 18:2-14; 19:13f; Mark 9:36; 10:13-16; Luke 18:15-17; Acts 16:14-34; Romans

---

<sup>9</sup>. P. Hammond: *The Abortion Holocaust* (in M. Cain's *Fight for Life*, Cape Town: Africa Christian Action, 1995, p. 33).

2:28; 4:11-25; 11:25-32; First Corinthians 1:16; 7:14; 16:15; Galatians 3:16-29; 6:15f. Paganism in the Near East and Greece and Rome, was conquered by the Christian Church.

1821. Yet the prince of darkness and his empire would strike back. Since its comeback in the French Revolution of 1789, Paganism (as Humanism) has especially during the last two decades (1973-93f), challenged Christianity for the role of being the West's leading religion. So revolutionary legal changes have been enacted - especially as regards the rights of the unborn.

### **The road to *Roe v. Wade* (1973): the cheapening of human life also in the West**

1822. Thus, one American State after the other had begun - and indeed very rapidly - to liberalize its own anti-abortion laws. Most governments of Western countries had also begun to abolish their own Christian-legal capital punishments and other severe penalties for abortion (and for other heinous crimes).<sup>10</sup> In one word, the West had begun to return to the Pre-Christian and Pan-Pagan view that the father or the mother has a 'right' to demand an abortion regardless of the real interests of the unborn child.<sup>11</sup>

1823. By 1972, almost 500 000 'legal' abortions were being performed in the U.S.A. every year. By 1973, the first known American attempt at *IVF* was thwarted - and the foetus killed. Then, in that same year, for the whole of the United States of America, the U.S. Supreme Court reached its epoch-making *Roe v. Wade* decision. That set aside the preponderant anti-abortion laws in all fifty states - through mere forensic fiat and deadly decree.

### ***Roe v. Wade*: the end of the right to life in the U.S. Constitution**

1824. In the 1973 historic case of *Roe v. Wade*, the dykes broke through the Christian *Constitution of the United States of America* - for humanism. For the U.S. Supreme Court then alleged that all women have a "constitutional right" to receive abortions. In a seven-to-two decision, the court declared all anti-abortion laws to be "unconstitutional" (*sic*).<sup>12</sup>

1825. This demonic decision is **contrary** to the *Declaration of Independence* of the United States of America. For that document regards the right to life of "all men" as "self-evident." Also the *U.S. Constitution* forbids any State "to deprive any person of life...without due process of law."<sup>13</sup>

1826. This latter prohibition in the *U.S. Constitution* was - until the infamous *Roe v. Wade* decision in 1973 - **always** interpreted to include unborn persons too.<sup>14</sup> As Rev. Professor Dr. Harold O.J. Brown of the World-famous Trinity Christian Theological Seminary in Illinois rightly states,<sup>15</sup> *Roe v. Wade* has confronted us with the formal challenge of Paganism. Indeed, as also Dr. Kenneth Gentry insists in his 1982 work *The Christian Case Against Abortion*:<sup>16</sup> "America is in the midst of a radical de-Christianization." The same, of course, is true also of the rest of the West.

1827. With the iniquitous *Roe v. Wade* decision, not just the Christian Bible but even the very words as well as the heart of the American Declaration of Independence itself was attacked. For that *Declaration* clearly states that "all men are created...with certain inalienable rights" - and "that among these rights are life" (alias the '**right to life**').<sup>17</sup>

---

<sup>10</sup>. See H. Ellis: *Studies in the Psychology of Sex*, VI (1910), p. 605.

<sup>11</sup>. Crawley: *Foeticide*, in *ERE* VI pp. 56f.

<sup>12</sup>. P. Robinson: *Is Abortion Biblical?* (in *Christianity Applied*, Buena Park, Ca.: Applied Christianity, Nov. 1974, p. 9).

<sup>13</sup>. 1868 Fourteenth Amendment (to the U.S. Constitution).

<sup>14</sup>. See paras. 1835f.

<sup>15</sup>. H.O.J. Brown: *Legal Aspects of the Right to Life* (in ed. Ganz's op. cit. p. 123).

<sup>16</sup>. *Op. cit.*, p. 121.

<sup>17</sup>. Willke: *op. cit.* p. 94.

1828. Yet what, if anything, did **that** matter to all of the humanists of America - or to the majority of the nine judges installed in her 1973 Supreme Court? For fully seven of those nine men then purported to banish all unborn Americans from any protection under the *U.S. Constitution* - and, in effect, also even from membership in the human race as such.

### **Roe v. Wade: the road to feminism's feticide (also of tiny little females)**

1829. So, if any particular date could be given as marking the end of the West's Christian Civilization and the beginning of Humanism's New Age -1973 might well be that date. The insidious principles of the so-called 'Enlightenment' preceding the French Revolution of 1789 had been advancing steadily against Christianity for some two centuries. Triune Christianity had declined. By 1973, the apostate trinity of humanism and socialism and feminism was ready to challenge the right to life itself of tiny human beings.

1830. That challenge occurred on January 22nd 1973. It was then that the U.S. Supreme Court reached its epoch-making decision in *Roe v. Wade*. Completely breaking with centuries of Common Law - and also with the commitment to preserve the life of "all people" (as well guaranteed in the American *Declaration of Independence*), and to protect every "person" (as required by the *U.S. Constitution*) - the Court now made the following abominable rulings:

1831. First, every woman in the United States has the automatic right to a federally-funded abortion during the first three months of her pregnancy. This means feministic feticide (also of tiny little females).

1832. Second, abortion is allowed even during the second three months or trimester. Here, the mother's Medico as the agent of the allwise state merely needs to pontificate that such an abortion is "healthy" for the mother.

1833. Third, the foetus is not necessarily protected even during the final trimester. This is so, because the word "health" (of the mother) can be and has been very broadly interpreted - even during the last three months of her pregnancy.

1834. Fortunately, the Bench was not unanimous. Well did Supreme Court Justice White disagree. In his dissenting judgement from the decision in *Roe v. Wade*, he rightly described the Court's decision as "an exercise of raw judicial power" - and as "improvident and extravagant."<sup>18</sup>

### **Interpretation of *Roe v. Wade* by jurisprudence Professor Dr. J.P. Witherspoon**

1835. Dr. Joseph P. Witherspoon is Professor of Jurisprudence at the University of Texas School of Law. He referred to the above decision, in the 1974-75 *Texas Tech Law Review*. There, he ominously alleged:<sup>19</sup> "In this 1973 decision, the Court...held that the unborn child is not a 'person' within the meaning and protection of the term 'person' utilized in the fourteenth amendment [of the *U.S. Constitution*] - so as to strip all unborn children of all constitutional protection for their lives, liberty, and property.... Thus, the failure of the Court in *Roe v. Wade* to have examined the actual purpose and intent of the legislature in framing the fourteenth amendment and the thirteenth amendment...was a failure to be faithful to the law or to respect the legislature which framed it.

1836. "Careful research of the history of these two amendments will demonstrate to any impartial investigator that the...actual purpose of their framers was to prevent any court" from denying protection to any person living in the United States. They were directed especially against "the Supreme Court of the United States" - because of its earlier performance in the Dred Scott case, where that Court questioned whether the *U.S. Constitution* in fact protected the

---

<sup>18.</sup> *Ib.*, pp. 218-22.

<sup>19</sup> Cited in Schaeffer's *How Should We Then Live?*, pp. 219 & 222.

'citizenship' if not the 'personality' of negro slaves.

1837. These amendments to the *U.S. Constitution*, explains Witherspoon, were designed to prevent the U.S. courts "from ever again defining the word 'person' or 'persons' so as to exclude any class of human beings from the protection of the *Constitution* and the safe-guards it established for the fundamental rights of human beings." For 'persons' in the *U.S. Constitution* means all 'human beings' in America - "including slaves, peons, Indians, aliens, women, the poor, the aged, criminals, the mentally ill or retarded, and children - including the unborn from the time of their conception."

### **The increasing murder of babies: the homicidal results of *Roe v. Wade***

1838. The above-mentioned January 1973 U.S. Supreme Court decision had immediate effects. Whether intentionally or not, it unquestionably helped promoted not just feticide - but even postnatal infanticide.
1839. In 1979, the anti-abortionistic Drs. F.A. Schaeffer & C. E. Koop co-authored the book *Whatever Happened to the human Race?* Very influential, it appeared just before Koop became the Surgeon-General of the United States after nominated to that important office by U.S. President (Ronald Reagan).
1840. In their book, Drs. Schaeffer and Koop bemoaned<sup>20</sup> the fact that already in May 1973 Dr. James D. Watson (the Nobel Prize Laureate who had discovered the double helix of *DNA*) had granted a somewhat unfortunate interview to *Prism* magazine - then a publication of the famous American Medical Association. For *Time* had there and then reported Dr. Watson as having said: "If a child were not declared alive until three days after birth, then all parents could be allowed the choice only a few are given under the present system. The doctor could allow the child to die, if the parents so choose - and save a lot of misery and suffering. I believe this view is the only rational, compassionate attitude to have."
1841. Since 1973, even in America alone, **more** human beings have been butchered before they could be born - than the **total** number of people alleged to have been exterminated by the Nazis during the Second World War. The protest is deafening by its very silence - the stillness of the silent scream of aborted fetuses, and the cowardly silence of their adult older brothers. Meantime the adult humanists in the rest of the West, equally with hardly a whimper, follow their leaders in America.
1842. However, the wrath of the one true Triune God Jehovah-Jesus has been kindled.<sup>21</sup> His Anti-Western tools are now being sharpened in the Orient - perhaps to inflict His sore displeasure against the unrepentant nations of Japheth, for having so willfully abandoned the tents of Shem.<sup>22</sup>

### **Ex-socialist Muggeridge opposes abortion and human genetic engineering (1975)**

1843. Rightly, then, did England's celebrated ex-socialist philosopher Malcolm Muggeridge assess the situation in his important 1975 article *What the Abortion Argument is About*. For there,<sup>23</sup> Muggeridge - previously himself not averse to abortion - now to the contrary magnificently insisted: "The abortion issue raises the question of the very destiny and purpose of life itself - of whether our human society is to be seen in Christian terms as a family with a loving Father Who is God - or [as] a factory-farm whose primary consideration must be the physical wellbeing of the livestock, and the material wellbeing of the collectivity." Very

---

20. *Op. cit.*, p.73.

21. Ps. 2: 1-12.

22. Gen. 9:27 & 10 1-5.

23. M. Muggeridge: *What the Abortion Argument is About* (in *Human Life Review* 1:3, 1975, p. 4).

clearly, then, the issue is the socialists' communal collectivism - *versus* the Christians' Trinitarianism with its unity in diversity.

1844. Yet during that same year, at the Brookhaven National Laboratory, human cells and tobacco plant cells were (con)fused and grown in combination. Thrilled, Professor Dr. Paul Segal of the University of California Department of Microbiology predicted that the first human being would be cloned probably before the year 2000 A.D. Equally elated, also Hungarian biologists then reported they have successfully (con)fused and grown HeLa human cancer cells - with those of carrots.

### **The pro-abortionistic *Situation Ethics* of Dr. Joseph Fletcher (1976)**

1845. Already by 1976, the renowned pioneer of *Situation Ethics* - Dr. Joseph Fletcher - had alarmingly stated that "the legalistic temper [by which he meant 'Biblical Ethics'] gives first place to 'right.' But the humanistic temper [by which Fletcher meant his own 'Situation Ethics'] puts 'needs' in the driver's seat." Thus Fletcher's *Ethical Aspects of Genetic Controls*.<sup>24</sup>
1846. Fletcher then continues: "If human 'rights' conflict with human 'needs' - let needs prevail! If medical care can use genetic controls preventatively to protect people from disease or deformity or to ameliorate such things - then let so-called 'rights' to be born, step aside. If research with embryos and foetal tissue is needed to give us the means to cure and prevent the tragedies of 'unique genotypes,' even though it involves the sacrifice of some conceptuses - then let 'rights' take a back seat!"
1847. In the U.S. Right to Life's *News* of January 1977, the leading Black American social activist Jesse L. Jackson provocatively stated: "There are those who argue that the right to privacy is of higher order than the right to life.... That was the premise of slavery. You could not protest the existence or treatment of slaves on the plantation, because that was private and therefore outside your right to be concerned.... The *Constitution* [Article I Section 2] called us [black slaves] 'three-fifths human.' And the whites further dehumanized us by calling us 'niggers.' It was part of the dehumanizing process....
1848. "These advocates [of] taking life prior to birth, do not call it killing or murder. They call it 'abortion.' They further never talk about aborting a **baby** - because that would imply something **human**.... 'Foetus' sounds less than human. And therefore [aborting a fetus] can be justified.
1849. "What happens to the mind of a person, and the moral fabric of a nation, that accepts the aborting of the life of a baby without a pang of conscience? What kind of a person and what kind of a society will we have twenty years hence - if life can be taken so casually? It is that question - the question of our attitude, our value system, and our mindset with regard to the nature and worth of life itself - that is the central question confronting mankind. Failure to answer that question affirmatively, may leave us with a hell - right here on Earth."<sup>25</sup>

### **The abortive Dr. Crick *versus* the anti-abortionist Dr. Nathanson (1978f)**

1850. It will be recalled that Nobel Laureate Dr. Francis Crick seemed to deify impersonal nature itself (by spelling the very word 'nature' with a capital 'N') even as early as 1968. Indeed, by 1971 he was arguing that only approved people should be permitted to bear children (and a very limited number of children at that).<sup>26</sup> Later, in January 1978, Crick was quoted in the Pacific News Service as saying that "no newborn infant should be declared human, until it has passed certain tests regarding its genetic endowment... If it fails these tests, it forfeits the right

---

<sup>24</sup>. J. Fletcher's *Ethical Aspects of Genetic Controls* (in ed. T.A. Shannon's *Bioethics*, New York: Paulist Press, 1976, p. 338).

<sup>25</sup> Cited in Schaeffer & Koop: *op. cit.*, p. 209 n. 13.

<sup>26</sup> See paras. 1810f.

to live."<sup>27</sup>

1851. In that same year, 1978, England produced the World's first human test-tube baby. Fortunately, Dr. B. Nathanson - an atheist and former leading U.S. abortionist - by the common grace of God then experienced a considerable change of heart. In 1979, he then wrote his anti-abortion book *Aborting America*.<sup>28</sup> There, he assured his readers that pro-abortionists falsify statistics in order to confuse the public.<sup>29</sup> On the other hand, in the very same year the famous Dr. Landrum B. Shettles successfully engineered a human nucleus derived from a human spermatological cell.

### **Dr. Hartshorn's Concerning Abortion: An Attempt at a Rational View (1981)**

1852. The Presbyterian Theologian Rev. Dr. Francis Schaeffer, in his 1981 book *A Christian Manifesto*, gives<sup>30</sup> an alarming quotation by one of the leading "nonreligious humanists" (in one of the leading theologically-liberal 'Christian' magazines). Schaeffer refers to "the article by Charles Hartshorn in the January 21st 1981 issue of *The Christian Century* (pages 42-45)." Its title is *Concerning Abortion: An Attempt at a Rational View*.

1853. Hartshorn's article, explains Schaeffer, "begins by equating the fact that the human foetus is alive - with the fact that mosquitoes and bacteria are also alive. That is, he begins by assuming that human life is not unique. He then continues by saying that even **after** the baby is **born**, it is not fully human - until its social relations develop."

1854. Not unexpectedly, Hartshorn concludes: "I have little sympathy with the idea that infanticide is just another form of murder. Persons who are already functionally persons in the full sense" - by which Dr. Hartshorn apparently means adult human beings - "have more important rights even than infants.... Does this distinction apply to the killing of a hopelessly senile person, or one in a permanent coma? For me, it does!"

### **Dr. Schaeffer's vigorously anti-abortionistic Christian Manifesto (1981)**

1855. In his 1981 book *A Christian Manifesto*, Schaeffer also rightly remarks that "the issue of abortion" is "a current issue that is crucial for the future of the Church.... What is involved, is the whole issue of the value of human life. A recent report indicates that for every three live births, one child is aborted...."

1856. "In order to operate, many hospitals and abortion clinics receive tax money in some form - at least from individual States. Our Representatives [in Congress] must be confronted with political force (if they will not do so out of principle) into introducing legislation cutting off such funds. If this fails, then lawsuits should be initiated to stop such funds from flowing to such institutions.

1857. "Simultaneously with these steps, some Christians have picketed. I greatly admired Dr. William S. Barker, President of Covenant Theological Seminary in St. Louis, when he supported Seminary Students who had been arrested for picketing an abortion clinic." Thus Dr. Schaeffer.<sup>31</sup>

---

27. Cited in Schaeffer & Koop: *op. cit.*, p. 73.

28. B. Nathanson: *Aborting America*, New York: Doubleday, 1979.

29. Thus Bishop John Kelly, in *The Value of Human Life* (in *The Leader* of Sept. 12th 1982 p. 21).

30. F.A. Schaeffer: *A Christian Manifesto*, Westchester, [Il.: Crossway, 1981, pp. 21f (citing C. Hartshorn's 1981 art. *Concerning Abortion: An Attempt at a Rational View*, in *The Christian Century* of Jan. 21st 1981, p. 42-45).

31. *A Chr. Manif.*, pp. 118f.

1858. Yet already - humanly speaking - it was too late. For in the same year, 1981, the secularized Australia started to lead the World in prenatal technology. The World's first test-tube twins were born in Melbourne.
1859. Shortly thereafter, in Sydney, an Australian lesbian gives birth to a baby. That lesbian had conceived, after she had inseminated herself with a 'semen cocktail' which she had mixed from sperms masturbated by four of her male friends.
1860. The next year, 1982, matters did not improve. For then the Melburnians Drs. Walters and Singer insisted at the very end of their (pro-*IVF*) book *Test-Tube Babies*: "The embryo does not count as a person.... There is no objection to experimenting on it without consent."
1861. Indeed, on television, Britain's Dr. Snowdon soon accused certain Australian doctors of buying British embryos for the purpose of experimentation. Undeterred, however, Melbourne's Queen Victoria Medical Centre Ethics Committee proceeded to give its approval to anonymous embryo adoption.
1862. Rightly did New Zealand's Dr. Peter Strang resign from his job as an Abortion-Certifying Consultant in 1982. For by then, he could no longer believe that all of "the decision making lies within the bounds of the medical profession...to be high priests" - viz. "to say its okay not to be responsible for what we do."<sup>32</sup>

#### **Epoch-making prenatal breakthroughs in the year before '1984'**

1863. The year 1983 was studded with many important prenatal events. In Melbourne, after 13 previously- failed attempts, the World ' s first frozen test-tube human embryo was thawed out - and successfully implanted within a woman's uterus. Soon thereafter, and again in Melbourne, the World's first human embryo from a donated sperm and a donated egg was implanted with success. In England, however, the World's first (unexpected) Coloured baby was born to a White woman - angering the White couple which had requested an *in vitro* fertilization from donor sperm ( alias an *IVF* by *AID*).
1864. Later that year, the High Court of Germany ruled that a nine-month foetus is not a person. However, also in 1983, the Public Questions Committee of the Presbyterian Church of Queensland agreed that "any unlawful human attempt to abort, is murder in the sight of God - wherever such attempt results in the death of a fertilized human ovum. Exodus 20:13 cf. Matthew 2:16-20."
1865. After the World's first ongoing pregnancy from a frozen embryo was engineered in Melbourne, the 1983 General Assembly of the Presbyterian Church of Queensland condemned: artificial insemination from donor; complete human ectogenesis; surrogate motherhood; cloning; and abortion. Regarding the latter, it affirmed that "abortion is always unacceptable except where at least two competent medical authorities ( other than the one under consideration to perform the abortion)" deem the termination of the pregnancy "essential to protect the life of a mother or of her prenatal child (or children), when threatened with immediate death. Numbers 35:30; Deuteronomy 19:15-21; Hebrews 10:28ff....In such a case, everything medically possible [should] also be done to try to ensure the continuation of the lives of all that are thus being threatened."
1866. Several weeks later, the Presbyterian Church of New South Wales requested the state to limit *IVF* to married couples alone - and indeed also by only-one-embryo-at-a-time. It also urged legislation forbidding [human] cloning, genetic engineering, surrogate motherhood, human/ animal hybrids, and embryo-freezing.
1867. Yet the prenatal human experimantation still continued apace. In Adelaide, the World's first

---

<sup>32</sup>. New Zealand Challenge, Oct. 1982.

test-tube triplets were born. In Canberra, the National Health and Medical Research Council said it is quite in order to **experiment** on dying human foetuses not yet dead. And also in Melbourne, the Victorian Government gave the go-ahead for all forms of *IVF*, despite much opposition. Further, it allowed *IVF*-babies from donated sperms and eggs to be implanted even into unmarried alien women - and to become their "legal" children.

### **Orwell's 1984 : prenatal human engineering and Huxley's *Brave New World***

1868. In 1984, the Presbyterian U.S. President Ronald Reagan – ably supported by his fellow-Presbyterian and Christian Surgeon-General Dr. Koop - stated: " How can we survive as a free nation when some decide that others are not fit to live and should be done away with? ... We've permitted the death of fifteen million helpless innocents since the *Roe versus Wade* decision.... Doctors confirm that when the lives of the unborn are snuffed out, they often feel pain."
1869. Yet Gamete Intra-Fallopian Transfer (alias *GIFT*) now proceeded to be used on humans for the first time ever - and often producing deformed or retarded babies. In Britain, the Immunologist Dr. David White speculated on the possibility of hybridizing men with monkeys - and crossing humans with fishes. In Melbourne, the World's first test-tube quadruplets were born - and also the first human **transplant** (resulting in the World's first baby born to a mother from an embryo formed by her husband's sperm and a donor's egg).
1870. In Sydney, test-tube twins were born to a previously-sterilized woman. In Melbourne, when the World's first frozen-embryo baby girl was born, the State Premier remarked: "The *Brave New World* is now upon us!" Then, in Adelaide, the South Australian Government approved of the freezing of human embryos - for purposes of their later birth up to ten years thereafter.
1871. In Melbourne, the *IVF*-expert Professor Carl Wood - referring to a report that a human female had been mated with a monkey in China and that "the resulting pregnancy had been aborted" - added that "theoretically an attempt at hybridization could be made." He also said that a survey of 25 test-tube babies showed they were more intelligent and superior in many ways to natural babies.
1872. In Brisbane, Veterinary Anatomy Professor Tim Glover said a world of genetically-bred superathletes was on the way. But feminist Dr. Robyn Rowland resigned as the Director of Melbourne's Queen Victoria Infertility Clinic, saying: "The state is actively creating babies.... Some developments are morally reprehensible.... 95% of the new human beings created in the program die soon after fertilisation.... It was impossible to expect selfrestraint from the experimenters."

### **The ever-increasing prenatal nightmare throughout the year 1984**

1873. In Melbourne, *IVF*-scientists announced that transsexual 'ex-men' could achieve pregnancy - by having test-tube embryos transplanted into their abdomens. In the U.S.A., the World's first two egg-donated babies were born who had been "flushed-out" of one woman and then implanted into another. And in South Australia, the Minister of Health (Dr. Cornwall) said that all frozen human embryos stored in state hospitals would be destroyed if the domestic relationship of the "parents" was terminated through death or separation - and that all couples entering the program would be required to sign papers to this effect.
1874. In France, Mrs. Corinne Parpalaix, whose husband had died during 1983, successfully sued a French sperm bank the following year for custody of her deceased spouse's sperm so that she could then receive artificial insemination from the sperm of her dead husband. In the U.S.A., a man who had paid a married woman \$10 000 to bear him a child by *AID*, repudiated his offspring when the woman gave birth to a mentally-retarded baby. Then, in Germany, perhaps presaging its stocking up supplies of 'ideal' sperm with the chromosomes required for the 'Aryan' production of blue-eyed blondes - a clinic advertized that its donors include: "no fat

men; no long ears; no hook noses."

1875. Dr. Nigel Cameron of the Rutherford Institute in Edinburgh then remarked in his book *Life and Work*: "Until not so long ago the idea that children, before they are born, could be made the subjects of laboratory experimentation...would have been associated with the horrors of medical science under the Nazis or with some dreadful science fiction scenario. It is now recommended by the Warnock Committee [in Britain]...that human embryos be used, up to a certain age, for scientific research...."
1876. "This is the reversal of centuries of Jewish and Christian thinking, and to many it is the beginning of the end of civilisation.... The direction of test-tube research is toward the development of an artificial womb. There is no technical reason why the embryo should not develop all the way to term, never having seen the inside of its mother.... If the unwanted unborn can be painlessly experimented to death for the good of science - there will come a time when the born as well as the unborn, the unloved handicapped infant, the aged and the infirm, anyone whom nobody wants...and maybe you and I among them - will be fodder for science and its experiments."
1877. 'What a prenatal human harvest George Orwell's 1984 had delivered' For in that one year alone, mankind noted: a warning against abortion by U.S. President Ronald Reagan; the first use on humans of Gamete Intra-Fallopian Transfer; the birth of the World's first test-tube quadruplets; the birth of the first human transplant of an embryo formed from a husband's sperm and a donor's egg; test-tube twins born to a previously-sterilized woman; the birth of the World's first frozen-embryo baby girl; and the World's first governmental approval of the freezing of human embryos for purposes of their later birth up to ten years thereafter.
1878. Indeed, 1984 also witnessed: a report that a human female had been mated with a monkey in China and that "the resulting pregnancy had been aborted"; the birth of the World's first two egg-donated babies "flushed-out" of one woman and implanted into another; the World's first lawsuit by a wife to recover her deceased spouse's sperm from a clinic; a father's repudiation of his paternity of a mentally-retarded baby born to a married woman he had paid to be impregnated with his own seed; and the exclusion of non-Aryan material from a German sperm bank. Mercifully, 1985 saw only the first pregnancy from a previously-frozen thawed human egg.

#### **1984: conservative doctors react against both abortion and IVF**

1879. In October 1984, the World Federation of Doctors Who Respect Human Life - a conservative consortium of now above 350 000 Members in more than seventy countries - issued several statements. The latter clearly show the overlap between abortion and IVF and euthanasia. For *inter alia*, the Federation states "that human life is sacred from fertilisation to natural death - and that one may never end the life of a patient, no matter his/her age or illness."<sup>33</sup> In other words, even abortion could be claimed to be 'euthanasia'; and all forms of 'euthanasia' are in some sense 'abortive'.
1880. "In accordance with the *Declaration of Helsinki (1975)*," the Federation goes on, "we affirm that a human being may never be used as an object of experimentation or exploitation; and consider that extracorporeal fertilisation, which inevitably involves experimentation and deliberate selection in the youngest human beings, is therefore unacceptable.
1881. "Euthanasia, that is the act of commission or omission with the deliberate intention of ending the life of a patient, even at the patient's own request or at the request of close relatives [such as the parents of the mother of an abortable foetus], is unethical. This does not prevent the physician from respecting the desire of a patient to allow the natural process of death to follow

---

<sup>33</sup>. P. Schepens (M.D.): *In Vitro Fertilization- A Wrong Way in Medicine?* (Miami: Human Life International Conference, April 1990, pp. 2f.

its course in the terminal phase of sickness."

1882. Membership in that organization is open to all Doctors who sign a *Declaration*. That reads: "From the moment of fertilisation, that is, from the earliest moment of biological existence, the developing being is alive and entirely distinct from the mother who provides nourishment and protection.
1883. "From fertilisation to old age, it is the same living human being who grows, develops, matures and eventually dies. This particular human being with his or her characteristics is unique and therefore irreplaceable.
1884. "Just as medicine is at the service of life when it is failing, so too it should serve life from its beginning. It should have absolute respect for human life regardless of age, illness, disability or degree of dependence.
1885. "When confronted with tragic situations, it is the duty of the doctor to do everything possible to help both the mother and her child. The deliberate killing of an unborn human to solve social, economic, or eugenic problems is directly contradictory to the role of the Doctor."

### **The nightmare of prenatal experiments on humans deepens during 1987**

1886. During 1987, Victoria's Waller Committee unanimously approved the injecting of sperm under the shell of a human egg in the first 20 hours after its fertilisation. This experiment, however, would destroy that human life.
1887. In Sydney and at an international Conference on Health, Law and Ethics that same year - it was stated that a man in West Germany was already carrying twins in his abdomen - and that it is feasible for animals to carry implanted human babies. It was stated too that cow-eggs had been impregnated with human sperm - and terminated before getting beyond the two-cell stage.
1888. That 1987 Conference was addressed by the Australian Philosopher and Animal Liberationist Professor Dr. Peter Singer. He is a Director of the Centre for Human Bioethics at Monash University - and frequently argues for the lifting of many of the present restrictions against human embryo research.
1889. Speaking of the human embryo, Dr. Singer told the Conference:<sup>34</sup> "I believe, in terms of its rights or moral status, it doesn't even reach the level of the standard laboratory animal. It is more like a vegetated existence, a lettuce if you like."
1890. At that very same time, there were also many recent newspaper reports that a special chimpanzee in China was now about to deliver. Certainly that animal had earlier successfully been impregnated with human sperm. The remaining question was whether the resulting little chimaera would live till birth or not; and, if so, what its appearance would then be like.
1891. In Sweden, the ruling Social Democratic Government was then proposing to amend the Swedish Penal Code to legalize homosexual "marriages" and also the promotion of homosexuality through public education. And in South Africa, a young married woman had three of her eggs fertilized *in vitro* with her husband's sperm - and then implanted into her mother, who consequently later produced unidentical triplets from those eggs of her own daughter.
1892. It is arguable that the advance of modern medical technology, when accompanied as it often is by a relapse in medical ethics, results in more murders and less rescues of the unborn than

---

<sup>34</sup>. C. Wieland (M.B., B.S.): *Of Lettuces and Cow-humans* (in *Creation Ex Nihilo*, 9:4, 1987, pp. 27-30).

ever before. Well does Dr. Philippe Schepens M.D., General Secretary of the World Federation of Doctors Who Respect Human Life, state in his booklet *The failure of Medicine at the Service of the Human Person and the Family*: "There are no medical indications anymore to perpetrate abortion.... What should one think of those Gynecologists who practise a systematic '**search and kill**' of unborn handicapped children? This is by amniocentesis and/or chorion villi sampling.... I accuse those Doctors of perpetrating the most subtle kind of RACISM. What they are really doing, is leading the way to chromosomal racism!"

### **The nightmare of prenatal experiments on humans continues in the 1990s**

1893. In Britain, during 1991, a virgin conceived - through artificial insemination from a donor. The same year, in the U.S.A., a man deliberately impregnated his 43-year-old wife so as to be able to harvest rare bone marrow from the baby about two years later - for implantation into his 19-year-old and life-threatened other daughter. *Time* stated this calls up brutal images of baby-farming - cannibalizing for spare parts.
1894. During 1993, in Rome, a 59-year-old woman produced twins – after receiving *IVF*. Also in Italy, the Black wife of a White British husband gave birth to a White baby - from the donor egg of a White woman. In the U.S.A., the NIH *Revitalization Act* was enacted by order of President Clinton. It also opened the door to various forms of experimentation upon human fetuses. Then, within months, a George Washington University Team multiplied seventeen human embryos into forty-eight clones which then grew for six full days - even while the Hawaii Supreme Court ruled in *Baehr v. Lewin* that the state ban against same-sex marriages violated the State Constitution.
1895. The same year, the revised edition of Dr. Singer's work *Practical Ethics* appeared. There, he insisted:<sup>35</sup> "The life of a newborn baby is of less value than the life of a pig, a dog, or a chimpanzee.... We can see that the grounds for not killing persons do not apply to newborn infants.... My comparison of abortion and infanticide was prompted by the objection that the position I have taken on abortion also justifies infanticide. I have admitted this charge.... Neither the early not the late foetus has a full right to life, and neither does the newborn infant. This right, I would suggest, emerges gradually during the first few months after birth."
1896. In his other book *Rethinking Life and Death*, Singer has elaborated:<sup>36</sup> "After ruling our thoughts and our decisions about life and death for nearly two thousand years, the traditional Western ethic has collapsed.... Perhaps it is now possible to think about these issues without assuming the Christian moral framework which has, for so long, prevented any fundamental reassessment.... We have an historic chance to shape something better, an ethic that does not need to be propped up by transparent fictions no-one can really believe.... Human babies are not born self-aware or capable of grasping that they exist over time. They are not persons. Hence their lives would seem to be no more worthy of protection than the life of a foetus."
1897. In 1994, President Clinton signed legislation to allow testing on the abortion pill RU486 even before it became available in the U.S.A. It had been formulated by the French-based company Roussel Uclaf - which had recommended that cardiovascular monitoring equipment, emergency resuscitation medication and emergency theatre facilities be available when the drug is used.
1898. The Chairman of Roussel Uclaf himself admitted that his "RU486 is not at all easy to use.... A woman who wants to end her pregnancy, has to 'live' with her abortion for at least a week using this technique. It is an appalling psychological ordeal. We have only developed an

---

<sup>35.</sup> Cambridge, England: C.U.P., 1993 ed., as cited in van Gend's *op. cit.*, pp. 7f (see next n.).

<sup>36.</sup> Singer: P.: *Rethinking Life and Death*, as cited in Dr. D. van Gend's *On the 'Sanctity of Human Life'* (in *Primum Non Nocere*, Camp Hill Qld: Qld Branch of World Federation of Doctors Who Respect Human Life, Sept. 1995, p.7).

alternative method of abortion, nothing more."<sup>37</sup>

1899. Twelve years after Mr. George Howcraft had deposited some of his semen in a sperm-bank and then had a vasectomy in England, he emigrated to Australia - taking his more-than-a-decade-old sperm with him. There from, his daughter Jessica was born subsequently to his second wife - by *IVF*, at a Gold Coast Hospital, during 1994.
1900. In the same year, the British Medical Association even publicly endorsed the transplant of ovaries from dead women - to enable infertile living women to become pregnant. Thereafter, English Doctors decided to implant a Black mother with a White woman's egg in order to ensure that she conceived a baby of mixed race.

### **1994 General Assembly, of Presbyterian Church of Australia on tiny human life**

1901. Also in 1994, the General Assembly of the Presbyterian Church of Australia received its Church and Nation Committee's *Report*. This states "that Jesus was 'conceived by the Holy Spirit; born of the Virgin Mary; suffered under Pontius Pilate; was crucified, dead and buried; [and]...rose from the dead'.... Throughout these events, Jesus was and is the very same Jesus Who was conceived in the womb of His virgin mother.... To abort an embryo would be viewed in the same light as killing a child or an adult, and would be tantamount to murder."
1902. The General Assembly of the Presbyterian Church of Australia then resolved: "Abortion is always unacceptable except when at least two competent medical authorities (other than the person under consideration to perform the operation) deem the abortion essential to protect the life of the mother when that is threatened with immediate death should the pregnancy continue.... If and when the rare contingency noted in the previous clause arises, everything medically possible should be done to seek the continuation of the lives in danger.... Marriage is the union before God, and at law, of a heterosexual couple. The family ought not to be redefined so as to permit homosexual marriage or to permit homosexual couples to adopt or foster children."

### **1994 Monash Conference on the Termination of Pregnancy**

1903. Also during 1994, Dr. Peter Singer of Monash University's Centre for Human Bioethics convened a Conference on Ethical Issues in Prenatal Diagnoses and the Termination of Pregnancy. There, on the 31st August, Dr. David Grundmann (the Medical Director of Planned Parenthood of Australia) stated<sup>38</sup> in Victoria: "In the 20 years since *Roe v. Wade*, medical science has made such tremendous advances that the boundaries of reproductive technology have been pushed beyond all known limits...."
1904. It is my belief that abortion is an integral part of family planning.... Theoretically this means abortion at any stage of gestation.... I have been an abortion provider for 18 years and I have always been an advocate for women's rights to choose abortion on request. So I approach this topic from a particularly biased pro-choice point of view. This exciting topic presents a number of interesting challenges....
1905. "Dilatation and extraction...is my method of choice. It is achieved by serial dilatation using a combination of mechanical dilatation and passive osmotic dilators.... The principle...is to extract an intact foetus whose soft tissues protect the cervical canal. The pelvis is the most incompressible part of the foetus. Cranial decompression then allows the delivery of the foetus

---

<sup>37.</sup> *Guardian Weekly*, 19th Aug. 1990 (as cited in G. Grant's *The Quick and the Dead*, Wheaton: Crossway, 1991).

<sup>38.</sup> Dr. David Grundmann: *Abortion After Twenty Weeks in Clinical Practice - Practical, Ethical and Legal Issues*, Melbourne: Monash University Conference on Prenatal Diagnosis and the Termination of Pregnancy, Aug. 1994, pp. 1f & 46-51).

with ease either by breech or vertex extraction....

1906. "As we approach the 21st century in a World beset with overpopulation famine and ecological disasters - it makes no sense to take the right to make decisions about fertility, contraception or abortion away from...the women and to place this right in the hands of mostly male-dominated legislative, judicial or religious bodies.... Abortion beyond twenty weeks is unavailable anywhere in Australia other than at my clinic in Brisbane.... We must allow women to make these difficult and important choices themselves, and we must be prepared to use all of our skills and abilities to help them with these choices."
1907. Dr. Peter Singer himself told the conference two hours later: "If we must have a point at which the developing human being has the same right to life as you or me, then...it is plausible to base this on the capacity of the being to want to go on living ~ and this needs at least a minimal awareness that one is a being existing over time, with a past and a future. On this basis, neither the early nor the late foetus has a full right to life – and neither does the newborn infant. This right, I would suggest, emerges gradually during the first few months after birth."
1908. Commenting on Singer's statement, Dr. David van Gend – Secretary of the Queensland Branch of the World Federation of Doctors who Respect Human Life - later pointed out:<sup>39</sup> "It takes a remarkable man to achieve such empathy with infants only a few months old, enabling him to discern the first humanising flicker of *joie de vivre* in their hitherto lifeless faces, and to know with a deep inexplicable knowing that they now want to go on living."
1909. In the main, Dr. van Gend is right. We ourselves would not call either a born or a prenatal baby "it"; yet we agree that he or she obviously desires to "go on living" (both prenatally and postnatally). We also agree with Dr. van Gend that Dr. Singer is certainly a very "remarkable man."

### **The 1994 American Southern Baptist Convention opposes Abortion**

1910. The anti-abortionistic yet illegal shootings of Florida abortion clinic personnel in Pensacola during 1994 - shocked pro-abortionists and was an embarrassment to anti-abortionists. This vigilante-type action was condemned by many church groups, including the Christian Life Commission of the Southern Baptist Convention in the U.S.A. (the largest Protestant denomination in the whole World). Yet, even while briefly condemning the shootings, the Commission then went on at some length to formulate its own September 1994 statement of conscience. That proclaimed,<sup>40</sup> *inter alia*:
1911. "We reiterate our unshakable conviction that the life of each human being begins at conception, and we implore all Christians to oppose legalized abortion on demand.... This is the meaning of the divine prohibition of murder in the Ten Commandments.... In the Sermon on the Mount (Matthew 5:21f), Jesus affirmed the prohibition against murder.... Thus, we are compelled to consider elective abortion the killing of a human being....
1912. The Federal Government has wrongfully abdicated its responsibility to protect the innocent...[yet] it is morally forbidden for a private citizen to end a human life, except in the act of selfdefence. Only in cases when gestational life poses a serious threat to the physical life of the mother...does elective abortion clearly meet this selfdefence criterion....
1913. "A significant number of pro-life Christians are willing to grant the possibility that abortion in the

---

<sup>39</sup>. D. van Gend: *On the 'Sanctity of Human Life'* (in *Primum Non Nocere*, Camp Hill Qld: Queensland Branch of World Federation of Doctors who Respect Human Life, Sept. 1995, p. 7).

<sup>40</sup>. Southern Baptist Convention's Christian Life Commission: *The Struggle Against Abortion - Why the Use of Lethal Force is Not Morally Justifiable*, September 1994 (in *Ethics & Medicine*, 11:2, 1995, pp. 26-32).

cases of rape, incest, and/or radical foetal deformity - also ought to be included among those exceptions to the general prohibition of abortion that should be recognized by law. [However:] We disagree.... Truly, the blood of the murdered cries out from the ground. Genesis 4:10; Leviticus 18:28.... Each participant in this act of unjustifiable killing, including the Government of the United States (and ultimately 'we the people' who are the sovereign of this Government and have elected its officials), bears a share of the responsibility....

1914. "For 21 years since the 1973 *Roe v. Wade* and *Doe v. Bolton* [U.S.] Supreme Court decisions...over thirty million abortions have been performed in this country.... Christians, anguished at this state of affairs, are rightfully involved in the wide-ranging kinds of political engagement afforded us.... Such involvement includes voting, lobbying, campaigning for pro-life candidates, drafting legislation, writing letters to government officials, getting involved in political party platform drafting, running for office, initiating boycotts, and so on....
1915. "There is no doubt whatsoever that such activity is our right as citizens and our obligation as Christians.... The Bible teaches that [we] Christians are morally permitted, and sometimes even obligated, to violate a civil law that is in direct specific conflict with the Law of God. Cf. Exodus 1:16 to 2:10; Daniel 6; Acts 4:1-31; 5:12-42.... Such nonviolent civil disobedience should follow the failure of a range of other less radical forms of action.... Christians involved in civil disobedience related to abortion should expect to be prosecuted."
1916. However: "We strongly contend that killing abortion doctors is not a moral option for Christians.... The killing of an abortion doctor in actuality does not constitute a meaningful defence of unborn life.... It is the woman seeking an abortion who drives the process.... If we wish to save the lives of unborn children, we must influence the actions of women who are considering abortion.... Whatever right there may be to execute a criminal, is reserved exclusively to governing authorities - and is never the prerogative of a private citizen." Romans 13:1-7.

### **The epic struggle for and against tiny human life during 1995**

1917. Early in 1995, the United Nations hosted several meetings of the Preparation Committee (for its September 1995 World Conference on Women in Red China). There the Lesbian Caucus was prominent, and the Gay and Lesbian Human Rights Commission declared: "We, the undersigned, call upon the Member States to recognize the right to determine one's sexual identity; the right to control one's own body, particularly in establishing intimate relationships; and the right to choose if, when, and with whom to bear or raise children - as fundamental components of all human rights of all women regardless of sexual orientation."
1918. After reports that human foetuses are the latest health food fad in China, in March 1995 Pope John Paul II said:<sup>41</sup> "The contemporary scene is...alarming by reason of the proposals...to justify even *infanticide*, following the same arguments used to justify abortion.... We revert to a state of barbarism which one hoped had been left behind forever.... God alone is the Lord of life from its beginning until its end. No one can...claim for himself the right to destroy directly an innocent human being."
1919. In May 1995, the General Assembly of the Presbyterian Church of Queensland called<sup>42</sup> for the "vigorous application of the...*Criminal Code* dealing with abortion, so that the lives of the unborn are better protected." It called upon "the Government of Queensland to reframe the laws relating to abortion in accordance with the position held by the Presbyterian Church" (set out in 1983 & 1990 against abortion, in 1991 against murder, and in 1992 against embryo experimentation).

---

<sup>41</sup>. John Paul II: *The Gospel of Life*, Homebush NSW: Society of St. Paul, April 1995, pp. 30 & 100f.

<sup>42</sup>. Minutes of the Presbyterian Church of Queensland, 1995, min. 73.21.

1920. Then, in Holland, it was conceded that what had been regarded as unidentical twin baby boys - were in fact 'half-twins' (one White and one Coloured), born by *IVF* simultaneously to the same married White couple. Too, in Thailand, a photograph of a male orangutan(g) holding hands with two Thai women on either side of him appeared in a Lismore NSW newspaper. Beneath the photograph, the Australian report declared: "Mike, a nine-year-old orangutan, is escorted by two traditionally-clad Thai women...after an announcement that he would wed Sue-Sue of Taiwan in a December ceremony" during 1995.
1921. In August 1995, Norma McCorvey, the formerly-abortionistic "Jane Roe" of the 1973 "John Doe/Jane Roe" (*Roe v. Wade & Doe v. Bolton*) American Supreme Court decisions granting women the right to abort their babies - who had shed her "Jane Doe" anonymity and then gone public as an abortion activist in 1980 - renounced abortion. Quitting her job at a Dallas abortion clinic in August 1995, she now professed to have become a Christian. Submitting to the ordinance of baptism, she said: "Abortion is wrong.... What I did was wrong.... [Now,] I just had to take a pro-life position."<sup>43</sup>
1922. The National Abortion and Reproductive Rights Action League Head '(Kate) Michelman) had been a colleague of the previously-abortionistic Norma McCorvey. Henceforth her opposite number, Michelman now responded: "The real threat we face is not Norma McCorvey defining her different position but the radical right that now controls Congress and wants to make abortion illegal."
1923. Sadly, in Red China alone at least half a million healthy human female foetuses and infants are slaughtered yearly just because of their gender - usually after detecting it prenatally, by chorionic villi sampling or by ultrasound.<sup>44</sup> Yet in September 1995, the United Nations World Conference on Women met in Red China - the land of one-child-per-family, of forced abortions, and of cannibalizing upon human foetuses. Many delegates at that Conference feministically favoured women's alleged "rights" to abort and to regulate their own [homo- or hetero-]sexuality, and demonstrated a callous disregard of both paternity and masculinity. The Conference then had the gall to issue a document calling for an end to what it called "religious extremism."
1924. In the same timeframe, also the New Jersey Trial Court dutifully cracked down on precisely such "religious extremism" - ruling in *Presbytery of Orthodox Presbyterian Church v. Florio* that the state has a "compelling state interest" in prohibiting anyone (including transients) from condemning homosexuality even from pulpits. This present author himself then publically objected to the mass manufacture and kidnapping and marketing of *IVF*-embryos in the United States of America - for airmail and transfer into their non-mothers overseas, even without the knowledge of their true parents.<sup>45</sup>

**Conclusion: after '1984' no "new morality" but the old immorality !**

1925. Conclusion. The ungodly and indeed also inhumane principles of the antichristian French Revolution finally came into their own during the twentieth century. This was seen especially in Communist Russia's Union of Soviet **Socialist** Republics (which legalized abortion in 1925) - and also in its fellow-socialistally,<sup>46</sup> National-**Socialist** Nazi Germany (which legalized abortion

---

<sup>43.</sup> *Courier-Mail*, Aug. 12th 1995.

<sup>44.</sup> Thus: *Human Rights*, as reported in *Time*, September 15th 1995.

<sup>45.</sup> The objection, in a letter dated 28th Nov. 1995, was published in the Jan.-Feb. 1996 ed. of *Australian Presbyterian Living Today* - following the revelations on the Phil Donahue Show as telecast in Brisbane on 27th Nov. 1995. See paras. 3279-82.

<sup>46.</sup> Long before the Soviet-Nazi pact which resulting in their rapacious joint attack on Poland in 1939, the Nazi Propaganda Chief Dr. Joseph Goebbels wrote on 25th Oct. 1925 that 'it would be better to us [Nazis] to end our existence under Bolshevism than to endure slavery under capitalism.' Indeed, on 31st Jan. 1926 he wrote in his diary: 'Where can we get together sometime with the leading Communists?' He then published an open letter to a

in 1931, and later started its 'racial eugenics' Programme of human genetic engineering).

1926. After the expansion of revolutionary socialism into Europe and of evolutionary socialism in the West since the Second World War till 1984 - Orwell's *Animal Farm* and Huxley's *Brave New World* drew steadily closer. Thus the 1967 British *Abortion Act* largely 'decriminalized' the murder of defenceless unborn human beings. Indeed, even Nobel Prize-winner Dr. Francis Crick said he wanted "some group" to decide who should be allowed to be born.
1927. In *Roe v. Wade*, the 1973 U.S. Supreme Court declared every U.S. woman has a 'constitutional right' to have a federally-funded abortion during her first three months of pregnancy. In the same year, DNA Nobel Prizewinner Dr. James D. Watson urged parents be given three days after the birth of their child to decide whether he/she should live - or be allowed to die.
1928. In 1975 Dr. Fletcher approved "the sacrifice of some conceptuses" - in the interests of experiments on embryos which could benefit the human race as a whole. In 1978, Dr. Crick suggested that "no newborn infant should be declared human" without first passing "certain tests" - failing which he or she "forfeits the right to live." In 1978, the World's first test-tube baby was produced. In 1979, the famous ex-abortionist Dr. B. Nathanson accused pro-abortionists of falsifying statistics - in order to confuse the public. And in 1981, the leading nonreligious humanist Charles Hartshorn seriously compared living human fetuses - with mosquitoes and bacteria.
1929. But in the Orwellian year 1984, He Who rules from Heaven laughed. Derisively, He keeps on laughing - as He beholds man's subsequent: test-tube quadruplications; donor egg babies; embryo-implanted grandmothers; births from sterilized women; frozen embryo gestations; rent-a-womb births; attempts to hybridize men with monkeys; embryo flushing; and a whole variety of ongoing experiments (including even non-coital births by lesbians, attempted male pregnancies, *GIFT*, insemination of women with semen from dead men, *AID* virgin-births, production of White babies from Black women and *vice-versa*, human cloning, impregnation of ova from dead women and even from aborted female babies, and eating or salvaging trashed human embryos for their spare parts).
1930. God patiently keeps on beholding the ungodly with derision - until He at length speaks in His wrath, and vexes them in His displeasure. Psalm 2:4-7. Yet God also smiles, and did so on Norma McCorvey. She was formerly an abortion activist - the notorious "Jane Roe" in the infamous 1973 case of *Roe v. Wade*. But in 1995, she quit working at an abortion clinic in Dallas - after now becoming an anti-abortionistic born-again Christian.

---

communist leader assuring him that Nazism and Communism were really the same thing. 'You and I,' he declared, 'are not really enemies.' See W.L. Shirer's documentation in his great book *The Rise and Fall of the Third Reich*, London, 1980, p. 126.



## R. MAY HUMAN PREGNANCIES EVER JUSTIFIABLY BE TERMINATED?

"You shall not murder.... He who smites father or mother shall surely be put to death.... If you come across a bird's nest on the road, in a tree, or on the ground - if there are young ones or eggs and the mother bird is sitting upon the young or the eggs - you may not take the mother bird together with the young! But you shall always let the mother go free if you yourself take the young." - Exodus 21:15 and Deuteronomy 5:17 & 22:6f.

1931. According to the *Encyclopaedia Judaica*,<sup>1</sup> in 1942 the Nazis decreed that every pregnant Jewess in Kovno should be killed together with her fetus. The ghetto rabbi, Ephraim Oshry, then decided that abortions were then to be permitted - in order to save the pregnant women themselves from the consequences of that decree.
1932. While much sympathizing with the rabbi's plight in the above story, we strongly disagree with this reasoning. After all, not the babies but the Nazis were threatening the mothers' lives. So an attack against the Nazis by those adult Jews and Jewesses would have made far more sense than an attack by those Jews against their own defenseless prenatal Jews and Jewesses.
1933. Again, it was not certain that the Nazis would in fact carry out the announced decree. Indeed, they would not need to, once the pregnant Jewesses themselves had heeded their own misguided rabbi.
1934. Even if the Nazis had gone ahead and killed the fetuses and/or the pregnant women, the mothers would still have been spared the remorse of having done it themselves. For then, the Nazis could have accused aborting Jewesses (and probably did) of callously killing their own babies.

### **Duty to save the threatened lives of both pregnant mothers and unborn babies**

1935. In every painful dilemma such as the above, every effort must be made to save not just the life of the mother but also that of her unborn baby. Indeed, every true mother would certainly want to see her own child saved - often even to her own personal disadvantage.<sup>2</sup> Sometimes, indeed, a mother would gladly die herself - if in so doing, that would probably guarantee the preservation of the life of her own offspring.<sup>3</sup>
1936. Yet she also has the duty of preserving her own life, too. This is: for her own sake; for the sake of her husband; for the sake of her other kinfolk - but above all, for Christ's sake and for the sake of God's Word which prohibits the unlawful taking away of human life. See: Exodus 20:12f; Matthew 22:39; Acts 16:27-34; Ephesians 5:22-24; First Thessalonians 5:21-23; First John 5:21.
1937. The attempts to give due emphasis to **all** of the above important considerations - in a complex fallen World where terrible dilemmas sometimes do confront us - may very occasionally present us with some very difficult problems. Accordingly, a survey of the history of the interpretation of the relevant material in the Bible - will provide a very helpful perspective.

### **Samaritan Targum gives death for abortion and Zohar says aborter "desecrates"**

---

<sup>1</sup> *Enc. Jud.*, II p. 100.

<sup>2</sup> See: Gen. 21:14-19; I Kgs. 3:26f; Isa. 49:15; Jer. 31:15-20.

<sup>3</sup> See: Ex. 21:20-25; 23:19; 32:31f; 34:26; Lev. 22:24f; Dt. 14:21; 22:6; Jh. 15:13; Rom. 5:7f; Eph. 5:25,31; 6:1-4; II Jh. 1,13.

1938. During the (Pre-Christian and Early Post-Christian) Talmudic period of Judaism - that is, contemporaneously with the Early Christian Church - all artificial terminations of human pregnancies were prohibited,<sup>4</sup> except where the mother's own life was in jeopardy. This is seen especially in the *Samaritan Targum*, which requires the death penalty for abortion.
1939. It is reflected also in the 2<sup>nd</sup> -century-B.C. *Zohar* - a commentary on the Pentateuch. The *Zohar* calls abortions "abominations." It also states that "the Spirit of Holiness weeps" whenever "the fetus" during pregnancy is "destroyed in the womb"<sup>5</sup> - and that "a person who kills the fetus in his wife's womb, desecrates that which was built by the Holy One and His [Own] craftsmanship."<sup>6</sup>

#### **Philo: once the fetal limbs have their proper qualities, an abortion is murder**

1940. Philo the Alexandrian Jew (B.C. 30 to A.D. 50), in his treatise *On the Cherubs* (12-15), required "life for life" from anyone aborting a formed fetus. In his work *The Special Laws* (III:108f), he discussed Exodus 21:22f.
1941. In that regard, he explained: "If a man comes to blows with a pregnant woman and strikes her...and she miscarries...; if the offspring is already shaped and all the limbs have their proper qualities and places in the system - then **he must die** (*thnee,sketoo*). For that living entity (*zoo,ron*) which answers to this description, is a human being which he has destroyed."

#### **The Mishnah: abortion is forbidden but mother's life more valuable than baby's**

1942. The *Mishnah* claims to have been delivered orally to Moses by God at the same time He gave His written Law (including Exodus 21:22-25) on Mount Sinai.<sup>7</sup> The *Mishnah* itself was reduced to writing during the early centuries of the Christian Era, and is to some extent a valuable comment at least on the Early Post-Christian Judaistic interpretation of many passages in the Older Testament. The *Mishnah* frowns upon abortion, and states:<sup>8</sup>
1943. "If a woman was in hard travail (*cf.* Genesis 35:17-19) - the child must be dismembered while it is in the womb and brought out member by member (since the life of the mother has **priority** over the life of the child). But, if the greater part of it was already born - it may not be touched (since the claim of one life cannot override the claims of another life)."
1944. This implies that the *Mishnah* considered the life of a mortally-endangered pregnant mother to be even more important than that of her also mortally-endangered unborn baby. However, if the greater part of that baby had come forth from the mother - no part of the baby may be dismembered even to save the mother's own life. Either way - whether to be dismembered or whether to become born in his or her entirety - there is no question that the human fetus is already fully human.
1945. The above is implicitly yet clearly recognized also by Rabbi Solomon Ganfried. He states<sup>9</sup> in his *Code of Jewish Law*: "If a woman has suffered a miscarriage...even if it had no shape of a child...she must consider herself unclean - as [too] after the birth" of a full-term baby.

#### **Flavius Josephus: deliberate abortion is murder and treason versus the family**

4. *Enc. Jud.*, II p. 99.

5. *Ib.*, p. 221.

6. *Zohar*, 3b (ex ed. Warsaw).

7. *Aboth*, 1:1f (in Danby's *Mishna*, London: Oxford Univ. Press, rep. 1958, p. xvii).

8. *Ib.*, p. 660 (*Mishna Oholoth* 7:6).

9. S. Ganfried: *Code of Jewish Law*, New York: Hebrew Publishing Co., 1961, p. 33, ch. 158:3.

1946. The great Jewish Historian Josephus (A.D. 37-104) boldly held:<sup>10</sup> "The Law has...prohibited women from aborting or destroying seed. A woman who does so, shall be judged a murderess of children. For she has caused a soul [or life] to be lost and the family of a man to be diminished."
1947. According to subsequent Judaism, even having sexual intercourse with one's wife - when likely to harm the fetus in her womb - could amount to being a shedder of blood.<sup>11</sup> This clearly shows that to Early Rabbinic Judaism the life of the unborn baby was regarded as being more important than the exercise of conjugal rights by his or her parents during the pregnancy.

### **Mediaeval Judaism: abortion only to save the life of a dying mother**

1948. The 1050 A.D. Rashi taught in the work *Sanhedrin* that a fetus endangering the mother's life "may be killed and the mother saved."<sup>12</sup> Also the A.D. 1249-1306 Meiri said that "the mother may regard the fetus as pursuing her"; and thus in such a case view him or her as an assailant.<sup>13</sup> See paragraph 2181. For "if we do not [thereafter] absolve those who have acted inadvertently [so as to save the mother's life] - they will [next time] refrain from carrying out the abortion, and from saving the mother."<sup>14</sup>
1949. During the 13th century, Maimonides permitted the artificial termination of human pregnancy only where the **life** of the mother was endangered by her fetus "because it is pursuing her."<sup>15</sup> Yet permission to "abort the fetus...should not be facilitated [in order] to save from **illness**" - and especially not as regards a sickness of the mother "deriving from an inflammation not connected with the pregnancy."<sup>16</sup>
1950. Understandably, then, as Rabbi Dr. Israel Porush of Sydney has stated: "Abortion is acceptable only on the ground that continued pregnancy would seriously [*i.e.* gravely] endanger the mother's life. The destruction of an unborn child is a grave offence." See Duffy's *Politics of Abortion*.<sup>17</sup>
1951. Abortion was so viewed by Non-Christian and Post-Christian Orthodox Judaism, as distinct from the true religion of Ancient Israel. We now look at the approach maintained by God's Israel - Non-Judaistic Christianity, as the one and only true successor to the Older Testament people of God.

### **Tertullian: remove an unborn infant which is killing the mother**

1952. Around 200 A.D., the great anti-abortionistic Early-Christian Theologian Tertullian gave a magnificent account anent the commencement of tiny human life. See paragraphs 21f & 253f.
1953. He also gave an evaluation of the abortion techniques practised by the physicians of the Ancient Classical World - in their endeavours to alleviate serious situations threatening the lives either of pregnant women or of their unborn infants (or of both). Thus, Tertullian observed:<sup>18</sup>

<sup>10</sup> F. Josephus: *Against Apion*, 2:202. See too paras. 230 above.

<sup>11</sup> Yebamoth 62b; Niddah 13a & 31a; Havvath Ya'ir No. 31; She'alat Yavez 1:43; Mishpatei Uziel 3:46.

<sup>12</sup> *Sanhedrin* 72b (in *Enc. Jud.* II p. 101).

<sup>13</sup> *Enc. Jud.*, II p. 100.

<sup>14</sup> Tashbez, pt. 3, n. 82; Minhath Bikkurim, Tosefath Gittim 4:7.

<sup>15</sup> *Shulchan Aruch H.M.* 425:2; *Enc. Jud.* p. 100.

<sup>16</sup> *Rah ad Yitzchak*, under N<sup>e</sup>falim.

<sup>17</sup> P. Duffy: *Politics of Abortion*, 1971, p. 79.

<sup>18</sup> Tert.: *On the Soul*, ch. 25.

1954. "Sometimes, by a cruel **necessity**, whilst yet in the womb, an infant is put to death. When lying awry in the orifice of the womb, he impedes parturition and kills his mother - before dying himself.
1955. "Accordingly, among surgeon's tools, there is a certain instrument...furnished with an annular blade, by means of which the limbs [of the fetus] within the womb are dissected with anxious but unfaltering care - its last appendage being a blunted or covered hook with which the entire fetus is extracted by a violent delivery. There is also [another instrument in the shape of] a copper needle or spike, by which the actual death is managed.... Surgeons [even from antiquity onwards] give it, from its infanticidal function, the name of *embryo-sphaktees*, 'the slayer of the infant'" (which was, of course, **alive**).
1956. "Such apparatus was possessed by both Hippocrates and Asclepiades - and by Erasistratus and Herophilus (that dissector of even adults), and by the milder Soranus himself. These all knew well enough that a **living** being had been **conceived**. And they all pitied this most **luckless infant which first had to be put to death** - in order to escape being tortured alive. Of the **necessity** of such harsh treatment, I have no doubt even [Dr.] Hicesius was convinced."
1957. There is some evidence that Tertullian was here reflecting the understanding not only of the Early Church and of many Medicos of good will. There is further evidence that also the later Patristic Church shared this perspective. For there is some clear evidence that, after Tertullian, also the Scholar Priscianus<sup>19</sup> - at the end of the third century - recommended the termination of a pregnancy when and where the mother's life was threatened thereby.

### Did Thomas Aquinas refuse abortions to dying pregnant mothers?

1958. It is widely assumed even today that Thomas Aquinas, the great late-mediaeval anti-abortionist, would rather let a pregnant woman die - than advocate the termination of her pregnancy. However, study of various statements made by Thomas rather indicate that he too reflected the views of the Early Church on this matter as expressed by Tertullian. Declared Thomas.<sup>20</sup>
1959. "He who at God's command kills an innocent man, does not sin - as neither does God, Whose behest he executes.... The act of self-defense may have two effects. One is the saving of one's [own] life; the other is the slaying of the aggressor. Therefore this act, since one's intention is to save one's own life, is not unlawful - seeing it is 'natural' to everything to keep itself in being, as far as possible....
1960. "If a man, in selfdefense, uses more than necessary violence - it will be unlawful.... It is lawful to repel force by force - provided one does not exceed the limits of a blameless defense. Nor is it necessary for salvation that a man omit the act of moderate self-defense in order to avoid killing the other man - since one is bound to take more care of one's own life than of another's." Also John Paul II concurs. See paragraph 1966.
1961. Somebody once objected to Thomas: "It would seem that one is guilty of murder - though killing someone [even] by chance.... [For] it is written: 'If...one strike a woman with child and she miscarries [and]...if her death ensue thereupon - he shall repay life for life.'" Exodus 21:22.
1962. Thomas, however, then replied to that objection as follows:<sup>21</sup> "On the contrary! ... It sometimes happens by chance that a person is killed as a result of something done for a good purpose.... He that strikes a woman [pregnant] with child, does something unlawful. Wherefore, if there

<sup>19</sup> At the end of the third century A.D., Priscianus recommended the termination of a pregnancy if that appeared to be the only way of saving the life of a dying pregnant mother.

<sup>20</sup> Thos. Aq.: *Summa Theol.*, IIa-IIae, Q. 64, art. 6, Reply to obj. 1; art. 7, ans.

<sup>21</sup> *Ib.*, art. 8, objs. 1 & 2.

result the death either of the woman or of the animated fetus, he will not be excused from homicide" (which is not the same as premeditated murder). However, "chance happenings, strictly speaking, are neither intended nor voluntary. And since every sin is voluntary, according to Augustine (*De Vera Religione* 14) - it follows that chance happenings as such are not sins."

### **Does Roman Catholicism sacrifice life-threatened mothers to their fetuses?**

1963. Many have wrongly assumed that the modern Roman Catholic view so prohibits any artificial termination of a human pregnancy for any reason at all - that if necessary even the life of the pregnant mother must be sacrificed finally, in order to try to preserve that of the child.<sup>22</sup> The characteristic Roman Catholic viewpoint, however - **permitting** some circumstances in which human pregnancy may indeed artificially be terminated - clarifies Rome's actual position.<sup>23</sup>
1964. Thus the [*Roman*] *Catholic Encyclopaedia* has stated<sup>24</sup> that "the embryonic child...has a human soul, and therefore is a [hu]man from the time of its conception.... It has an equal right to its life with its mother. Therefore, neither the mother nor Medical Practitioners nor any human being whatever can lawfully take that life away.... But, if medical treatment or surgical operation necessary to save a mother's life is applied to her organism - though the child's death would, or at least might, follow as a regretted but unavoidable consequence - it should not be maintained that the foetal life is thereby directly attacked."
1965. Roberti's Roman Catholic *Dictionary of Moral Theology* simply speaks of the mother's "serious illness" as sufficient ground for permitting the removal of her fetus in the course of treating her illness. D.M. Prummer's *Handbook of Moral Theology* speaks of the artificial termination of a human pregnancy being permissible "for grave reasons." Henry Davis's *Moral and Pastoral Theology* allows that "many actions may rightly be done, the secondary effect of which is abortion not intended but foreseen and permitted." Significantly, Davis then adds: "Thus, if a mother is in serious danger of death [while pregnant], she may take medicines or submit to treatment etc."
1966. Also John Paul II, in his anti-abortionistic book *Gospel of Life*, cites with approval Thomas Aquinas's advocacy of a pregnant mother defending herself against life-threatening aggression by her own fetus. The Pope then himself refers<sup>25</sup> to "the duty to love oneself" as "the basis of a true right to selfdefense.... The need to render the aggressor incapable of causing harm sometimes involves taking his life...even though he may not be morally responsible because of a lack of the use of reason." See: Exodus 21:22-28f cf. Leviticus 19:18 and Matthew 19:19 & 22:39 and Ephesians 5:29.

### **Roman Catholicism's commendable and very firm stand against abortion**

1967. Of course, the Roman Catholic Church has nonetheless - and quite properly so - stood very firm against abortion. Pope Pius XII clearly stated in his 1951 *Address to the Association of Large Families*: "Innocent human life, in whatever condition it may be, from the first moment of its existence, is to be preserved from any direct voluntary attack. This is a fundamental right of the human person, of general value in the Christian concept of life; valid both for the still-hidden life in the womb, and for the newborn babe."

---

<sup>22.</sup> See *Casti Connubi*, p. 25.

<sup>23.</sup> Sydney Diocese (of Anglican Church in Australia): *Abortion Report*, Sydney: Bell & Co. 1971.

<sup>24.</sup> Herbermann & Others' *The Catholic Encyclopaedia* (Encyclopaedia Press, 1913, C. Coppens's art. *Abortion*, I pp. 47f); Roberti's *Dictionary of Moral Theology* (Burnes & Oates 1962 p. 11); D.M. Prummer's *Handbook of Moral Theology* (Mercie Press, 1963, p. 130); Henry Davis's *Moral and Pastoral Theology* (Sheed & Ward 1959 p. 169).

<sup>25.</sup> John Paul II: *Gospel of Life*, Homebush N.C.W.: St. Pauls, pp. 104f n. 45 (citing Thomas's *Sum. Theol.* II-II q. 64 a.7).

1968. Christianity, continues Pius XII, is "opposed to direct abortion - as it is to the direct killing of the child before, during, and after birth. No matter what the distinction between those different moments in the development of the life (already born or still to be born) for profane and [for] ecclesiastic law and for certain civil and penal consequences - according to the Moral Law, in all these cases, it is a matter of a grave and illicit attempt on inviolable human life."<sup>26</sup>

### **Modern Lutheranism's commendable and very firm stand against abortion**

1969. It is, however, not just the Roman Catholic Church which rejects abortion. Protestant Churches have done so too. Conservative confessional Lutheran Churches - following the views on this of Martin Luther himself - also oppose abortion, while conceding that doctors may terminate pregnancies with the sole objective of preventing expectant mothers from dying.
1970. Thus, in his 1968 paper *The Christian View of Abortion*, the important Lutheran Professor Rev. Dr. Hermann Stasse wrote<sup>27</sup> that "Christianity promoted the restoration of the biblical concept of the sanctity of the life of an unborn child.... Christianity came into a World which did not recognize this sanctity....
1971. "The legislation of the Christian nations followed...the Christian understanding of pregnancy.... The destruction of an embryo is equal to killing a human being. All members of the Church knew this, as the old catechetical documents such as the *Doctrine of the Twelve Apostles* (around 95 A.D.) show. This probably also belonged to the material of the proselytes to the synagogue. Also the Christian women knew this.... Violation of the divine commandment led to the excommunication of the sinner."
1972. The Lutheran Church of South Australia, where Professor Stasse taught, adopted a very similar position. Thus, in 1969, it clearly considered that "abortion for reasons other than mortal danger to the mother to be contrary to God's will and also a violation of the basic rights of the life of the fetus."

### **Modern Anglicanism's commendable and very firm stand against abortion**

1973. This is also the position of the various Lambeth Conferences of the Anglican Church. In the 1930 Conference, a record was made of "its abhorrence of the sinful practice of abortion."
1974. In 1958 (and again in 1968), the Anglican Conference said: "In the strongest terms, Christians reject the practice of induced abortion or infanticide - which involves the killing of a life already conceived...save at the dictate of strict and undeniable medical necessity.... The sacredness of life is, in Christian eyes, an absolute which should not be violated."

### **Modern Baptists' commendable and very firm stand against abortion**

1975. In 1994, the Christian Life Commission of Protestantism's largest denomination, the American Southern Baptist Convention, resolved to "implore all Christians to oppose legalized abortion on demand." It said: "In the Sermon on the Mount...Jesus affirmed the prohibition against murder.... We are compelled to consider elective abortion the killing of a human being....
1976. "The Federal Government has wrongfully abdicated its responsibility to protect the innocent...[yet] it is morally forbidden for a private citizen to end a human life, except in the act of selfdefense. Only in cases when gestational life poses a serious threat to the physical **life** of

---

<sup>26.</sup> Pope Pius XII's 1951 *Address to the Association of Large Families* - as cited in D.C. Overduin & J.I. Fleming: *Life in a Test-Tube. Medical and Ethical Issues Facing Society Today* (Adelaide: Lutheran Publishing House, 1982, pp. 128f).

<sup>27.</sup> Cited in *ib.*, p. 129; and at pp. 89-94 of their *Wake Up, Lucky Country!*

the mother...does elective abortion clearly meet this selfdefense criterion."

1977. "A significant number of prolife Christians are willing to grant the possibility that **abortion in the cases of rape, incest and/or radical fetal deformity also ought to be included among those exceptions** to the general prohibition of abortion that should be recognized by law. **We disagree....** Truly, the blood of the **murdered** cries out from the ground. Genesis 4:10; Leviticus 18:28." All of the above emphases are mine - F.N. Lee.

### **Modern Presbyterians' commendable and very firm stand against abortion**

1978. We have previously seen that John Calvin, in his comment on Exodus 21:22f, considered the aborting of a fetus inside the home of his or her own mother's womb - to be worse than the murdering of an adult outside of the house in which he dwells. We have also seen that the *Westminster Larger Catechism* implicitly condemns abortion under the Sixth Commandment. We shall now see that also modern Presbyterians have consistently upheld this position.
1979. In June 1976, the General Assembly of the Presbyterian Church in America "expressed its grave concern over the murder of hundreds of thousands of the unborn through widespread practice of abortion." In 1978, it further resolved that "because Scripture clearly affirms the sanctity of human life and condemns its arbitrary destruction, we affirm that the intentional killing of an unborn child between conception and birth, for any reason at any time, is clearly a violation of the Sixth Commandment."
1980. The Public Questions Committee of the General Assembly of the Presbyterian Church of Queensland resolved in 1983: "Abortion, both natural and artificial, consists of the interruption or termination of the development of a fertilized human ovum which is a tiny human being. Exodus 21:21-25; Numbers 12:12; Hosea 9:11 to 10:1. Natural abortions (including 'miscarriages') occur as acts of God. As such, they are devoid of human guilt. Job 3:16; Psalm 58:8; Ecclesiastes 6:3-5.
1981. "However, any unlawful human attempt to abort is murder in the sight of God wherever such attempt results in the death of a fertilised human ovum. Exodus 20:13 *cf.* Matthew 2:16-20. It is attempted murder in those cases where the foetus unexpectedly survives. First Corinthians 15:8 *cf.* Exodus 21:22. Indeed, even where unsuccessful, all human attempts to produce unlawful abortions are both sinful and criminal.
1982. "Under these circumstances, we cannot see any ground for artificial abortions, except when the life of the mother or child is threatened with imminent death and where such is certified to be the case by at least two competent medical authorities other than the one under consideration to perform the abortion. *Cf.* Numbers 35:30; Deuteronomy 19:15-21; Hebrews 10:28ff. Even then, everything possible must be done to try to save the lives of all threatened. In such rare cases - if there is only enough time or opportunity to save one, the life of the mother is more crucial. Exodus 20:12-14; 21:15-17,22-24; 23:19; 34:26; Leviticus 22:27-28; Deuteronomy 14:21; 22:6-7; Matthew 15:3-6; John 11:50; 18:14; 19:25-27; Ephesians 5:25 to 6:3; Colossians 3:19-20; First Timothy 1:9; 3:4-5; 5:1-4; Second Timothy 1:3-5; 3:2,15; Titus 1:6; 2:3-6."

### **Queensland Presbyterians' ever-increasing condemnation of abortion**

1983. In May 1983, the General Assembly of the Presbyterian Church of Queensland itself received the above statements and then itself resolved *inter alia* to: "Affirm that abortion is always unacceptable - except where at least two competent medical authorities (other than the one under consideration to perform the abortion) deem the abortion essential to protect the life of a mother or of her prenatal child (or children), when threatened with immediate death should the pregnancy continue." It then further resolved to: "Affirm that if and when the rare contingency mentioned [above]...should ever arise, everything medically possible also be done to try to ensure the continuation of the lives of all that are thus being threatened."

1984. In 1990, the same General Assembly of the Presbyterian Church of Queensland resolved to "request the Clerk to express its support to 'Right to Life Australia' in its opposition to the planned 'decriminalisation' of abortion in Queensland by the present State Government." It further resolved also to "request the Clerk to write to the Premier and the Attorney-General of Queensland reaffirming...that the Assembly opposes any law which allows, or encourages, the destruction of human life by abortion."
1985. In 1992, the same General Assembly of the Presbyterian Church of Queensland further resolved to "declare that personhood is to be considered to occur from the commencement of conception, which is from the penetration of the wall of the ovum by a sperm" - and that one should "treat the developing embryo as a person from the commencement of conception." This means that any removal and/or destruction of a zygote even less than a day old, such as one produced by two sperm-heads which penetrated the shell of the ovum and very likely to be grossly deformed, is abortive - whether so removed from a woman after natural conception, or whether removed from a test-tube after *IVF*.
1986. In 1994, the General Assembly of the Presbyterian Church of Australia received its Church and Nation Committee's *Report*, which states "that Jesus was 'conceived by the Holy Spirit; born of the Virgin Mary; suffered under Pontius Pilate; was crucified, dead and buried; [and]...rose from the dead'.... Throughout these events, Jesus was and is the very same Jesus Who was conceived in the womb of His virgin mother.... To abort an embryo would be viewed in the same light as killing a child or an adult - and would be tantamount to murder...."
1987. "The General Assembly of the Presbyterian Church of Australia then itself resolved: "Abortion is always unacceptable except when at least two competent medical authorities (other than the person under consideration to perform the operation) deem the abortion essential to protect the life of the mother when that is threatened with immediate death should the pregnancy continue.... If and when the rare contingency noted in the previous clause arises, everything medically possible should be done to seek the continuation of the lives in danger."
1988. In 1995, the General Assembly of the Presbyterian Church of Queensland unanimously condemned abortion in a public statement and press release. It "calls for the vigorous application of the current sections of the Criminal Code dealing with abortion, so that the lives of the unborn are better protected; and calls upon the Government of Queensland to reframe the laws relating to abortion in accordance with the position held by the Presbyterian Church of Queensland" (as set out in 1980 and further in 1983, 1991 and 1992). It also noted it "is opposed to trials of RU486 on the grounds that it is an abortifacient."

### **Modern unbeliever's uncommendable and very firm stand in favour of abortion**

1989. The anti-biblical views on ethics of those who do not even claim to submit themselves to the God of the Scriptures, however - whether the views of Gynecologists or even of so-called 'Theologians' - need hardly detain us. For the views (and especially the ethical views) of unbelievers, are only worth serious consideration at all - to the extent to which those insights do not clash with the teachings of the Holy Bible.
1990. Jesus said to the 'Theologian' Nicodemus that unless a man be born again, he cannot even see (and still less enter into) the Kingdom of God. John 3:3-10. Paul warns against the "profane and vain babblings and oppositions of science falsely so-called." First Timothy 6:20. So too should we.
1991. Jeremiah 7:29-31 adds that "the Lord has rejected this generation in His wrath. For...they have set their abominations in the house which is called by My Name...to pollute it [as in apostate humanism]. And they have built the high places of Tophet [like humanism's human abattoirs], to burn their sons and their daughters in the fire [like the abortionists' saline solutions]." Concludes Jeremiah (8:9) - "See! They have rejected the Word of the Lord! And what wisdom

is there in them?"

### 1974 Abortion Report of 2500 Protestant Christian Medical Doctors

1992. We should certainly listen to the results of a 1974 report<sup>28</sup> on this important subject - compiled from the views of some 2500 Protestant Christian Medical Doctors surveyed - including those from various Baptist, Brethren, Lutheran, Methodist, Presbyterian and other denominations. Of the responses given, more than half said abortion should only "rarely" be utilized to terminate a pregnancy (and almost four percent said "never").
1993. Almost sixty percent of their responses said they had never "recommended" and over eighty percent indicated they themselves had "never" performed an abortion. More than half of them said they would only do so in respect of danger to the mother's life. Almost three-quarters said they would never perform an abortion on a pregnant minor without parental consent. And almost seventy percent of these doctors themselves said that some types of abortion could be considered to be murder itself.

### The Roman Catholic Theologian Dr. Clifford on "therapeutic abortion"

1994. We should also listen to the 1947 arguments of Roman Catholic Seminary Professor Rev. Dr. J.J. Clifford S.J., in his *nihil obstat* article on *Medical Ethics* (appended to the New York Benziger edition of Thomas Aquinas's *Summa Theologiae*). Writes Clifford:<sup>29</sup> "A surgical attack on some organ, such as the appendix of a *gravida* [or a pregnant woman] - the shock of which might cause abortion - would be designated as 'indirect killing' [of the fetus], and for adequate reason would be permissible." In such cases, there is obviously no intention of killing the fetus.
1995. However, in all those cases where "the extinction of fetal life becomes the object or purpose of the interruption of pregnancy" - Clifford adds - "there, 'direct killing' [alias murder] takes place.... 'Direct killing' [alias murder] is prohibited. About that, there is no dispute."
1996. Yet, continues Clifford, "whether certain actions are direct killing" - or whether those certain actions are only indirect killing - "becomes at times a moot matter truly difficult of determination. This is especially true of actions which produce a twofold effect - one, death; the other, saving of life.... There is a difference of fact when a man, to save himself from a fiery death, leaps from the fortieth story of a skyscraper - or a surgeon excises a pregnant tube" of a gravely-ill woman.
1997. "If the Church [of Rome] or Catholic Moralists have ever 'changed sides' on [the question as to the permissibility of] a lethal surgical operation - the reason has not been that they abandoned the principle: 'direct killing [alias murder] is forbidden.' No, the reason has been that further investigation, more light and better understanding - have demonstrated to a moral certainty that the **fact** at issue is, as the case may be, **either** 'direct killing' [alias 'murder' on the one hand] **or** 'indirect killing' [alias non-murderous homicide' on the other]."
1998. Generally, explains Clifford, "in 'therapeutic abortion' murder is committed to save a mother's **life**." We ourselves - F.N. Lee - would much rather here prefer to say that "killing" (rather than "murder") is committed in such a particular context. Clifford correctly continues: "In criminal abortion, murder is done to save a mother's **reputation**."
1999. Yet, Clifford goes on, "therapeutic abortion...is...murder.... There exists, therefore, the greatest difficulty in justifying the assistance of a nurse at 'therapeutic abortions.' No permission [by the

---

<sup>28</sup>. Listening to Doctors Speak About Abortion, in Christianity Applied, Buena Park, Ca., Nov. 1974, pp. 33f.

<sup>29</sup> J.J. Clifford: *Medical Ethics*, appendix to Aquinas's *Sum. Theol.*, Benziger ed., New York, 1947, III pp. 3547f.

Church] is possible where a nurse approves, advises or persuades to such an abortion....

2000. "When her aid is strictly exterior, coupled with conscious internal disapproval of the abortion - even so, her co-operation, although only material, **may** remain culpable. But **if** such aid is an action sinless in itself and simultaneously placed under a motive serious enough to offset or compensate for the harm done, then the person co-operating with the one performing the principal act - does not participate in the latter's guilt."
2001. Dr. Clifford concludes<sup>30</sup> by pointing out how even the greatest of all Roman Catholic Theologians, Thomas Aquinas, says that charity - while it indeed urges us to try to prevent our neighbour from sinning - does not so command us to do so, under pain of serious loss to ourselves. *Summa Theologiae*, IIa-IIae, Question 48, answer 8. So the Roman Catholic Church also allows some of her nurses even to assist at so-called 'therapeutic abortions' in Non-Catholic hospitals - **provided** they thereafter quickly baptize the aborted fetuses, purportedly to 'regenerate' them and at least temporarily to reclaim their souls from the stain of sin. See paragraphs 418-20 & 1496f.

### **The medical dangers accompanying the performance of abortions**

2002. What are the medical dangers which accompany the performance of an abortion? The baby himself or herself is usually killed by it; or shortly thereafter as a result of it; or yet a little later, whether by abandonment or by the deliberate extra-uterine murder of that previously-wounded child. But the mother too undergoes a great risk to her own health - even in recognized hospitals where abortions can be performed under optimal conditions.
2003. The Royal College of Obstetricians and Gynecologists in Great Britain rightly regards abortion as major surgery on the mother. Thus it declares:<sup>31</sup> "Those without specialist knowledge - and these include members of the medical profession - are influenced in adopting what they regard as the humanitarian attitude to the induction of abortion, by a failure to appreciate what is involved. They tend to regard induction of abortion as a trivial operation free from risks.
2004. "In fact, even to the expert working in the best conditions, the removal of an early pregnancy after dilating the cervix can be difficult and is not infrequently accompanied by serious complications. This is particularly true in the case of a woman pregnant for the first time. For women who have a serious medical indication for termination of pregnancy, induction of abortion is extremely hazardous - and its risks need to be weighed carefully against those involved in leaving the pregnancy undisturbed. Even for the relatively healthy woman, however, the dangers are considerable."
2005. Also important to the discussion, are the medical complications which can easily follow induced abortions. The American College of Obstetricians and Gynecologists has stated:<sup>32</sup> "The inherent risk of a 'therapeutic abortion' is serious, and may be life-threatening. And this fact should be fully appreciated by both the medical profession and the public. In nations where abortions may be obtained on demand, considerable morbidity and mortality have been reported."

### **Drs. Willke and Cavanaugh on the terrible danger of abortion to the mother**

2006. We must, then, be alert to the terrible danger of abortion **also to the mother**. As Dr. Willke explained,<sup>33</sup> "hepatitis kills [not only] four to eight out of every hundred thousand mothers who have an abortion." Also, "for every one woman who has hepatitis severe enough to be fatal - there are dozens of women who have milder cases of hepatitis with the resulting lengthy

---

30. *Ib.*, p. 3551.

31. P.C.A.: *Report*, p. 273.

32. *Id.*, and Spitzer & Saylor's *op. cit.* pp. 174f.

33. *Op. cit.*, pp. 68f.

illnesses and often some degree of permanent loss of physical health."

2007. In "Japan, where abortion has been legal for twenty-two years..., in the 1959 *Mainichi Survey* 28% of those who had had abortions reported 'some kind of bad effect.' In the 1963 *Aichi Survey*, 24% indicated they were physically unwell since the operation. In the 1968 *Nagoia Survey* by the Women's Association, 59% indicated...they were severely troubled with adverse after-effects.... The 1969 *Survey of the Office of the Prime Minister of Japan* listed the following complaints after abortion: 1) 9% sterility; 2) 14% subsequently-habitual spontaneous miscarriage; 3) 400% increase in tubal pregnancies; 4) 17% menstrual irregularities; 5) 20-30% abdominal pain, dizziness, headaches, etc."
2008. Continues Dr. Willke:<sup>34</sup> "Other damage to the mother includes perforation of the uterus with the curette (resulting in peritonitis and occasional death, but more frequently emergency removal of the uterus, and often development of adhesions that may give problems in later life).... Blood clots...are also a cause of death in healthy young women who have abortions performed.... Dr. Ian Donald of Glasgow University reports that the prematurity rate among women who have had previous abortions, has risen to an 'alarming' rate of 15% of all deliveries."
2009. In his article *The Challenge of Prematurity*, Dr. Dennis Cavanaugh M.D. declared in 1971 that "prematurity was a direct or contributory cause in over 50% of deaths during the first month of life. The death rate of the premature baby ran about thirty times higher than among full-term infants. If premature infants survive, they face a higher frequency of the tragic aftermath of mental retardation, neurological disease, and blindness." For a woman contemplating an abortion, there would therefore seem to be greatly increased risks of bearing deformed children during subsequent pregnancies.

#### **Greatest need to assess abortion not medically but ethically**

2010. The final assessment of abortion, however - and indeed even the first assessment - cannot be a medical one. Both initially and ultimately, the evaluation must be an ethical one.
2011. True Christians can certainly never accept the ethical advice of Non-Christian Doctors as decisive in a matter such as this. Nor can true Christians regard the ethical advice even of Christian Physicians (and still less of Non-Christian Ethicists) as determinative. Nor can they finally be guided by the pronouncements of Sub-Christian Philosophers - or even of authentically-Christian Theologians.
2012. No! It is the ethical teaching only of the **Bible** - and of the Bible **alone** - that must here be decisive. Indeed, even the views of Bible-believing Christians themselves, are only of value here - to the extent to which they are based on a careful and meticulous and systematic understanding of the ethics of the Bible alone as the infallible Word of God.
2013. Various grounds for abortion are sometimes adduced. These include: **A**, the promotion of birth control; **B**, the disposal of unwanted and/or illegitimate children; **C**, the prevention of the birth of children thought or known to be deformed or seriously ill; **D**, the prevention of the birth of incestuous children; **E**, the obviation of the social disadvantages incurred by the mother (or by the child conceived) after interracial *coitus*; and **F**, the alleviation of the trauma of a woman impregnated as a result of rape.
2014. Further grounds on which some seek to justify abortions, include: **G**, the alleviation of a woman psychically disturbed during or disturbable by her getting pregnant; **H**, the alleviation of physical discomfort or disease in a pregnant woman not mortally ill; **I**, the preservation of the life of a saveable unborn baby whose mother is physically dying and cannot be saved; and **J**, the preservation of the life of a saveable pregnant mother where her unborn baby is

---

<sup>34</sup>. *Op. cit.*, pp. 71f (citing Dr. D. Cavanaugh's 1971 *The Challenge of Prematurity*).

unsaveably dying. Together with Romans 4:3, let us now briefly inquire - in respect of each of these above conditions - "what does the Scripture say?"

### **Abortion unacceptable as a means of birth control**

2015. **A**, abortion as a means of birth control, hardly needs discussion. Even if there may well be other acceptable means of birth control within marriage - means such as "calendar intercourse" (Leviticus 15:19-28 & First Corinthians 7:1-5) or perhaps even "partial lovemaking" (cf. Genesis 26:8 & 38:9 and Proverbs 5:18-20) - abortion as a means of birth control should surely be quite unthinkable.
2016. For abortion always involves the mortally-dangerous premature removal of a tiny human being from his or her natural life environment. Such removal often causes the direct death of such a tiny human being.
2017. Dr. J.C. Willke (M.D.), in his *Handbook on Abortion*, rightly states:<sup>35</sup> "Birth control attempts to prevent a new life from beginning. Abortion kills the life of the human person already conceived. There is a vast difference" between the two.
2018. Again, also *Planned Parenthood* rightly observes: "An abortion kills the life of a baby after it has begun. It is dangerous to your life and health. It may make you sterile, so that when you want a child you cannot have it. Birth control merely postpones the beginning of life."
2019. Consequently, the American College of Obstetrics and Gynecology stated<sup>36</sup> in 1968 that "the College will not condone nor support the concept that abortion be considered or performed as a means of population control." Indeed, also the Presbyterian Ethicist Rev. Professor Dr. G. Brillenburg Wurth rightly observed that abortion as a means of birth control is "a public sin against the Sixth Commandment 'you shall not murder!'"<sup>37</sup>

### **Abortion unacceptable as a means of disposing of unwanted children**

2020. **B**, abortion as a means of disposing of unwanted and/or illegitimate children, is also unethical. Here, we would make the following observations. First, however illicit the deed of intercourse may be (namely the intercourse which produced the conception of the new child) - especially after nidation, God usually wants the mother to carry her already-conceived and now-nidated child in her womb **unto viability**. Otherwise, He would hardly have permitted and brought about both the conception and the nidation of the child. Genesis 30:1-2; 30:22; 38:6-30.
2021. Second, the conceived and nidated child's mother (and/or father) should only desire the will of God. At that state, it would certainly seem that the will of God is presumably that the nidated child should continue to be carried in the womb. Judges 13:3-5.
2022. Third, the mother (and/or father) has no right not to want any of her descendants who are already in existence. Every child is to be carried, which God has already caused to be conceived and nidated. See: Luke 1:38.
2023. Fourth, the mother is not the absolute possessor of her own body. Her husband has property rights to the sexual use of her body (and *vice-versa*), and presumably also to the fruits thereof (including the fetus). First Corinthians 7:14. Yet God alone has absolute ownership over her body and its contents. Psalm 50:10-12 cf. First Corinthians 6:19-20.
2024. Fifth, the woman herself does not have power or authority over her body in matrimonial matters. Under God, her husband has that power or authority. First Corinthians 7:4.

---

<sup>35.</sup> *Ib.*, p. 121.

<sup>36.</sup> *Planned Parenthood*, as cited in Willke's *op. cit.* p. 57.

<sup>37.</sup> G.B. Wurth: *Christian Living in Marriage and Family*, Kampen: Kok, 1950, p. 268.

Presumably, this gives him power or authority also over her offspring. First Corinthians 7:14 & Ephesians 6:4.

2025. Sixth, the unborn baby belongs absolutely to God alone (*cf.* Exodus 13:2f with Psalm 50:10-12). Absolutely, the baby does not belong even to his or her own father, nor to his or her own mother. See Ezekiel 16:20f.
2026. Seventh, the unwanted prenatal baby would better be 'disposed' of **after** full-term birth. For it is far better to hand him or her over to be raised by an adopting couple that wants such a baby, than for the baby to be rejected and destroyed during his or her fetushood - unwantedly, and wantonly. See Genesis 16:1-11.
2027. Last, such 'postnatal disposition' by way of adoption is not only fully permitted by the Holy Scriptures. Genesis 17:12-27. It is, unlike prenatal abortion, much less hazardous to the life and health of both mother and baby. See Exodus 21:22-25.

### **Many originally-unwanted children are later much loved by their parents**

2028. Accordingly, the Holy Scriptures never permit the aborting of bastards. Deuteronomy 23:2. Nor do they permit the destruction of the unwanted children of prostitutes. Genesis 38:15-30 *cf.* First Kings 3:16-28. Indeed, at least one such unwanted illegitimate child lived to become a great hero of the people of God - and to save them from oppression. Judges 11:1-3 *cf.* Hebrews 11:32.
2029. Also the U.S. Federal Judges agreed with the above kind of reasoning - in their January 1971 upholding of the constitutionality of the State of Ohio's anti-abortion law. The Federal Judges then expressed themselves in language that is indeed weird. Yet the meaning of their language is quite clear. Said the Federal Judges:<sup>38</sup>
2030. "Equating the necessity of giving birth to a child, with the necessity of rearing the child, has no foundation in law or fact. The law may take permanently from its natural parents a child who is neglected by them.... Practically all States provide for the voluntary surrender of children. When the statutes are complied with, the child is legally and practically as 'dead' to its natural parents as if it had been aborted, stillborn, or had died in infancy.... There is no need for parents to terminate an undesired pregnancy by killing the unborn child physically when, with less risk to themselves, its legal 'death' can so easily be procured."
2031. Furthermore, many unwanted pregnancies produce ultimately-treasured children. As Dr. J.D. Willke M.D. has stated: "After more than twenty years of medical practice, your author personally can say without hesitancy that he has seen many unwanted pregnancies, but has yet to see the first unwanted newborn child. If we permit abortion for an unwanted pregnancy we will be destroying vast numbers of children who by the time of their birth and through their childhood, would have been very dearly wanted and deeply loved...."
2032. "Most unwanted pregnancies become wanted.... Some wanted children [later] become unwanted ones! Unloved babies sometimes become dearly loved, and *vice versa*. To make the assumption that because a woman is unwillingly pregnant, the child will be unwanted and therefore neglected and abused, is totally inaccurate and wildly unrealistic. Some will [remain unwanted], of course - but many will not. Why kill them all, before birth? Why not sort them out after birth...and [then] take unwanted children from [those] parents who are [unwilling and therefore] unworthy to raise them?" Why not then give such children as are unwanted by their own parent(s), to adoptive parents or to orphanages who **want** them?"

### **Untrue that originally-unwanted children end up being battered by parents**

---

<sup>38</sup>. Cited in Willke's *op. cit.*, pp. 47f.

2033. Nor is it true that many unwanted pregnancies produce children who then get battered by their parent(s). Dr. Edward Lenoski, Professor of Pediatrics at the University of Southern California, did a four-and-a-half year study of 674 battered children. He discovered that 91% of the battered children, in his study, were from planned pregnancies - so that those children had at the outset and before their births definitely been desired by their parents.
2034. Now ninety percent is far above average, for planned pregnancies. One could therefore apparently kill all 'unwanted' babies in the early stages of pregnancy - but still not significantly reduce the numbers of battered children. Indeed, Dr. Lenoski also determined that, since the advent of the contraceptive pill (which has certainly reduced the number of unwanted pregnancies), child-beating is up threefold.
2035. Surprisingly, Dr. Lenoski also determined that some 63 percent of all U.S. pregnancies - were planned. So, among abused children, a higher percentage had been 'desired children' - than is the case of the percentage of 'desired children' in society at large.<sup>39</sup> On the other hand, **all** aborted children are battered - viz. precisely while being aborted.

### **Untrue that mothers have a right to exterminate their own babies**

2036. It may perhaps still be asked whether a woman doesn't have a right to the privacy of her own body (and therefore also a right to exterminate another human being within her own body). But, as Dr. Willke M.D. has again stated: "We think it is an entirely fallacious bit of reasoning. If you as a citizen stand outside of a door and listen to a mother battering her child even to the point of killing it - what would you do? Would you respect the privacy of her home?"
2037. "You would not! You would open, or break down, the door [or at the very least call the police] - and rescue the child. By virtue of her assault upon and abuse of another human person, she has surrendered her constitutional right to privacy in this case. The same analogy applies to abortion. The right of the child to live, is greater than and supersedes any right that a woman may have to the privacy of her own body."<sup>40</sup> Compare too First Kings 3:16-28.
2038. Rev. Dr. Charles Carroll, Protestant Chaplain of the University of California at Berkeley, was formerly a Student of International Law at Yale and at Harvard, and also at the University of Berlin during the Hitler period. Right after World War II, he was also an Officer of the U.S. Military Government in Germany at the trial of the Nazi doctors at Nuremberg. Significantly, he made the following very important statement also about abortion.
2039. "As I would reject the law of *paterfamilias* of Ancient Rome, so I would also reject the proposed law of *materfamilias* in presentday America. As I would not sympathize with the grant by the state of the power of life and death over his offspring to the [Ancient] Roman father, so I cannot sympathize with the grant by any state of the power of life and death over her offspring to the American mother. Surely I would hope our legislators would be as humane as the [Pagan] Emperor Hadrian, who abolished that article of the [Pagan] Roman Law!"<sup>41</sup>

### **Abortion unacceptable as a way to be rid of a deformed baby**

2040. **C**, abortion is sometimes advocated as a means of preventing the birth of a child thought or known to be deformed. This 'ground' Dr. J.C. Willke M.D. appropriately calls "prenatal euthanasia"<sup>42</sup> - sic!
2041. The Rabbinical Council of America, however, has made an obvious observation. It has rightly remarked that "even if the fetus is the product of incest or rape - or [even if] an abnormality of

---

39. *Ib.*, p. 49.

40. *Ib.*, pp. 49-50.

41. *Ib.*, pp. 50-51.

42. *Ib.*, p. 79.

any kind is foreseen - the right to life is still his."<sup>43</sup>

2042. Also Rabbi Paul seems to have regarded himself - as others too probably did - as congenitally abnormal. First Corinthians 15:8 *cf.* perhaps Second Corinthians 12:5-14 & 10:7-10 and Galatians 4:13-15. Yet who can deny that the World is a much richer place because of his having lived in it, postnatally? Romans 15:18-28.
2043. Indeed, who can deny that the abnormal Apostle Paul laboured more abundantly than all the other 'more-normal' Apostles? First Corinthians 15:10. Moreover, the Apostle Paul himself infallibly insists - following the teaching of Jesus Himself (Matthew 20:14-16) - that God has chosen the foolish and the weak and the ignoble and the despised, to shame those that the World regards as wise and mighty. First Corinthians 1:27f.
2044. A story told to the famous Medical Doctor Jerome Lejeune well illustrates the above. "Many years ago," related the narrator, "my father was a Jewish Physician in Austria. One day, two babies had been delivered by one of his colleagues. One was a healthy boy with a strong voice, which made his parents extremely happy. The other was a little girl born with mongolism (or Down's Syndrome), which made her parents very sad. I followed them both for nearly fifty years. The girl grew up, living at home, and nursed her mother through a very long illness. I do not remember her name. But I do remember the boy's name. He died in a bunker in Berlin. His name was Adolf Hitler."
2045. This also calls to mind the Medical School Professor who gave his students a case study in whether or not to advise an abortion. Discussing the immediate ancestors and older brothers and sisters of the fetus concerned, the professor disclosed: "The father had syphilis and the mother tuberculosis. Of four previous children, the first was blind; the second died; the third was both deaf and dumb; and the fourth had consumption. What advice would you give the woman when you diagnose she is again pregnant?" One of the students declared: "I would advise an abortion." The Professor replied: "Congratulations! You have just killed Beethoven."
2046. How grateful we should be that nobody aborted the congenitally-defective Beethoven - composer of "joyful, joyful, we adore Thee!" How extremely joyful and even overjoyed we should be that the Saviour of the World was never aborted - just to try to avoid the 'socially undesirable' (!) circumstances of His prenatal fetushood and His later birth from a virgin engaged to and then being cared for by His non-father Joseph! John 10:19 & 10:41.
2047. Now some might say that Beethoven's congenital deafness, as his greatest prenatal defect, could have been diagnosed and accepted - had he but been conceived in our own day. However, a Doctor's diagnosis can be wrong - and sometimes, itself, even harmful. Thus amniocentesis, commonly used to diagnose Down's Syndrome, itself carries a 1.5 percent risk of causing a miscarriage. See *New Perspectives on Human Abortion* (by Hilgers & Horan and Mall). So a forty-year-old woman undergoing amniocentesis faces a greater risk of miscarrying a healthy child because of that procedure, than she faces of having a Down's Syndrome baby. See D.C. Reardon's *Aborted Women*.

### **Gleitman v. Cosgrove: doctor not to abort even if baby is deformed**

2048. We are in agreement, then, with the reasoning of the New Jersey Supreme Court in the 1967 case of *Gleitman v. Cosgrove*. There, the parents had sued - because the Doctor had refused the mother an abortion after she had contracted rubella (alias German measles) early in her pregnancy. Their suit was filed, after the child had been deformed.
2049. Held the Court:<sup>44</sup> "It is basic to the human condition to seek life and to hold on to it, however burdened. If Jeffrey [the deformed child] could have been asked as to whether his life should

---

<sup>43.</sup> *Ib.*, p. 81.

<sup>44.</sup> Cited in Willke's *op. cit.*, p. 82.

be snuffed out before his full term of gestation could run its course, our felt intuition of human nature tells us he would almost surely choose life with defects as against no life at all.

2050. "The right of life," continued the Court, "is inalienable in our society. A court cannot say what defects should prevent an embryo from being allowed life - such that 'denial of the opportunity to terminate the existence of the defective child in embryo' can support a cause of action. The examples of famous persons who have had great achievements despite physical defects come readily to mind, and many of us can think of examples close to home. A child need not be perfect to have a worthwhile life.
2051. "We are not faced [here] with the necessity of balancing the mother's life against that of her child. The sanctity of the single human life is the decisive factor in this suit. Eugenic considerations are not controlling. We are not talking here about the breeding of prize cattle. It may have been easier for the mother, and less expensive for the father, to have terminated the life of their child while he was an embryo. But these detriments cannot stand against the preciousness of the single human life."

### **How much deformity is needed in order to 'justify' aborting a baby?**

2052. Here, we could indeed ask the abortionist what **degree** of foreseeable (if not actually foreseen) deformity he or she feels would be necessary to justify the abortion of an unborn baby. Would foreseeable undersize (when becoming an adult) justify the abortion of a conceived human being? If so, Paul and Napoleon would never have been born! And would foreseeable oversize (when becoming an adult) justify an abortion? If so, King Saul and today's Watutsis (including their tall women) would never have seen the light of day!
2053. Does the foreseeable femaleness of at least half of all babies now conceived in Red China justify their doctors in aborting so many of them, with impunity? Would foreseeable maleness of Hebrew fetuses have justified either their own parents or Pharaoh's lackeys killing them off prenatally? See Exodus 1:16-21 and Acts 7:19f for the answer to this!
2054. Was Mohammad wrong to spare the lives of female infants? Should it rather have been as acceptable for him to butcher them prenatally - as it was among the Pre-Islamic Arabs to bury them alive postnatally? Even to ask these questions, is indeed almost to answer them.
2055. Would it be right to (ex)terminate unborn babies today (as soon as we can predetect their sex) - if the predetected gender is not the one we might have desired? See Numbers 27:1-7! Is it right to (ex)terminate unborn babies whose ethnic race is deemed to be undesirable by the (ex)terminator? See Exodus 12:38 & 12:48!
2056. Is it in order for an abortion team, considering itself to be a 'jury of mercy'(!), to exterminate a normal unborn child because he or she has or **might** have a predictable abnormal future development - or even to exterminate an unborn child clearly **known** to be already grossly abnormal? If so - **how much** of an abnormality would need to be foreseen, to justify the abortion?
2057. Should those anticipated to be born with twenty-four fingers and thumbs and toes, be aborted? See Second Samuel 21:20! Should Doctors abort those foreseen to be blind or deaf - whether partial or total; whether temporary or permanent - just because that is anticipated, after the mother contracts rubella or gonorrhoea early in her pregnancy? See John 9:2,3,20,32!
2058. Should those anticipated to be born either slightly or severely mongoloid, be aborted - whenever an aging pregnant mother contracts Down's Fever? Cf. First Corinthians 15:8-10 with Galatians 4:15 & 5:11. Does foreseeing either partial or total insanity in the maternal parent or in her unborn baby or both, justify an abortion? Cf. Daniel 4:24-26 with Luke 8:27-39!

### **Are limbless babies and inseparable Siamese twins abortable?**

2059. But what - some may here interject - what about the foreseeable birth of a baby having no limbs at all? Well, such was the case of the German girl Violetta, a happy lady of superior intellect and super-keen eyesight and hearing - born totally without arms and legs.<sup>45</sup>
2060. Then perhaps one would **only** consider aborting those foreseen to be unseparatable Siamese twins? Yet even such a consideration would have imperiled the lives of those very-difficult-to-separate (yet nonetheless successfully separated) Siamese twins made famous by their surgeon - the celebrated anti-abortionist Dr. Everett Koop M.D. (alias President Reagan's choice for the Surgeon-Generalship of the United States of America)!
2061. We must conclude, then, by agreeing with the 1971 Australian Anglican *Abortion Report* as regards "the problem of deformity."<sup>46</sup> Declares that *Report*: "Jesus Christ is present in the Bible as the ideal man - the **only** man truly in God's image [after the fall].... All human beings other than He, represent a falling away from true humanity....
2062. "Some are physically, mentally, and morally stronger than others.... Nevertheless, all men share in the general plight of our human estrangement from our Maker.... We live out our discordant lives under the shadow of His wrath (Ephesians 2:3)" - and also under the shadow of His love. Psalm 90:1 and Song of Solomon 2:10-17 & 4:1-7.
2063. This means, then, that even prenataly-detectable deformities in unborn human beings can never legitimize even state-permitted abortions. It is very significant that also in modern Judaism, abortion is generally prohibited - even where the pregnant mother contracts German Measles or Down's Fever, or takes dangerous drugs (such as thalidomide) - which could increase the likelihood of her finally delivering a deformed child.<sup>47</sup> Indeed, since the fall of man, with the sole exception of Jesus Himself every fetus ever conceived - has been subject to some or other degree of deformity.

#### **Abortion unacceptable as a means of disposing of incestuous children**

2064. **D**, abortion is also sometimes recommended in respect of an unborn child known to be incestuous. To this, the same objections apply as in respect of the paragraphs immediately above - except that the chances of even a slight deformity here are less than twenty-five percent.<sup>48</sup>
2065. Again, the incestuous sexual intercourse alleged by the pregnant woman to have occurred - although it should indeed be punished in all those personally guilty of witting and willing incestuous *coitus* - would almost invariably be denied by the true father, and could not easily be proved legally. But even if admitted by the true father - what kind of justice is it that would slaughter a little fetus or infant simply because of the incestuous crime of his father and/or his mother? Compare: Genesis 4:17; 19:30-38; 38:24-30; Leviticus 18:9-15; 18:29 & 20:12; and Ezekiel 18:2-20f & 22:11.
2066. More importantly. If Abraham had not married his own half-sister Sarah - Isaac would not have been born. Genesis 17:21 & 20:12. If Isaac had not married his uncle Nahor's granddaughter Rebekah - Jacob would not have been born. Genesis 24:15. If Jacob's son Judah had not consorted, unwittingly, with his own daughter-in-law Tamar - their son Peres would never have

45. See R.L. Ripley: *Omnibus Believe It Or Not*, London: Stanley Paul, n.d., p. 128.

46. Sydney Diocese, *Ab. Rep.*, pp. 28f.

47. Enc. Jud., art. Abortion.

48. See here the various works of Dr. J.C.A. Dique (M.D.) listed in our Bibliography, and also: P. Phelan (M.D.)'s *Offspring of Incest* (in *Medical Journal of Australia*, April 8th 1978, p. 388); R. Ryan & D. Swinneton's *Hypersensitive Children and Maternal Incest* (in *Medical Journal of Australia*, Nov. 1st, 1980, p. 514); and E.D. Wilson's *On Human Nature* (Cambridge, Mass.: Harvard University Press, 1978, pp. 36f).

been born. Genesis 38:6-30. Indeed, if Peres had not lived to become an ancestor of Jesus the only Saviour (Matthew 1:3-21) - it would have been better for all of us if we too had never been born! Cf. Mark 14:21.

### **Pregnancies from interracial intercourse not to be aborted**

2067. **E**, abortion is also sometimes entertained in respect of a child conceived after interracial sexual intercourse. In this kind of abortion - Hitler rides again!
2068. Would the abortionists have felt free prenatally to murder the 'half-caste' Hebrew people - who gave our World the Bible? See Ezekiel 16:2f & 16:45. Did the Hebrew people prenatally murder their own half-caste children, born to them of foreign consorts? No! See: Exodus 12:38; Leviticus 24:10; Deuteronomy 23:3.
2069. Had all half-castes been aborted - even many Eastern European Gypsies and most Americans south of the Rio Grande would never have been allowed to continue existing; to grow up; and then to reproduce. Moreover, were all of the Eurasian Finns and Hungarians and all of the 'Polynesafrican' Madagascans and Cape Coloureds (*etc.*) to be liquidated - one might well even ask who then **would** be left. Not even the half-Greek and half-Jewish Timothy of old (Acts 16:1-3) - Timothy, who knew the Holy Scriptures from infancy, if not from fetushood or "*apo brephous*" (Second Timothy 3:15 cf. Luke 1:41)!

### **Pregnancies resulting from rape not to be aborted**

2070. **F**, abortion is often proclaimed to be a way to 'take care' (!?) of a child produced by rape - as distinct from a child produced by seduction. Genesis 34:2f. Many Bible-believing Christians would indeed rightly be less than satisfied if the raping father himself did not receive the death penalty. Deuteronomy 22:25 & Second Samuel 13:14,20,28,32. But the raped woman should surely not be killed. Deuteronomy 22:26; Exodus 22:16f; Second Samuel 13:20f. Neither should the thus-produced child. Cf. Ezekiel 18:2 & 18:20.
2071. As Dr. J.C. Willke M.D. rightly observes: "Isn't it a twisted logic that would kill an innocent unborn baby - [only] for the crime of his father?"<sup>49</sup> The fact is, however, as Dr. Willke explains (and as many others too explain): "Pregnancy from rape...is extremely rare."<sup>50</sup> For even if the raped woman is **not** medically treated during the first day after the rape - for psychological and physiological and statistical reasons, the chances of pregnancy resulting are nevertheless almost nil.
2072. Pregnancies reported in the old Czechoslovakia, amounted to about 0.025% (or one in four thousand) of all reported rapes. In at least one major hospital in the U.S. Midwest, over a stated period of time, true rape pregnancies - as distinct from many pregnancies in seduced women who later falsely alleged rape - were totally unknown. Significantly, none of the rapes mentioned in the Bible are stated also to have produced pregnancies!
2073. Very few rapes indeed, then, ever result in pregnancy - even where the raped woman did not receive medical treatment soon after being assaulted. In those extremely rare cases where a raped woman nevertheless does get pregnant, however, we agree with Dr. Willke's assessment. "Most of the trauma," he explains, "has already occurred. She has been raped. That trauma will live with her, all of her life" - whether she become pregnant or not; and, if so, whether she then has an abortion or not.
2074. "Furthermore," continues Dr. Willke, "this girl did not report for help" immediately - as required by law. "But [through fear or for whatever other reason she] kept this to herself. For several weeks she thought of little else, as the panic built up. Now she has finally asked for help" - after

---

<sup>49</sup>. *Op. cit.*, p. 37.

<sup>50</sup>. *Ib.*, pp. 32-35.

correctly becoming convinced that she is indeed pregnant. Now, and only now, "has she shared her upset."

2075. However, continues Dr. Willke, if she now goes ahead and obtains an abortion: "Will she be able to live comfortably with the memory that she killed her developing baby? Or would she ultimately be more mature, and more at peace with herself - if she could remember that, even though she was unwillingly pregnant, she nevertheless gave her child life and a good home" both prenatally in her own womb and (should she feel so inclined) by postnatally giving that child up for adoption by a couple who want that child?

### **Even rapes ultimately promote the humanly-unplanned enlargement of the Church**

2076. Rev. William Randolph correctly states in his article *God Is Pro Life*:<sup>51</sup> "Rape can be ugly and vicious. And the resultant child may be socially unacceptable, etc. But the Scriptures declare there are no accidents. Ephesians 1:11. 'All things work together for good, to them that love God.' Romans 8:28. It is necessary to do what is right in God's eyes, and trust Him to control all of the consequences.
2077. "Even rape can work together for God.... A mother will find that one of the greatest fulfillments...is available through...her child. If she will lose her life in God's will, she will actually find it.... Speaking of mothers, the Scriptures state: 'Notwithstanding, she shall be saved [or 'made happy'] in childbearing [which also includes 'child-rearing']. First Timothy 2:15.... The word 'saved' [alias 'sootheesetai' here] has a non-soteriological significance.... The point is that a woman receives fullness of life from God - through the child.... A woman who really wants a rich and rewarding life, achieves it through godly children. This is the opposite of the thinking of those having abortions."
2078. Randy Alcorn, a public speaker and outspoken opponent of abortion (and author of the book *Pro-Life Answers to Pro-Choice Arguments*), relates<sup>52</sup> the story of a woman who had been conceived as a result of rape. She came to him after one of his anti-abortion meetings, and said to him: "Thank you! I've never before heard anyone say that a child conceived by rape deserved to live. My mother was raped when she was twelve years old. She gave birth to me, and gave me up for adoption to a wonderful family. I'll probably never meet her, but every day I thank God for her - and for her parents. If they hadn't let me live, I wouldn't be here to have my own husband and children, and my own life. I'm just so thankful to be alive."
2079. Jean Garton sums it up so well in her book *Who Broke the Baby?* Exposing the hypocrisy of pro-abortion feminists, she rightly remarks:<sup>53</sup> "When a woman exercises her 'right' to control her own body in total disregard of the body of another human being, it is called abortion. When a man acts out the same philosophy [by ravishing a woman], it is called rape!"
2080. Certainly all such aborting feminist "mothers" are murderesses, and deserve the death penalty. So too do all such raping "fathers." But the little babies conceived as a result of their lust, have done nothing to deserve extinction. To the contrary, decent societies will protect them.
2081. The plain fact is that even women impregnated through rape, after much trauma, may well blossom forth into extremely compassionate Christians. Sometimes even their rapers may repent, and thus themselves gain - by entering into the Kingdom of God before receiving what should be their mandatory death penalty. Indeed, as seen above, also those conceived by rape may grow up into solid Christians - and then adorn any church fortunate enough to enrich

---

51. W. Randolph: *God Is Pro Life*, in *Journal of Pastoral Practice*, Philipsburg, N.J.: Presb. & Reformed Pub. Co., 1979, pp. 23f.

52. R. Alcorn: *Pro-Life Answers to Pro-Choice Arguments*, Portland: Multnomah, 1994 rep., p. 4.

53. J. S. Garton: *Who Broke the Baby?*, Minneapolis: Bethany, 1979, p. 77.

itself by taking them into its membership.

### **Pregnancies in psychically-deranged women not to be aborted**

2082. **G**, abortion is sometimes resorted to in trying to relieve a woman psychically disturbed during, or disturbable by, her getting pregnant. However, not abortion but psychiatric therapy is what should be prescribed in such cases. Most of the psychoses occurring in mothers do not occur during their pregnancies but after their giving birth and are generally curable.<sup>54</sup>
2083. San Francisco Psychology Professor Vaughan points out an interesting fact in his *Abortion and Psychiatry*. There, he refers<sup>55</sup> to "344 women who (for various reasons) were refused legal abortion in Sweden.... 62 specifically stated that they would commit suicide.... None of them did."
2084. Miami University Medical School's Psychology Professor Dr. Carl Marlow states there was only a very minimal risk of threatened suicide actually taking place if the demanded abortion were not performed. In fact, the 1967 *Maternal Committee Report* of Minnesota University's Department of Obstetrics and Gynecology found that the suicide rate among pregnant women is less than one-quarter of that of the general female population of the same age.<sup>56</sup>
2085. It is sometimes alleged by pro-abortionists that there are sometimes serious psychiatric reasons necessitating abortion. But Dr. Frank Ayd (M.D.), Medical Editor and renowned Psychiatrist, notes:<sup>57</sup> "True psychiatric reasons for abortion have become practically non-existent. Modern psychiatric therapy has made it possible to carry a mentally-ill woman to term."

### **No known mental disease can be cured or alleviated by abortion**

2086. Thus, Medical Practitioner Dr. J.C. Willke states in his *Abortion Handbook*:<sup>58</sup> "It can flatly be stated that no mental disease known to man can be cured by abortion." Indeed, Yale University Psychiatrist Dr. Theodore Litz declares:<sup>59</sup> "It is practically impossible to predict when an abortion will not be more detrimental to the mental health of the mother, than carrying her child to birth."
2087. Dr. R. Bruce Sloan, of Temple University, wrote<sup>60</sup> (in the 1969 *New England Journal of Medicine*) that "there are no unequivocal psychiatric indications for abortion." If the pregnancy is **not** interrupted, he added, "the risk of flare-up or precipitation of psychosis is small...and suicide is rare."
2088. Where pregnant women are mentally disturbed, declares the Australian Anglican *Abortion Report*,<sup>61</sup> "psychiatrists vary widely in their advocacy or disapproval of therapeutic abortion. This variation in psychiatric opinion as to indications for and against termination of pregnancy in cases of maternal mental anguish, are obviously "related to the psychiatrist's own personal religious and philosophical orientation - for example, his attitude to the sanctity of life...."
2089. "Abortion itself," continues the *Report*, "may seriously affect the woman's mental health.... Some women feel robbed or deprived after a therapeutic abortion, even if they requested it in

---

54. Cited in Willke's *op. cit.*, p. 41.

55. *Ib.*, p. 39 (citing R. Vaughan's *Abortion and Psychiatry*).

56. 1967 *Maternal Committee Report* of Minnesota University's Department of Obstetrics and Gynecology (cited in Willke's *op. cit.* pp. 39 & 45).

57. Cited in Willke's *op. cit.*, p. 38.

58. *Op. cit.*, p. 39.

59. *Ib.*, pp. 38f.

60. See n. 58.

61. Sydney Diocese: *Abortion Report*, pp. 31-34.

the first place. Some have guilt-feelings. Consciously or unconsciously, they interpret abortion as infanticide. No matter how much Theologians and others may argue about the nature of the product of conception in the first three months - to many pregnant women it is 'my baby' and fantasied as such.

2090. "The foetus is thus personalised as a new life, a new person, and perhaps as an extension of herself and of her husband. It rapidly becomes an object of love. Destruction of the foetus is fantasized at deep levels as murder - whatever the conscious surface rationalisations about the need to get rid of it. And its loss is followed by grief reaction, involving - as in all grief - mixed feelings of depression, anxiety, resentment and guilt." Consequently, abortions for psychiatric reasons are usually, to say the very least, counter-productive.<sup>62</sup>
2091. Not only do abortions not diminish mental illnesses in pregnant women. To the contrary, they often aggravate such diseases incipiently present. Indeed, they may even help cause mental diseases in somewhat unstable (yet otherwise mentally-normal) pregnant women.

### **Diseases and especially psychiatric malfunctions rather worsened by abortion**

2092. In 1966, the Council of the Royal College of Obstetrics and Gynecology stated<sup>63</sup> that "the incidence of serious permanent psychiatric aftermath (from abortion) is variously reported as being from between 9 and 59%." Here, it may perhaps be objected that it is the aftermath of Britain's still-lingering remnant of a formerly-national Christian Ethic which induces the guilt-feelings in such women. Yet it is interesting to note that even in Japan - probably both yesterday and today the least-evangelized country on Earth - the 1963 *Aichi Survey* reported that a considerably higher percentage (73.1%) of women aborted, felt "anguish" about their having had abortions.
2093. Even in liberal Sweden - where abortion today attracts no moral stigma - the aftermath is similar. Thus, Dr. M. Ekblad reported<sup>64</sup> in the 1955 Swedish Medical Journal *Acta Scandinavica* that many aborted women later "seriously regret" that occurrence - while "the psychiatrically-abnormal woman finds it more difficult than the psychologically-normal woman

---

<sup>62.</sup> Dr. Bruce H. Peterson (M.B., B.S., F.A.N.Z.C.P., D.P.H.) gives the following statement as a professional Psychiatrist and a professing Christian: "My own position, then, is that a pregnancy should only be terminated for psychiatric reasons if continuance of the pregnancy would involve serious risk to the life or mental health of the woman.... I usually feel the need of the opinion of another psychiatric colleague. When each case is carefully considered on its merits, I find myself in agreement with the great English Psychiatrist Sir Aubrey Lewis, who wrote: 'Termination [of pregnancy] for purely psychiatric reasons is on the whole seldom necessary.'" Thus the Australian Anglican Sydney Diocese's *Abortion Report*, pp. 31f. The *Abortion Report* itself then very much less happily adds: "This extreme form of self-protection - involving the death of the aggressor could, however, be justified not only in cases where there is a threat to life but where an innocent party is being deprived of his liberty or sanity or some other right which the social conscience in line with biblical teaching regards as fundamental. If the threat is one of maximum significance and there is no way of alleviating it other than by killing the aggressor, selfprotection could assume this very extreme form without being morally culpable.... This means that the threat posed by the foetus is directed not towards the actual life itself but towards the effectual life - when the mother is in danger of being reduced to 'a mental and physical wreck.' The reasons for a threat of this latter kind may vary widely." *Op. cit.*, pp. 13-15. Here, we ourselves strongly disagree. For we think it far more likely that a pregnant mother's insanity would probably get worse **after** an abortion than if no abortion were resorted to. Indeed, we think it entirely possible that the insane woman's mental health could only deteriorate further if she procures an abortion - but that her mental health may very well improve precisely by carrying the baby to full term and then delivering him or her alive. Compare Daniel 4:4-37 with John 16:21.

<sup>63.</sup> See Willke's *op. cit.*, p. 43.

<sup>64.</sup> *Ib.*, pp. 43-44.

to stand the stress of abortion." So we need to trace these ongoing feelings of anguish in aborted women to guilt-feelings caused not by lingering Christian tradition but by God's continuing wrath-revelation toward sinful humanity everywhere. See Romans 1:18-32 & 2:14-16.

### **Therapeutic abortion often harms the woman both physically and psychically**

2094. H, abortion is sometimes also advocated - in order to try to alleviate physical disease or discomfort in a pregnant woman who is not mortally ill. Already in 1951, Dr. R.J. Hefferman of Tufts University - speaking to the Congress of the American College of Surgeons - said:<sup>65</sup> "Anyone who performs a 'therapeutic abortion' (for the sake of the mother's physical disease), is either ignorant of modern methods of treating the complications of pregnancy or is unwilling to take time to use them."
2095. Dr. Vincent Rue and others, in their *Report on the Psychological Aftermath of Abortion* - submitted to the Surgeon-General of the United States - sets out especially the psychological problems often caused in women by abortion. The report focusses particularly on that malady known as PAS (or Post-Abortion Syndrome). Some of the symptoms identified in the report as constituting part and parcel of PAS, include: depression; suicidal tendencies; broken relationships; drug/alcohol abuse; sexual problems; phobias; phantom pregnancies; infertility; anorexia; etc.<sup>66</sup>
2096. Clinical Psychologist Catherine Barnard concluded in a 1991 study that almost half of the women who have had an abortion, may suffer some kind of emotional trauma as a result. Indeed, Dr. J.R. Ashton established that "about half of all abortion patients" experience psychical disturbances for up to eight weeks - including guilt feelings; nervous symptoms; sleeplessness; and feelings of regret. A longer-term study showed that some 10-30% of all abortion patients experience even serious ongoing psychiatric problems.<sup>67</sup>
2097. Attempted suicide rates are nine times higher in women who have had abortion, than in women in the general population. In an article titled *Abortion: The Pain No-one Talks About*, Martina Mahler reported<sup>68</sup> a study of women who have had abortions in which 45% said they had thought of suicide following their abortions. The article quotes women who describe the aftermath of abortion as "devastating"; "insidious"; "misery"; and "prolonged anguish." One woman said: "I was completely overwhelmed with grief." Another: "I was depressed; nothing mattered"; and "I wished I was dead."

### **Pregnancy termination as a means of preserving the life of the unborn baby**

2098. I, artificial termination of pregnancy is attempted also - very occasionally - to try and preserve the life of the saveable unborn baby (when the mother is physically dying and cannot be saved). Here, think of a pregnant woman mortally injured not in her womb but in her head in a car smash.
2099. Everything possible must be done to save both lives, especially the mother's. But if her life cannot be saved, yet that of the viable baby can (by removing him or her from the mother before the latter dies) - this should, we believe, be done even if such removal hastens the death of the already-dying mother. See First Samuel 3:16-28; Isaiah 49:15a; Romans 5:7f.

---

<sup>65.</sup> *Ib.*, p. 37.

<sup>66.</sup> V.M. Rue & Others: *A Report on the Psychological Aftermath of Abortion* (submitted to the U.S. Surgeon-General by the National Right to Life Committee, 15th Sep. 1987), 7.

<sup>67.</sup> J.R. Ashton: *The Psychological Outcome of Induced Abortion*, in *British Journal of Obstetrics and Gynaecology*, Dec. 1980, pp. 1115-22.

<sup>68.</sup> M. Mahler: *Abortion: The Pain No-one Talks About*, in *Women's World*, 24th Sept. 1991, p. 6.

### **Pregnancy termination to preserve the life of the bearing mother**

2100. J and last, artificial termination of a human pregnancy is indicated also - very occasionally - to try and preserve the saveable life of the mother (wherever she would die together with her baby if the pregnancy were to continue). Here, think of a pregnant woman seriously injured not in her head but in her womb (with also the fetus mortally injured) as a result of a car smash. Even Maimonides, who regarded feticide as a capital crime in terms of Genesis 9:6 - also regarded a fetus threatening the life of an ailing mother, as a removable "pursuer" (cf. Second Samuel 2:19-23).
2101. Everything possible should be done to save both lives. But if the baby's life cannot be saved (whatever be done or left undone), yet the life of the mother can be saved by terminating the pregnancy so as to be able to treat the otherwise medically-untreatable mother - this should be done, even if such removal of the already-dying baby hastens his or her own death. See: Exodus 20:12-14; 21:15-25; 34:26; Deuteronomy 22:6-8; 22:15-25f.
2102. In previous centuries, and perhaps even today here and there in an ever-shrinking number of third-world countries and other places inaccessible to modern medicine, there were no doubt infrequent cases where pregnant women would die if their pregnancies continued. We shall address how to deal with those situations, just a little later, from the Holy Scriptures. However, as Dr. & Mrs. J.C. Willke (M.D.) have observed in their 1972 *Abortion Handbook*.<sup>69</sup> "Abortion is rarely necessary today to save a mother's life.... Abortion is almost never necessary anymore."

### **Pregnancy termination permissible only if pregnant woman's life in danger**

2103. One gets asked: 'Are there any real grounds for abortion?' Rev. Randolph, in his *God Is Pro Life*, rightly replies: "No! Except in the rare case when either mother or child must die, there are no grounds. Some have indeed been suggested - such as advanced psychosis in the mother, rape, or simply that the mother does not want the child. But all of these...omit the fact that there is someone in the womb who is made in the image of God."<sup>70</sup>
2104. Stronger still is the testimony of Dr. C. Everett Koop, while he was U.S. Surgeon-General during the 1980s. "Protection of the life of the mother as an excuse for an abortion," insisted Koop,<sup>71</sup> "is a smoke-screen. In my 36 years of paediatric surgery, I have never known of one instance where the child had to be aborted to save the mother's life. If toward the end of the pregnancy complications arise that threaten the mother's health, the doctor will either induce labour or perform a Caesarean section. His intention is to save the life of both the mother and the baby. The baby's life is never willfully destroyed because the mother's life is in danger."
2105. There is indeed the rare situation where newly-born Siamese twins are conjoined in such a serious way that doctors deem first the one and shortly thereafter also the other will soon die, unless separated. In such a sad scenario the doctors also know that even the very separation might well hasten the death of the first dying, though improve the survival prospects of the other - whereas not to separate them would, medically speaking, hasten the death of both.
2106. In such a case, the doctors who operate should do everything they can to preserve both lives - even while frankly expecting the weaker twin to die and the strong one to survive precisely as a result of their surgery. Analogously, doctors should see the situation of a life-threatened pregnant woman and her yet unborn baby in a similar light.

### **Scripture suggests mothers' lives even more precious than their youngs'**

---

<sup>69.</sup> b., p. 38.

<sup>70.</sup> *Op. cit.*, p. 23.

<sup>71.</sup> Cited in M. Green: The Questions Most People Ask About Abortion, in Last Days Magazine, 2.

2107. Let us now again look at the Sacred Scriptures - which do seem to teach the greater worth of a mother than that of her (extremely valuable) offspring. If we are interpreting Holy Writ correctly, God's Word would certainly justify the procedure mentioned in the previous nine paragraphs. Moreover, if we are interpreting Holy Writ correctly, God's Word would also justify a procedure giving preference to saving the mortally-imperilled life of a pregnant mother (rather than that of her mortally-imperilled unborn baby) in those very distressing circumstances where there is only enough time available to save either the pregnant woman or her unborn baby (but not both).
2108. Rev. Dr. R.J. Rushdoony had already referred to the possible significance (to human abortion) of the Deuteronomy 22:6f text dealing with the protection of a mother bird (even when also still incubating her fertilized eggs).<sup>72</sup> So too, obliquely, has Rev. Professor Dr. John Calvin.<sup>73</sup>
2109. We ourselves believe, with Clement of Alexandria,<sup>74</sup> that even Exodus 23:19 and Leviticus 22:28 are of some considerable significance here. We also believe that the Fifth Commandment ("honour your father and your mother!") means that minor children and their interests - everything else being equal - are ultimately subservient to those of parents. Consequently, all other things being equal, the life of a mother ultimately takes precedence over the life of her child.
2110. We also believe that the Sixth Commandment ("you shall not commit murder!") implies it is the duty of both husband and wife to prolong the life of the wife as much as possible. Indeed, we further believe that the same Sixth Commandment ("you shall not commit murder!") implies that while God **always** condemns the **unjust** taking of life - He also fully permits (and indeed may even require) the taking of the life of others in selfdefense. Exodus 22:2 & Numbers 35:27. Accordingly, let us now look at the issue of abortion from this twofold perspective (positive and negative).

### Self-defense to preserve the life of an attacked mother

2111. The Sixth Commandment, declares the *Westminster Larger Catechism*, forbids "all unjust taking away the life of ourselves or of others - **except** in case of public justice, lawful war, or necessary defense."<sup>75</sup> It should be noted that this Commandment **requires** all persons - and a pregnant woman too is surely a person! - to do what is necessary, in order to prevent the unjust taking away of all human life (**including** "the life of ourselves").
2112. Indeed, the *Catechism* permits (if not indeed commands) "the life of others to be taken away...in case of public justice, lawful war - or **necessary** defense." This is primarily to be done, in order to uphold the honour of God. However, it is also (and only secondarily) to be done, in order to preserve even the **lives** of those under unjust mortal attack proceeding from injurious aggressors.
2113. In Exodus 22:2, violent resistance to an aggressive nighttime robber - resistance even to the point of killing that robber, if necessary - is in itself clearly presumed to be guiltless. So too, in Numbers 35:27, action is clearly to be taken by the relative of a manslaughteree - to repel the illegal re-intrusion of the manslaughterer into territory forbidden to him or her. So what bearing does this have on the termination of pregnancies?
2114. Now many of those who strongly argue that premature removal of an externally-unviable fetus from a pregnant woman is **never** just(ifiable), often base their argument on the doctrine of "intention." Their argument runs as follows. It is wrong for a pregnant woman to "defend" herself against such a fetus as might be threatening her life - because, they say, the fetus

---

<sup>72.</sup> See paras. 1288f.

<sup>73.</sup> See paras. 1293f.

<sup>74.</sup> See paras. 1425-31.

<sup>75.</sup> Q. & A. 136.

cannot **intend** to do so.

2115. In the light of Covenant Theology (which rightly stresses the ability of even fetuses to **believe** in God)<sup>76</sup> - we must boldly challenge the undemonstrable and Arminian assumption that a fetus cannot "intend."<sup>77</sup> Yet even if a total lack of fetal intention to attack the mother **were** demonstrable in a specific case, this would still not preclude the mother's right of self-defense even against her own fetus.

### **The duty of self-defense even when attacked by one's next-of-kin**

2116. Similarly, a life-threatening attack by an insane wife against her loving husband - whose normal duty it is to protect his wife - would not preclude the rightness of his warding off her blows with the necessary amount of force (even up to and including killing her in his own self-defense). It is obvious that she here lacks the intention to kill him. Yet her attack upon him is just as dangerous - if not more so - than in those cases where she might so intend.
2117. Now it is obviously right for a person to defend himself against the attack of a dangerous animal (which always lacks intention anent the way in which a normal human being intends). Here compare Genesis 9:5-6 with Exodus 21:28-32. Similarly, it is clearly appropriate for a woman to defend herself against the unintentional attack of her (either temporarily or permanently) insane husband - and, if absolutely necessary, even to kill him.
2118. For example, she must repel him - forcibly, if necessary - if he becomes a mindless lunatic or an intoxicated drug addict or an enraged "as- hashish-ed" assassin,<sup>78</sup> and launches what seems to her to be a mortal attack against her life. Indeed, the deranged husband's temporary or permanent lack of intention to harm his wife - and/or his temporary or permanent inability to defend himself from being harmed by her as she defend herself against his intentional or unintentional attacks against her, hardly prohibits the woman - even to the point of killing him (if necessary) - from violently warding off his blows against her.

### **Attacker's lack of intention irrelevant to the duty of self-defense**

2119. We have a similar case where that same woman is being threatened - mortally - by her own deranged adult son. But if she may indeed rightly ward off the intended or unintended blows of that son when he is an adult (even to the point of killing him, if necessary) - by what standard of logic can she be prohibited from warding off threats to her own life made by that very same son prior to his birth (regardless as to whether he then "intends" such threats or not)?
2120. Exodus 21:28-32 - which follows **immediately** after the "miscarriage" passage Exodus 21:22-25 - seems to speak very pertinently about the above matter. For Exodus 21:18-32's **mindless** ox clearly lacks "intention" - while attacking or goring and even killing people. And yet, it is still to be restrained or - if unrestrainable or not successfully restrained - it is even to be put to death. See paragraphs 1234f and 1557f.
2121. This passage concerning a mindless ox which attacks people is very important in teaching us correct behaviour especially toward human beings. For from this passage, we can again clearly see that also a human attacker's absence of intent to kill another human being - no way precludes an attacked pregnant mother or her agent in self-defense (if absolutely necessary) from counter-attacking and even killing an attacker: even if the latter be her own attacking fetus.
2122. "For it is written in the Law of Moses [Deuteronomy 25:4], 'you shall not muzzle the mouth of the ox that keeps on trundling corn!' Does God restraints against their accomplishing a

---

<sup>76</sup>. Ps. 22:9f; 139:16; Jer. 1:5; Lk. 1:15; 1:35-44; I Cor. 7:14; II Tim. 1:3-6; 3:14-17.

<sup>77</sup>. See too: Mt. 18:1-14; Jh. 3:3-8; Heb. 11:6.

<sup>78</sup>. In olden times, assassins were frequently doped up with marijuana, in order to remove all

'murderous' mission to kill others. Hence, the word "assassin" - from "hashish" alias marijuana. take care [only] of oxen? Or does he [not] say this - altogether for our sakes? For our sakes no doubt it is written [Second Timothy 2:6] that 'he who plows, should keep on plowing in hope.'" First Corinthians 9:9f.

### **The life of a mother-bird must be preferred to that of her eggs and young**

2123. In addition, there is the Deuteronomy 22:6f passage (previously touched upon by Rev. Dr. Rushdoony).<sup>79</sup> This is found **precisely** within the context of Deuteronomy 19:1 through 22:8's extended exposition of the application of the Sixth Commandment ('you shall not murder!').
2124. In the passage concerned, God declares: "If you chance to come across a bird's nest in front of you on the road, in any tree, or on the ground - whether there are young ones, or eggs, and the mother bird sitting upon the young or upon the eggs [and hence incubating them] - **you shall not take the mother-bird together with the young!** However, you shall **certainly let the mother-bird go** [while taking her young for yourself] - so that it may go well with you, and so that you may prolong your days."
2125. Here, we should note the following. First, even when men take a mother-bird's eggs or her baby-birds, the mother-bird herself must be spared - apparently so as to be able to incubate more eggs again, at a later stage.
2126. Second, although it is birds and not humans that are here under discussion - the text still establishes the principle of the greater degree of preciousness of adult life (here represented by the mother-bird) when compared to the also-precious (yet less-precious) young life here represented by the mother-bird's chickens. *A fortiori*, also the baby-birds are more precious than the also-precious prenatal bird-life (represented by the mother-bird's eggs).
2127. Third, the passage seems to say: 'Spare the irreplaceable mother-bird - so that she may lay yet more eggs again later!' It is **not** saying: 'Spare the replaceable bird-eggs at all costs!' Still less does it say: 'Destroy the egg-laying mother-bird together with the replaceable eggs she laid!'
2128. Fourth, the promises annexed to the end of the Deuteronomy 22:6f bird's eggs' passage - are very important. The two reasons given for sparing the mother-bird, are - "so that it may go well with you; and so that you may prolong your days."
2129. These two reasons remind one of the similar promises made to reward those who honour their own fathers and mothers. Those latter promises remind human beings of the duties of human Inferiors toward their human Superiors, and are annexed to the Fifth Commandment ('honour your father **and your mother**, as the Lord your God has commanded you - so that your days may be prolonged, and so that it may go well with you!'). Deuteronomy 5:16 & 22:6f *cf.* Exodus 20:12f & 21:15-22f and *Westminster Larger Catechism* Questions & Answers 123-127f.

### **Calvinistic comments on Deuteronomy 22:4-7 and Exodus 23:5**

2130. Last, abortion-hating Classic Calvinist Theologians apply this text to justify the removal of the fetus when threatening the **life** of the mother. Compare their time-honoured maxim: "Prune but spare the mother tree - so that she may live, and bear fruit again yet later!" *Cf.* John 15:1-8.
2131. Calvin's own comments on Deuteronomy 22:4-7 and Exodus 23:5 are very illuminating. Writes he:<sup>80</sup> "God exhorts His people to exercise the duties of humanity towards brute animals **in order that** they may be the more disposed to assist their **brethren**. For we must bear in memory what Paul teaches - where God commands oxen to be treated kindly, *viz.*, that in this

---

<sup>79</sup>. See paras. 1288-91.

<sup>80</sup>. *Harm. Pent.*, III pp. 57 & 56.

He does not care so much for them as for **mankind** (First Corinthians 9:9)....

2132. "Since by this precept God instructed His people in the law of kindness, it is a Supplement to the Sixth Commandment ('you shall not murder!'). Regard was had - indeed - to the preservation of the breed [of bird].... Still, there is no question but that it was God's intention to accustom His people to study **humanity**. For if there be one drop of compassion in us, it will never enter into our minds to kill an unhappy little bird!" Thus Calvin. See too paragraphs 1272-74.

### **The Pulpit Commentary on the application of Deut. 22:6f to motherhood**

2133. Accordingly also *The Pulpit Commentary* remarks<sup>81</sup> on Deuteronomy 22:6f that "the **parent** bird may be presumed to be taken only in **wantonness** - the **young** ones being [the only ones] **really** of service [to the human eater of bird-eggs]. This [taking of the **parent** bird] would be an act of cruelty.
2134. "**Humanity** may be a motive.... The female sex is intended for **motherhood**. It binds the generations each to each.... On the exercise of this function, the continuance of the species depends. Hence, the command here is at once humane - **and** intended to ensure the continuance of the species.... The idea, sacred in the woods among the wild birds, would become sacred elsewhere.
2135. "The mothers in Israel, instead of being sacrificed **to** their children, would be honoured **by** them - which is the divine order. The young generation should bear the burden, rather than the old. To such a line of thought, the law about birds' nests would **naturally** give rise.... To spare the life of the parent bird, is to secure in return many other lives. A source of future profit should not thoughtlessly be destroyed" - whether that source be the mother-bird, or a human mother, or both.

### **Dr. Craigie on motherhood and reproduction in Deuteronomy 22:6f**

2136. Rev. Professor Dr. Peter Craigie in his commentary *The Book of Deuteronomy* also has some enlightening information on this point. "The Law," explains Craigie<sup>82</sup> of chapter 22:6-7, "has to do with the conservation of food supplies....
2137. "If a nest was found with a mother-bird and eggs or young birds in it, the 'natural' [or rather the greedy] thing to do would be to take all of them - thereby acquiring more food. The effect of such action, however, would be bad. In commercial language, it would be exchanging a longterm profit for an immediate gain.
2138. "To take and kill the mother, would be to terminate a potential future supply of food. To take the mother and leave the others, would not be possible - for they would not be able to survive without the mother.
2139. "Thus, by taking the young birds [or the bird's eggs] but letting the mother go, food was acquired - without the **source** of food for the future being cut off. The legislation thus has something in common with modern conservation laws. The largescale killing of any species can lead to a serious diminution in its numbers, and to eventual extinction."

### **The possible bearing on abortion of Ex. 23:19 & 34:26 and Dt. 14:21**

2140. Even Exodus 23:19 (*cf.* 34:26 & Deuteronomy 14:21) also speaks - at least indirectly - to the problem of abortion. The text Exodus 23:19 is discussing the dedication to the Lord of the first fruits of plants and animals (and perhaps even of the animals substituted for **human**

---

<sup>81.</sup> *The Pulpit Bible*, New York: Funk & Wagnalls, n.d., pp. 359,362,5.

<sup>82.</sup> P. Craigie: *The Book of Deuteronomy*, Grand Rapids: Eerdmans, 1976, pp. 288f.

firstfruits).<sup>83</sup> For there, God says: "you shall not seethe a kid [goat] in its mother's milk!"

2141. Now there are probably at least five different applications that could [or even should] be made of this text. However, as Keil and Delitzsch rightly point out, the previously-explained command in Deuteronomy 22:6f - *cf.* at paragraphs 2123f above - is indeed also related to the other commands in Leviticus 22:28 and Exodus 23:19.
2142. Consequently, one of the correct applications of Exodus 23:19 would seem to be that the life of the mother of a little kid-goat is probably somewhat more important than the valuable life of that mother-goat's little kid. By implication, this would then perhaps also imply that the life of a fully-mature adult human mother is also somewhat more important than the valuable life of her kid-goat - her fully-human but immature and indeed only potentially-adult human offspring (whether zygotic or embryonic or fetal or infantile). See paragraphs 1270f & 1428f.

### **Calvin on the significance to life of Ex. 23:19 & 34:26 and Dt. 14:21**

2143. Calvin's own comments on the above three rather analogous passages concerning kid-goats - Exodus 23:18f and 34:26 and Deuteronomy 14:21 - are very illuminating. The first of these three Bible passages itself reads: "you shall not offer the blood of My sacrifice...[and] you shall not bring the first of the firstfruits of your land into the house of the Lord your God! [For] you shall not seethe a kid-goat in its mother's milk!"
2144. Comments John Calvin:<sup>84</sup> "I have no doubt that the prohibition [not to seethe a kid-goat in its mother's milk] relates to the **sacrifices**. For...it is added in connection with the offering of the firstfruits [Exodus 23:19]...."
2145. "In the second [passage, at Exodus 34:26], we read as follows - 'The first of the firstfruits of your land, you shall bring unto the house of the Lord your God. [For] you shall not seethe a kid in its mother's milk!'
2146. "And so also in the third passage [Deuteronomy 14:21] - 'you shall not eat anything that dies of its own accord!' ['You shall not eat the carcase of any animal you chance to find dead, but you may eat only of those animals slaughtered by man and specifically killed for meat!'] 'For you are a holy people before the Lord your God. Nor shall you seethe a kid in its mother's milk!'"
2147. From all three of the above passages, Calvin now draws a general conclusion. "God would not admit anything monstrous in His sacrifices. [So he would not permit] that the flesh of the young [animals] should be cooked in its **mother's** milk - and thus, as it were, in its **own** blood."

### **Lev. 22:27-28 significant to abortion for saving a mother's life**

2148. As indicated above (already by Clement of Alexandria but especially by Keil and Delitzsch),<sup>85</sup> the same principle seems to be taught even in Leviticus 22:27-28. For there, God commands: "Whether it is a cow, or a ewe [or even a she-goat, *etc.*] - you shall not kill both her and her young in one and the same day!"
2149. Comment Keil and Delitzsch:<sup>86</sup> "A young ox, sheep, or goat was to be seven days under its mother.... The young animal had not attained to a mature and self-sustained life during the first week of its existence. For this reason, the following rule was also laid down [even] by the [Pagan] Romans: 'the foetus of a pig is pure as a sacrifice on the fifth day; that of a sheep, on the eighth day; and that of a cow, on the thirtieth day' (Pliny)."

---

<sup>83.</sup> *Cf.* Ex. 13:12-15 & Num. 18:15-18 & 18:21.

<sup>84.</sup> *Harm. Pent.*, II p. 385.

<sup>85.</sup> See paras. 1424f & 2140f.

<sup>86.</sup> *Op. cit.*, II pp. 436f (on Lev. 22:27f).

2150. In Leviticus 22:27-28, explain Keil and Delitzsch, "the command not to kill an ox or sheep **at the same time** as its young is related to the law in Exodus 23:19 and Deuteronomy 22:6-7." For it was to be "a duty on the part of the Israelites to keep sacred the relation which God had established between parent and offspring."
2151. Here again, **human** fetuses and babies and mothers are all - of course - of very much greater importance than the fetuses and the young and even the dams of animals (like cows and ewes and goats). For no animal but only **human** fetuses and babies and mothers are the very images of God Himself. Yet, if the human fetus is dying inside a life-threatened mother anyway, to allow even the mother to die **at the same time** (when at least **her** life could be saved by terminating her pregnancy) - is somewhat analogous to allowing cows and ewes to die **on the same day** as their young or their fetuses.
2152. The passage in Leviticus 22:27f reads: "Whenever a bullock or a little lamb or a kid-goat is born, it is to remain **under its dam** for seven days. Only from the eighth day and thereafter, shall it be acceptable as a burnt offering to the Lord. And whether the mother is a cow or a ewe [or a she-goat] - you shall not kill both her **and** her young **on the same day!**"
2153. Calvin's comment on this passage is very important. "Cruelty was indeed condemned in this precept," he observes.<sup>87</sup> "Yet I do not doubt that Moses is speaking primarily about the sacrifices.... If any prefer to extend it further, I will not contest the point. And thus, **this sentence will be a supplement to the Sixth Commandment ['you shall not murder!']....**
2154. "All barbarity and cruelty was thus prohibited in the sacrifices. And in them, the rule was laid down that men should not be cruel in reference to [the ways of acquiring] their daily food. **It is a sight by no means pleasant to gentle minds, to see the dam [or mother-animal] killed together with her young.** And, if it were a common custom, men would easily grow callous as to **blood-shedding in general!**" See too paragraph 1270.

### **Bible analogies on abortability of human fetus where life threatened**

2155. What can we learn by Biblical analogy - from Genesis 9:5-7 & Exodus 23:19 & Leviticus 22:27f & Deuteronomy 22:6f - as regards the abortability of the **human** fetus? Certainly, all human life is of extremely great value. For even from their very conception, all human beings are the [expanding] images of God Himself. Indeed, a human *conceptus* is not just **potentially** human. To the contrary, a human *conceptus* is **fully** human. Yet, a human *conceptus* does not have the actuality but only the potentiality to become a **fully-developed** human being.
2156. That human *conceptus* (an **undeveloped** image of God) - even if never miscarried - may not live long enough even postnatally to grow up to adulthood during his or her present earthly life. Even if that *conceptus* later indeed attains adulthood, he or she may still never become a parent.
2157. Of course, **everything possible** should certainly be done to save both mother and fetus - in the case of a difficult pregnancy. Yet even in such a case, for the reasons given above, **if** both lives are imperilled **equally**; and **if** the life of only one of the two **can** be saved (humanly speaking) - it is probably more crucial to preserve the life of the adult **mother** (rather than that of her *conceptus*).
2158. This is especially so, if the mother is **already** the mother of another still-living minor child or of other still-living minor children (born on a previous occasion or occasions). For then, she not only directly supports the life or welfare of her present *conceptus* - but to a large extent **also** that of those of her previous child or children.
2159. Her new *conceptus* - very unlike the mother herself - does not either directly or indirectly

<sup>87</sup>. *Harm. Pent.*, II p. 384 (on Lev. 22:28).

support the life or welfare of any person (including the life also of the new *conceptus*). Nor is the *conceptus* a married person (as is the mother). Unlike a spouse and *a fortiori* a parent, a *conceptus* has no duties to support a spouse as long as possible (and also to support children until they leave home).<sup>88</sup>

2160. Even today, in spite of the sophistication of modern medical techniques, there are still those excruciating (but fortunately now very rare) cases where the lives of the mother and of her *conceptus* are both equally saveable (**and** both equally loseable). In the latter event, non-termination of that pregnancy would probably result in the death of **both** the mother and the *conceptus*. So, where such is indeed the clear prospect and medically-certain expectation in the opinion of at least two and preferably three Gynecologists - we are of the opinion that preference should be given to the life of the mother above that of her *conceptus*.
2161. We believe the above, because we are taught in the Holy Bible that - **all other things being equal** - the human mother is of ever greater worth than is or are her own very valuable offspring. See: Exodus 20:12-13; 21:15-28; 23:19; 34:26; Leviticus 22:27f; Deuteronomy 14:21; 22:6f; Matthew 15:3-6; John 11:50; 18:14; 19:25-27; Romans 9:10-14; First Corinthians 5:1-5; Ephesians 5:25 to 6:1-3; Colossians 3:20; First Timothy 1:9; 3:4f; 5:1-4; Second Timothy 1:3-5; 3:2; 3:15; Titus 1:6; 2:3-6; Revelation 2:20-23; *etc.*

### **Three doctors to agree pregnancy threatens life before abortion attempted**

2162. We also believe - again, only from the analogy of Holy Scripture - that the excruciating decision to remove the fetus solely to try and save the life of the mother (where both appear to be dying), should be taken only upon the authority of two or three competent witnesses. Compare: Leviticus 13:2f; 14:35f; Numbers 35:30; Deuteronomy 17:6-10; 19:15-18; Proverbs 11:14; 15:22; 24:6; Matthew 18:15-18; John 8:17; Second Corinthians 13:1; First Timothy 5:19; Hebrews 6:18 & 10:28f. This we believe in such cases requires the consensus of at least two, and preferably three, competent (and preferably Christian) Gynecologists. What is needed here is an informed and unanimous testimony that only the removal of the fetus could, medically speaking, save the life of a dying pregnant mother.
2163. For, as the 1968 *American College of Obstetricians' Statement* rightly declares:<sup>89</sup> "Termination of pregnancy by therapeutic abortion is a medical procedure.... A consultative opinion **must** be obtained from **at least two** licensed Physicians **other than the one** who is to perform the procedure. This opinion should state that the procedure is medically indicated."
2164. On the necessity of having three competent witnesses in such and similar cases, the famous 375 A.D. anti-abortion activist<sup>90</sup> Basil the Great made the following statement:<sup>91</sup> "If, as in a Court of Law, we were at a loss for documentary evidence but were able to bring before you a large number of witnesses - would you not give your vote for our acquittal? I think so. For 'at the mouth of two or three witnesses, shall the matter be established!' Deuteronomy 19:15."
2165. As the great modern anti-abortionistic<sup>92</sup> Christian Ethicist Rev. Professor Dr. Willem Geesink states about this text, "it indeed applied first of all in criminal cases. But it found even broader application, and went over from [Hebrew and] Jewish Jurisprudence even into the Ecclesiastical Law of the Christian Community.... Matthew 18:16." Compare too "Leviticus 5:1" and Exodus 23:1" *etc.*<sup>93</sup>

### **Australian Anglican Ethics and Social Questions Committee Report**

- 
- <sup>88.</sup> Gen. 2:22-25; Rom. 7:1-3; I Cor. 7:14; Eph. 6:1-4; *etc.*
- <sup>89.</sup> *American College of Obstetricians' Statement*, 1968 (in Spitzer & Saylor pp. 174f).
- <sup>90.</sup> See paras. 1438f & 1488.
- <sup>91.</sup> Basil: *On the Spirit*, ch, 29, in *Nic. & Post-Nic. Fath.*
- <sup>92.</sup> See para. 1537f.
- <sup>93.</sup> *Ordinances*, IV pp. 257f *cf.* 356.

2166. On this point, we find ourselves in substantial agreement with the *Report of the Ethics and Social Questions Committee of the Sydney Diocese of the Synod of the Church of England in Australia*. States that *Report*.<sup>94</sup> "In prenatal crises where the mother's life is either directly or indirectly threatened by the foetus - *i.e.*, where it [the foetus] is the direct cause of [or is directly threatening to cause] the mother's death, or where its presence impedes the success of a life-giving operation which is not directly an abortion - the alternatives generally are that either the mother's life is saved, or both lives will be lost. Either way, the foetus cannot be saved.
2167. "The obligation to save the mother's life by aborting the foetus, under these circumstances, should be obvious. We cannot argue that because of the inappropriateness of the notions of 'guilt' and 'blame' our hands are tied and we are unable to discharge our obligation of saving a human life.
2168. We are, of course, extinguishing a life [if the aborted baby's life cannot be saved] - but only because it could not be saved in any case, and because this action is the only means of saving the one life which could be saved" (*viz.* that of the life-threatened pregnant mother). The similarity between this situation, and the loss of civilian life during retaliatory bombing raids conducted by an attacked nation - against the nation of its attackers - is striking.
2169. Accordingly, continues the *Report* of the Sydney Diocese, where "the foetal crisis is of such a kind that either one of the two lives [but not both] could be saved - the obligation to save life will necessitate a choice being made between the two. This choice [however rapidly it must be made] will involve the assessing of the respective priorities of the two lives....
2170. "This judgment will be based on the number and kind of relationships in which the two lives are involved. Normally, the mother's life will emerge as having the priority, because of the many and important relationships into which the mother has entered - compared with the foetus, which has not yet formed any relationships [save with God, with the mother, and perhaps too with the foetus's father]....
2171. "There is an obligation to save life - which involves an obligation not even to risk it (unless there is the possibility of achieving some positive comparable good). It is because of this obligation to save whatever life can or ought to be saved, that the right of the mother to have the pregnancy terminated must be allowed in these situations of foetal crises....
2172. "Where the foetus poses a threat to the life of the mother, the foetus can be viewed as an unconscious aggressor, and can therefore be opposed. Although the aggression is [presumably] unconscious and unintentional - the right of the foetus to live, is nevertheless forfeited; and it can be interfered with. (The menacingly aggressive behaviour of a lunatic in adult life, would involve the same principle.)" So too, in any war, would that of an unmalicious footsoldier (of either side) who either erred in his own judgment - or who was simply "following the orders" of his superior officer.
2173. "One needs to be assured," ends the *Sydney Abortion Report*, "that the threatened deterioration in the mother's condition could be alleviated in no other way than by the abortion of the foetus. Where the mother's condition can be alleviated by other means, it is imperative that it should be. For the decision to take a life [albeit foetal life] can only be made when all other means to solve the tension are obviously not going to succeed....
2174. "Everything in the Bible points to the sanctity of human life and the continuity of all life - from conception to the grave. Interference with foetal life, therefore, raises the same questions which interference with [human] life at any other stage raises.... Foetal life is human life.... Only when that life itself constitutes a threat to the life of the [biological] mother...can any interference with it be condoned."

---

<sup>94</sup>. *Op. cit.*, pp. 12-17.

## Dr. P.R. Norris's *Principles of Therapeutic Termination of Pregnancy*

2175. We thus find ourselves in complete agreement with the *Principles of Therapeutic Termination of Pregnancy* as formulated by Dr. Philip R. Norris - Chairman of the British Section of the World Federation of Doctors Who Respect Human Life. Dr. Norris writes:<sup>95</sup>

- Therapeutic termination of pregnancy" is one thing. But: "Abortion has as its intention the destruction of the fetus.
- The doctor must at all times be mindful that during a pregnancy he has a duty to both mother and fetus.
- The well-being of the fetus depends upon the health of the mother. It follows, therefore, that if the health of the mother is threatened - the health of the fetus is also threatened. Steps to remove it from an unhealthy hostile uterine environment may become urgently necessary for its survival.
- The fetus should be removed from the uterus at a time and by a method which will ensure its best chance of survival (compatible with the safety of the mother).
- Once removed, the fetus must receive such medical assistance as is presently available and is appropriate to its stage of development.
- Methods of termination which, by their nature, cause the death of the fetus - must never be used if an alternative is possible.
- Medical or surgical treatment of the mother is, indirectly, treatment of the fetus. No therapeutic termination is valid if the mother has not received, before termination, adequate and proper treatment - unless the fetus is likely to be harmed by such treatment.
  - If the **intention** of the doctor is to do his best for both mother and fetus according to circumstances, it is a true termination of pregnancy and fulfils the highest standards required of medical practice. If on the other hand it is the intention of the doctor to destroy the fetus to achieve his ends, then this is an abortion - an abomination...unacceptable to those who respect human life and who are committed to the *Geneva Declaration of 1948*" stating members of the World Medical Association 'will maintain the utmost respect for human life from the time of conception.'<sup>96</sup>

## Conclusion: pregnancy termination justified only to save life

2176. Conclusion. We ourselves can justify the artificial termination of a human pregnancy **only** as a last resort to save not merely the health but indeed precisely the **life** of a **mother** - and/or of her unborn **baby** - where there is a serious and an **immediate** danger that one or both would otherwise **die**. Here, even then, it should be the considered specialist opinion of at least two and preferably three highly-competent and honorable Gynecologists (who preferably are also themselves Christians) that the baby and/or his or her mother - and, if the latter, therefore her unborn child too - is immediately threatened with death. Only if it appears that the mother's imminent and natural death would probably kill also her own *conceptus*, or that the *conceptus*'s imminent and natural death would probably kill also the mother, could such artificial termination of the pregnancy ever be entertained. Even then, everything possible should naturally be done to preserve the life and the health also of the unborn child.

2177. This procedure should only be given any consideration at all, if the removal of the fetus might very well save either the mother's life or the fetus's life (and preferably both of their lives). "Greater love has no human being than this, that He lays down His life for His friends." John 15:13. Indeed, greater love has no prenatal child than this - that he or she lay down his or her life for his or her own mother, in situations where there is nothing that the mother herself or any other human being **can** do to save the life of that otherwise-dying *conceptus*.

2178. Wherever a *conceptus* either wittingly or unwittingly yet nevertheless directly threatens the life of his or her own mother - that *conceptus* is thereby also suicidally and directly threatening

---

<sup>95.</sup> Cited in Overduin and Fleming: *op. cit.*, pp. 122f.

<sup>96.</sup> *Ib.*, p. 225.

even his own life too. Suicide (with varying degrees of intent) is at least manslaughter - and also very often murder (which itself **deserves** the death penalty). Nevertheless, the decision to remove the *conceptus* and thereby in all probability (humanly speaking) to hasten the loss of the life of even that slowly-dying *conceptus* - is in our opinion an excruciating yet a Biblically-justifiable decision.

2179. In such cases, it is indeed very expedient that one person (the *conceptus*) should die - so that the marriage as such, if not also the entire family, should not perish (by the husband's wife and the family's mother dying too). Thus, the Chief Priest told the Israelites: "It is expedient...that one human being should die for the people and that the whole nation should not perish."<sup>97</sup>
2180. As Jesus said to His disciples: "It is expedient for you that I go away: for if I do not go away, the Comforter will not come to you." John 16:7. Indeed, it "was expedient that one man [viz. Jesus Himself] should die - for the people." John 18:14. As Augustine once observed (without then expressing his disapproval), sometimes "the young...are cut out [or 'aborted'] - lest, if they were left there, the mother too should die."<sup>98</sup>

### **Rationale: injuries to others permitted if inflicted in self-defense**

2181. Rationale. Such an act of emergency artificial termination of pregnancy as that described in paragraph 408 above, would be justifiable self-defense by the mother and/or her agent(s), in warding off a mortal attack by her own fetus against her own life. Exodus 21:18-25 & 22:2 & Numbers 25:37.
2182. As far as that woman's gynecologist-agent is concerned, such an act of pregnancy-termination during or as a result of which the fetus dies, would be an act of justifiable homicide. It is somewhat comparable to the act of a soldier-agent in the protection of his own client-country - when he intentionally kills an enemy-aggressor immediately threatening the life of the soldier himself, and ultimately threatening the lives of the soldier-agent's client-countrymen. Deuteronomy 20:4 & 20:11-20.
2183. In no other cases, however - not even in the case of rape or incest (and still less in the case where a mother contracts German Measles or Down's Fever *etc.*) - is there any Biblical justification at all for the termination of the pregnancy in a way likely to result in the death of the fetus. A child born blind still has life, and serves a glorious purpose<sup>99</sup> which even **man** can sometimes perceive. Even the birth of an incestuous child - though the **parents** themselves should then indeed be punished - is not the end of the World, nor a fatalistic guarantee of that child's uselessness.<sup>100</sup>
2184. Indeed, why should even a rapist's unborn **child** be killed - just on account of the sin committed by his **father**?<sup>101</sup> For how can the human killing of innocent **offspring** ever be justified - simply because of the sin of his or her **parent**?<sup>102</sup>

---

97. John 11:50.

98. Aug.: *Encheiridion*, ch. 86.

99. Jh. 9:1-3f.

100. Gen. 4:17 & 5:4 with 11:27-31 & 12:11-20 & 20:2-13f.

101. See Dt. 22:23-27 & 24:16 *cf.* Ezek. 18:4-20.

102. Dt. 22:23-27; 24:16; II Kgs. 14:6; II Chr. 25:4; Jer. 31:29-31; Ezek. 16:2a-21; 18:4; & 18:14-20.