



"No woman can call herself
free who does not control
her own body."
- Margaret Sanger

ABORTION A PRO-CHOICE DEFENSE

OLIVER NIEHAUS

Debate Case

Hello everyone, thank you for inviting me specifically thank you to Trevor, Christen, and everyone else at Protect Life Michigan for allowing me the opportunity to come and participate in what will hopefully be a productive exchange of ideas. I first want to say that I admire your passion and dedication to fighting for a cause that you truly believe in. I'm not one of those abortion advocates who hate those on the other side of the conversation. If you're a history buff like I am or just watched the musical Hamilton, hopefully, both, you'll recall the Election of 1800, considered by many as one of the most consequential elections in American history. A very brief summary for those of you who don't know a whole lot about it, it was between Thomas Jefferson and Aaron Burr, and the Election resulted in a tie and when that happens the vote goes to the House of Representatives and they voted 14 times and it resulted in a stalemate each and every time. That was until Hamilton intervened. To put it lightly, Hamilton and Jefferson weren't exactly best friends, they disagreed on practically everything. However in the Election of 1800, Hamilton ended up swaying a few of his friends in the House to vote for Jefferson to break the stalemate and justified his choice by saying this, "Jefferson has principles, Burr has none." While I personally disagree with your position fervently, I undoubtedly appreciate and would rather have an informed group of people that disagree with me than an uninformed group, the typical pro-choice crowd if I may be blunt, that happens to agree with me. So as I'm sure you're aware I'm here to talk about abortion, not history, as fun as that would be as well. So before we get into this discussion, I want to clarify that if you're sitting here right now as I'm sure many of you are, thinking to yourself, I could never support the intentional killing of an innocent human being, Hey, I hear you because that used to be me. I indeed used to be pro-life and followed the arguments of Klusendorf and Brahm as I'm sure most of you do as well. So for my case today, I will be accepting the premise that the fetus is a person from conception with the equal right to life as you and me. However, the right to life does not give you the right to use someone else's body to survive.

I'm going to now use a thought experiment similar to the Violinist Thought Experiment by philosopher Judith Jarvis Thompson, but modify it to a different scenario to address what I believe to be the largest flaw with such a scenario which is the responsibility objection. Here's this scenario. You're racing your car on the highway. You enjoy driving fast but acknowledge the fact that there are inherent consequences with your decision to drive fast, one being crashing into another car and injuring those in other vehicles. You decide to drive fast and reckless anyway, because, well, it feels good in the moment and unfortunately you crash into someone, severely injuring them, and causing them to need a bone marrow transplant in order to survive. You are the only available donor. Without your bone marrow, they will die. The question becomes, can the state force you to use your bone marrow to save the life of the other person, whose current state of dependency is directly a result of your reckless action. You may be starting to see the parallel I'm making with pregnancy and this gets out of the way the most powerful objection, in my opinion, to bodily rights arguments which is the responsibility objection. So to clarify, just like the mother is the reason the fetus is dependent on her for

survival, so is the reckless driver the reason the injured person is dependent on their body for survival. I'm going to operate off of the idea that right now you don't think the driver should be legally required to donate their bone marrow to the other person for survival, and if you do think so, well then you just saved me a lot of time and we will get to that later. I do want to make it clear though, I'm talking about a legal obligation, not a moral one. The question for this debate was should abortion remain legal, not the morality of the action itself. I think everyone here or at least I hope everyone here agrees that if you engage in an action that you know has a high probability of someone being reliant on your body for survival, you have a very strong moral obligation to provide such support. However, whether or not the state should force you definitely adds another level of complexity to this discussion. So for now let's say that you answered that the state shouldn't force you by law to donate your bone marrow to save the other person. If you're pro-life which I imagine many of you here are, I doubt that situation rocks your position very much as you find this car crash scenario to be much different than pregnancy and abortion which is true, however, thought experiments will always have differences, but it's important not just to point out differences, but prove why those differences are morally relevant. So there are five major objections to bodily rights arguments. Just like philosopher Stephen Schwartz created the SLED acronym being Size, Level of Development, Environment, and Degree of Dependency for the 4 major differences between the fetus you once were, and the person you are right now, I created an acronym to help you remember the 5 major objections to bodily rights arguments and that acronym is the word ROCKS.

So I'll go through all these objections in-detail in a second but just to name the acronym first so you know what the letters stand for

R - Responsibility Objection

O - Organ Use Objection

C - Consent Objection or commonly known as the willingness or tacit consent objection

K - Killing vs Letting Die Objection (Aka Intending vs Foreseeing or the doctrine of double effect)

S - Stranger vs Offspring Objection

So let's start off with the first one which I believe is the strongest, which is the Responsibility Objection. There are indeed critiques to this but I didn't find them very appealing and thus I built in the responsibility aspect into my scenario, being that you are responsible for the car crash victim needing your body to survive. So it's not as much a critique of my scenario but rather a very common one that is made against Thompson's violinist thought experiment and is also absent in cases of rape so that's important to note. However, despite being the strongest objection, I'm going to assume for sake of discussion that it's not enough on its own as you probably objected to the idea that the state should force the person to donate their bone marrow solely on the basis that they were responsible for putting someone in a state of dependency. So that's the first objection which I'm not going to discuss in-depth but rather built-in so if you would like to read more about the philosophical counter to the Responsibility Objection, I've sent it to Trevor and Christen and I'm sure they'd be more than happy to send it to you. So let's leave that one there for now.

The second objection is the stranger vs offspring obligation. This objection is predicated on the fact that in many scenarios including the violinist thought experiment as well as my own, that the person in need of your body is not related to you at all and most certainly not your child, and that parents have special obligations to their children that they don't have to strangers. This one can be easily avoided by changing the person you hit to being your own child but what's important as well is to distinguish between the different types of parental relationships. There's the obvious clear-cut biological definition which states that if your egg or sperm were used in the creation of that child, then a biological parental relationship exists. But do you really believe that a biological parental bodily obligation exists? For example, let's say that some of Trevor's sperm is taken without his knowledge and is used to create a child via in-vitro fertilization, and that child is born but Trevor doesn't ever meet that child until he's 45 years old, when he is informed that unfortunately the child he never knew he had, needs a bone marrow transplant to survive. Should the state force Trevor to donate his bone marrow to save that child that is biologically his and therefore you would claim to which he has a biological parental obligation? I would assume the answer is no as he's never met this child in his entire life and has had no such meaningful relationship with them. However, there is another type of parental relationship which is a custodial parental relationship. This just means that you are the custodial guardian of a child. Very often, being when you're raised by your biological parents, both a biological and custodial relationship exists. But let's assume Trevor and his wife Christen adopt a child shortly after birth and raise this child for years. This wouldn't be a biological parental relationship but rather a custodial parental relationship. Would Trevor or Christen have a bodily obligation, or in other words could the state force them to donate bone marrow to save that child should a scenario arise where the child needed a bone marrow transplant to survive? The answer legally would still be no but I see how you could make a stronger moral argument as to why there is more of an ethical dilemma in this situation, rather than the last where Trevor merely had a biological relationship to a child he never met. Now I agree that Trevor would be a terrible human being and I definitely think I can safely say Trevor would probably donate the bone marrow, but the question is, legally can he be obligated or more straightforward, should he be legally obligated? Some of you may be thinking yes and guess what, I agree! However, that scenario doesn't exactly mirror pregnancy and that comes back to the different types of parental relationships that exist. The scenario I just described to you was a solely custodial one where Trevor and Christen merely adopted the child and had no biological relationship to the child. However, the relationship between a woman and the fetus is solely biological and it seems like you most likely agreed that a biological relationship alone is not grounds to force Trevor to donate his bone marrow to the child that was created via in vitro fertilization without his knowledge that he meets decades later. That is the analogous example to pregnancy due to the fact that as I said, the relationship between the mother and the fetus is solely biological. So in order to say that the relationship between the mother and fetus is grounds for the state to force the mother to use her body to sustain the life of the fetus, you would also have to say that Trevor must be forced by the state to donate his bone marrow to save the life of the biological child created without his knowledge via in vitro fertilization and he meets decades later. I'd imagine that's probably something tough to concede.

The next objection is the Consent Objection or more commonly known as the willingness or tacit consent objection which states that since the woman willingly engaged in sex that she willingly allowed the fetus to be dependent on her and thus consented to the fetus using her body. There's a definite distinction between consenting and accepting and despite often being used interchangeably, there needs to be a distinction between the two. For instance, many people often say that consent to sex is consent to pregnancy and this just is a misuse of the word consent. You consent to actions and accept that there are certain outcomes that come with such actions. You cannot consent to outcomes themselves. The question is whether or not you have responsibility for those outcomes which goes back to the responsibility objection which I addressed earlier. But the tacit consent idea conflates consenting to sex with automatically consenting to the legal responsibility of pregnancy and being legally obligated to carry that pregnancy for 9 months. However, let's for sake of argument say that you openly consent to that child using your uterus to survive. That seems odd but for sake of argument, you tell the whole world that you love being pregnant and can't wait to be a mother. Can you change your mind? Does your consenting to allow that fetus to use your body at a certain time mean you automatically consent for 9 months? It seems odd to say that if we let someone be dependent on our body for a brief period of time that they automatically have a right to use our body for as long as they need, correct? Let's say Trevor willingly agrees to donate the bone marrow to his long lost son and for sake of argument, the procedure for donation will take 9 months, how convenient :) However a month or so in, Trevor begins to feel serious pain and thus desires to disconnect. Should he be allowed to do so? Or should the state force him to stay connected to his biological long-lost son just because he willingly agreed to do so at a certain time? It seems inhumane to force him to do that and endure the pain and suffering he is facing just because he willingly agreed to do so at one point. Therefore, just because the act of sex is willing, it doesn't give the fetus an automatic right to the mother's body. There's one more objection under this same realm and I didn't give it its own letter because well one it didn't fit well into the word ROCKS, but mostly it just fits well as a subset of consent and responsibility, and that is that since the woman is responsible for creating the fetus, or in other words is responsible for its current state of existence that therefore the fetus has a right to her body. I find this argument to be odd and not logically consistent in multiple ways. For example, let's say I'm having lunch with my friend at my house, just the two of us, and he starts choking, and let's assume that if I don't give him the Heimlich, he will die. I, therefore, give him the Heimlich and save his life. Therefore, for the rest of his life, his current existence will be a result of my action to save his life. Therefore would you say that if in 20 years he needs a bone marrow transplant that I should be required by law to give it to him? I think the answer is an obvious and resounding no. Therefore, I don't see how the idea that because the mother is the reason for the fetus's existence somehow gives the fetus the right to use the mother's body. So, all in all, the consent and willingness obligation doesn't seem to hold under scrutiny either.

The next objection is the killing vs letting die objection. This goes to the major premises of the syllogism that many pro-lifers like Scott Klusendorf use, being that, Premise 1, it is wrong to intentionally kill an innocent human being, Premise 2, abortion does that, and conclusion, therefore, it's wrong. I take issue with both premises. Let's discuss the first premise which is that it is wrong to intentionally kill an innocent human being. Is premise 1 universally true? Is it

always wrong to intentionally kill an innocent human being? That may seem like a quick yes to you but I want to lay out a famous thought experiment often called the trolley problem. It goes as follows. You are standing out in a field and you see a trolley speeding down the tracks headed towards a fork. On the left part of the fork, there are 5 people tied to the tracks and on the right, there is one. You are standing next to a lever that will switch the direction of the trolley tracks. If you do nothing, the trolley will naturally go to the left and kill the 5 people. However, if you pull the lever it will go to the right and kill just one person. The answer on what to do, to me, seems simple. Pull the lever to minimize the number of casualties. However, by pulling the lever, you are intentionally causing the death of one person vs letting 5 people die. So is it always wrong to intentionally kill an innocent human being? I think the above experiment provides an adequate example of why it may not be. Let's apply this to abortion. For example, if a woman is pregnant and you know for 100% certainty, I know that's not realistic but this is a thought experiment so that's why it's an absolute claim, you are 100% certain that during the process of giving birth, the mother will go into cardiac arrest and die. This is inevitable. You cannot avoid it. However, in this example, the fetus will survive. Would you support aborting the fetus to save the life of the mother? Let's say that you know from the moment of conception that the mother would inevitably die in the process of childbirth? Would you support a simple pill abortion or even the use of Plan B which can expel a recently fertilized embryo by preventing it from attaching to the uterine lining? Consider that scenario. I'll get to premise two in a second because I take issue with the idea that 1. the fact that abortion is always the intentional killing of an innocent human being or that it's relevant but for the sake of the point I'm making, would you support abortion or as you would say, the intentional killing of an innocent human being to save the life of the mother? Some of you may say yes and some may say no. For those who said yes, you already proved the flaw with premise 1 of the syllogism. There are certain circumstances in which intentionally killing an innocent human being would be morally permissible, in this instance to save the mother's life. For those who answered no, that we can't intentionally kill the fetus to save the life of the mother, I ask that we modify the scenario. Now not only will the mother die but also the fetus. Now can we intentionally kill the fetus to save the mother? I assume all of you agree as this scenario mirrors what is called an ectopic pregnancy. Now if there are any of you who think we shouldn't abort the fetus in the second scenario if there are any, I hope not but if that's the case, I respond exactly how Klusendorf responds to philosopher Peter Singer who supports infanticide in certain cases, "While I believe your conclusion is truly barbaric, I cannot help but appreciate your consistency." So back to ectopic pregnancies, which if you aren't aware is when the fertilized egg gets stuck in the fallopian tube and begins to develop there, and if it isn't removed it will burst the fallopian tube and the mother will hemorrhage to death. So by removing that fertilized egg, are you not intentionally killing it? Even if you are intending to save the life of the mother, you are still killing the fetus as a direct result of your action. And if you object there, make it the birth scenario. The mother will go into cardiac arrest and die and the fetus will not survive. She is about to go into labor. I understand this isn't realistic but for sake of the thought experiment, would you support intentionally killing the fetus if you could make the absolute claim that both will die? Or would you rather let both die than actively kill the fetus to save the mother? It's overwhelmingly likely that you do support killing the fetus. Therefore, can we truly say that it is always wrong to intentionally kill innocent human beings? An objection I have heard and not one that is common is the argument that if

the fetus poses a threat to the mother then it is no longer innocent and thus removing it would be justified, but then I have to object and say that by what metric do you constitute posing a threat? If we're being intellectually honest, the process of pregnancy and especially birth always pose a threat to the mother's life, albeit low as it is, it's still a threat. So therefore what is the line where the fetus becomes enough of a threat that we would be justified in killing it? So in summary, Premise 1 isn't correct, at least not absolutely in every instance, as I'm sure you acknowledged that in at least one of the two scenarios it wouldn't be wrong to intentionally kill the fetus to save the life of the mother. And if you agreed that the most moral decision would be to pull the lever and save the 5 people in the trolley scenario, that's true in other scenarios as well. So let's move on to premise 2 of the syllogism which is that Abortion intentionally kills an innocent human being. At best this premise is incomplete. There are many different types of abortions some such as vacuum and dismemberment abortions that directly kill the fetus before removing it from the uterus, but there are also abortions such as an induction abortion or a hysterotomy that remove the fetus alive and intact from the mother and thus it dies due to being underdeveloped. This premise is intellectually dishonest. As Klusendorf likes to do when prompted with the question of abortion in the case of rape, For sake of argument, I'll concede some if you concede some. I'm going to concede that dismemberment and vacuum abortions are wrong if you concede that induction abortions and hysterotomies are not, which I doubt you will because that is indeed an odd position to take. Therefore the fact that certain abortions directly kill the fetus prior to removal has no moral bearing on the situation as you oppose abortions that are just merely removal as well.

The last objection and a very common but easily refuted one is the Organ Use Objection. Basically, the argument goes as follows. The pro-lifer will say, "you can't compare donating a kidney or bone marrow to pregnancy because the primary purpose of those organs is for my body not someone else's but the uterus's primary function is to gestate another human being. But my kidneys aren't meant for other people." So I ask one question when prompted with this objection. Who exactly is the uterus meant for? Sure it's meant for fetuses but which ones? Just the ones the mother conceives or all fetuses? If you're a little confused by that, let me lay out a scenario to try and clarify. Let's say that a woman is impregnated via in vitro fertilization without her knowledge, kind of like Jane the Virgin but I'm pretty sure that was artificial insemination so this is in vitro fertilization and it's with an egg that's not one of her own. Meaning it's not her fetus. She is not biologically related to it. So she's pregnant with a fetus that isn't biologically hers. Could she get an abortion? Seems like an odd question. If you're against abortion in all other cases, this would be an odd exception and I agree. So if you think that she should be required to carry that fetus to term despite it not being biologically her fetus and the process not being natural, then the unnatural nature of a kidney or bone marrow transplant has no moral bearing on the situation, as you just admitted that the uterus is designed to gestate all fetuses, not just the woman's own fetuses, the same way your kidney would be designed to filter all blood, not just your own. So that's the response to the organ use objection. That's the argument. And acknowledging that the organ use objection doesn't hold validity, then in order to say that if the woman is forced to use her body to sustain the fetus, then once that child is born, if the newborn needs a bone marrow transplant that only the father can provide, you must be in favor of the state forcing him by law to donate his bone marrow.

Why conservatives should be in favor of legal abortion

Conservatives are usually deontologists. They believe that the morality of actions is determined by the action itself and not the outcome. Therefore, deontologists would not pull the lever in the trolley scenario because by doing that they are intentionally killing someone and that action in a vacuum is morally wrong. The fact that the result of their action, or rather inaction, in this case, kills 5 other people is irrelevant. Conservatives also believe in individual rights which include inalienable rights. This is hypothetical because I indeed don't believe in gun control due to it being ineffective but for sake of argument if banning all guns did save lives, would you be in favor of that? The likely answer is no. I would be in favor if it saved lives but that's not the case. So even if it did save lives, you'd likely be against banning firearms because it violates the Second Amendment and more specifically the right to defend yourself. That's a deontological perspective. So let's extend that to some other rights. The inalienable rights outlined in the Declaration of Independence are Life, Liberty, and the Pursuit of Happiness. Pursuit of Happiness was derived from 17th Century English Philosopher John Locke who originally said Life, Liberty, and Property, and as can be seen, by many early documents and Jefferson himself, Pursuit of Happiness was the pursuit to own property as that was what made them happy. So the right to own property is one of the inalienable rights, meaning it cannot be infringed upon, not even to save another's life. You are not required by law to give up your house to save another's life. And your body is an extension of your property as you essentially own yourself. Therefore you have an inalienable right to self-ownership. You cannot be required to use your body to save the life of someone else as I mentioned. Therefore since the right to self-ownership is inalienable, can the government violate that right to save someone's life? That seems to not follow deontological ethics which if you believe you can't violate the rights of one person to save others then this is clearly a contradiction. How about masks and lockdowns? Both reduce the spread of COVID-19 and save lives. However many conservatives believe the government shouldn't be able to mandate either because the government can't violate your individual rights to save other's lives. Therefore can the government violate a woman's individual rights to save the life of a fetus? It seems to be logically inconsistent to believe that the government can't violate your individual rights when it comes to those other scenarios but can do so when it comes to a woman and her child. Another argument is that because the fetus needs the woman's body to survive that therefore it's entitled to it. But then I quickly ask, from a conservative's perspective, do you really believe needs constitute rights? Healthcare, housing, and food are all human needs for survival but it would be accurate to say that most conservatives don't believe those should be automatically given to you just because you need them.

Now what if the person you're discussing with is not a conservative and does think that the government should force you to donate your kidney? Well this is where you point out how the kidney scenario is not actually analogous to pregnancy in the way that they think. It is not logically inconsistent to believe the government should force you to donate your kidney to the person you hit with your car but that the government should not force a woman to stay pregnant. And this comes down to what I call the "worse off" distinction. By hitting the person with your car, you are actively making them worse off than before you interacted with them. They were better off before you hit them with your car. But that's not the case when it comes to pregnancy. The fetus wasn't better off before it was conceived as a result of the act of sex. Thus the pregnant person is only improving the fetus's condition while it is growing in the womb. So ask pro lifers, what's better? A fetus never existing or a fetus being conceived and then being aborted. I don't know how a pro lifer can say a fetus never existing is better because they believe all human life is valuable. I think a fetus never being conceived is better than it being conceived and aborted but that's because I believe a conscious experience and a human brain is what is valuable. So therefore using pro-life logic, we can conclude that no matter what occurs post conception, the fetus's condition has only been improved. So accepting that premise, let me lay out a thought experiment that will illustrate that abortion should be permissible under this framework.

Version 1: (easier and more straightforward)

Let's say that you are eating lunch with your friend at your house and they begin to choke. You therefore give them the heimlich and save their life. However you are unaware that when you gave them the heimlich, you ruptured and damaged their kidney. They go on to live another happy healthy six years only to eventually fall ill of a kidney disease caused by the ruptured kidney you caused when you gave them the heimlich to save their life. The only thing that can save their life is being connected to your kidney for 9 months. You are the only match for donation. Without access to your kidneys for 9 months, they will die. Now this is a multi-faceted question when it comes to ethics and legality. The first question is, should you be legally obligated to allow them the use of your kidneys for 9 months? I think almost everyone would agree no, you shouldn't be compelled by the state to allow them the use of your kidneys. However morally is a different question. I do not believe you have a moral obligation to allow them the use of your kidneys either. Saving their life by giving them the heimlich was a morally good action. You generously extended their life by six years. When given the choice of whether or not to do so, saving their life was the morally correct decision. I do not feel however that you therefore have a moral obligation to provide your kidney for 9 months. Now let me draw the comparison to pregnancy and clarify the relevance of this thought experiment.

By saving your friend's life via the heimlich, you are now responsible for his current state of existence. Without your action to give him the heimlich, he would not currently exist. This is similar to the mother in the case of pregnancy. Without the mother's (and father's) action of having intercourse, the fetus would not exist. So we acknowledge above that your action to give your friend the heimlich and extend his life was a morally good one. So therefore, is conception a morally good event? Is something better than nothing? The reason I don't believe so is because it's conscious experience that makes life valuable. But pro lifers often make a substance value argument, that the fetus has value simply due to being human. Therefore, to

them conception is a morally good action. They would also have to concede that conceiving an embryo and then miscarrying is better than never conceiving at all, or even conceiving and having an abortion, because the existence of human substance is inherently valuable. So therefore, the act of conceiving a child is a good one, similar to the action of giving your choking friend the heimlich. So in the same way that you wouldn't be obligated to let your friend use your kidneys, a mother shouldn't be obligated to allow the fetus the use of her uterus for 9 months because the action of conceiving the fetus is a morally good one that does not therefore obligate one to allow the indefinite use of their body.

Version 2: (More complicated)

Let's say that a patient comes to a doctor with a serious kidney ailment that will kill him unless treated. The only known treatment is a drug called D-Super. This drug will treat his illness and allow him to live a normal life for 6 more years. However the doctor knows that after these 6 years, the patient will need to use his own kidneys for 9 months. If the doctor prescribes the medication to the patient, extending the patient's life by 6 years, should the doctor then be forced by the government to use his kidneys to sustain the patient for an additional 9 months? Most people would say no which I would agree with. And that scenario right there is the analogous example to pregnancy. Without the woman, the fetus wouldn't exist. Therefore the process of being conceived and every moment after is already a generous act that improves the condition of the fetus. And just like the doctor should not be forced by the government to use his kidneys to sustain the life of the patient for 9 additional months, the woman shouldn't be forced by the government to use her uterus to sustain the life of the fetus.

This is a more complex thought experiment so I suggest only using it if, when you explain the car crash thought experiment, that they believe the government should force the person to donate their kidney.

[Should a fetus be given value at conception?](#)

Hello Everyone, welcome to Bad Table Talk I am your host Oliver Niehaus and you may be curious about the difference in the music you're hearing, once again of course crafted by my good friend Oscar Gregg, but the reason for the change is that this is a new 3 part series that I'm doing surrounding the issue of Abortion. Yes, we're actually going to talk about it. Now of course I'm unapologetically pro-choice when it comes to this issue and will be going through all the arguments you've heard and many you probably haven't. As I said before this series will be split into 3 parts, Part 1: Should the Fetus be granted moral consideration from the moment of conception, Part 2: The Bodily Autonomy argument, and Part 3: Why Even if you believe Abortion to be the unjust killing of an innocent human being, why making it illegal is not the solution. I realize this is a very controversial topic and one which people often have very strong opinions so I will do my best to respect everyone's opinions and make this more of an educational and thought-provoking series rather than trying to make those who hold different beliefs seem evil as seems to be done far too often on both sides. I only ask that you enter this with an open mind and be willing to consider things you haven't considered. Allow yourself to question and wonder. So please sit back, relax, and listen with an open mind. Thank you

So Welcome to Bad Table Talk, I'm your host Oliver Niehaus and before we begin I just want to say that despite the fact that I am currently pro-choice and cannot imagine that ever-changing, there was a brief period of time in which I was pro-life and opposed abortion. This was part of my libertarian phase which sometimes I'd like to forget but regardless, I say this because if you're sitting here today listening thinking, "I could never support an action that kills an innocent human being" hey I hear you because that used to be me and I understand the thought process. Too often during Abortion debates which honestly can turn into screaming matches all too quickly, it seems as if both parties aren't even debating the same topic. Those who are pro-choice are quick to accuse pro-lifers of wanting to control women's bodies and tell men they can't have an opinion on the subject while pro-lifers are quick to call pro-choicers baby killers who just want to kill innocent human lives out of convenience. And there's much more nuance to each individual position being that not everyone supports and opposes abortion for the same reasons. There are many positions across the spectrum from on-demand abortion until birth to the complete abolition of all abortions with no exceptions. Now it's more than likely that you fall somewhere in the middle. So let's set the parameters of the discussion so that hopefully in the future when you're having these conversations they can be more productive and not escalate so quickly. So Pro-lifers, pro-choicers aren't these evil baby killers who want to disregard human life out of convenience, they truly believe in at least one of these statements, one, the fetus doesn't meet the threshold to be considered a human person or to be granted the same rights as you or me, two, the bodily rights of the mother to control what happens inside her own body should be up to the woman, not the government, and three there are statistically more effective ways to lower the abortion rate and banning abortions won't lead to an overall decrease in abortions and will just make the procedure unsafe. And to Pro-choicers, pro-lifers aren't these people who want to control women's bodies and impose their Christian morals on you, they genuinely believe that the unborn is a human being deserving of all the same rights and protections as you and me and they see abortion as an unjust taking of innocent human life. So

when you go into these discussions, try to understand where they're coming from and for the overwhelming majority of people it does come from genuine consideration and from an overall good place.

So since this is the first episode, I think we should take some time to define terms and make sure we are actually having the same conversation. Abortion is defined as the deliberate termination of a human pregnancy, most often performed during the first 28 weeks of pregnancy. This means that technically an early delivery performed before 28 weeks which would not be designed at all to end the life of the fetus would technically be considered an abortion. However, when we're having this discussion more broadly we will more commonly refer to procedures designed to terminate the pregnancy which results in the death of the fetus. Also, it's important to agree that life begins at conception and more specifically human life. The pro-choice arguments that deny that the fetus is alive or human are simply doing a disservice to science and the ability to have an intellectual conversation. However, conceding the scientific fact that human life begins at conception means nothing in this discussion. So it's a human life. Why does that give it moral value? So the most important thing we have to define when deciding whether abortion is moral or immoral is what specifically makes human life valuable? For most of us, we would value human life over that of animals. For all you vegans out there, I applaud you for your dedication. My cousins are vegan and I've watched countless slices of Chocolate Cake pass in front of them or sizzling strips of bacon pass under their noses during early mornings at our grandparent's house and to my astonishment not once does it seem that they were tempted to take a bite. But regardless, I believe even they would acknowledge that humans are more morally valuable than animals or at least acknowledge that there is something that is significant that distinguishes us from animals. But to the vast majority of you who aren't vegan and actually aren't deprived of life's simplest pleasures, I'm totally kidding vegans are honestly some of the happiest people I've met, and their collections of vegan recipes for things like cheeseburgers that don't include cheese or a burger, it's quite impressive and actually doesn't taste god awful! Like I could never go vegan but have you ever tried a vegan burger? Like yeah, it's no buttery cheeseburger but like I actually kind of enjoyed it! Alright, this is getting a little off topic but back to the point, most of us are not vegan, and even so many who are, realize that humans are more morally valuable than animals. Why is this? Why do we grant more moral consideration to most humans than animals? Well, this is a concept called personhood. Basically what gives something value is not determinant on species but rather characteristic of the individuals of that species that we deem to have value. For example, humans have a brain structure far more complex than any animal alive. This allows humans to have higher levels of rational thought and a higher level of what we consider subjective experience, the ability to perceive one's environment in ways animals cannot. The cerebral cortex is the main part of the brain that distinguishes us from animals and is what allows for higher levels of experience and brain functionality. So what gives human life before that value? Before the point at which the cerebral cortex is fully formed meaning a higher level of subjective experience and ability for rational thought, that fetus is no more valuable than any other form of life.

Now you may object to that premise, but all objections seem to fail when taken a closer look at. One of the responses to that is that the value of human life is axiomatic, meaning that it's self-evident. Unfortunately, this is just circular reasoning as when it is broken down, this

statement basically says "Human life is valuable because it's human life." This is not a defensible claim. However, another and more common response to this is that the fetus has the potential to have subjective experience and higher brain functionality. There are multiple issues with this argument. First, you have conceded that it is indeed subjective experience and higher brain functionality that gives the fetus moral consideration but rather that the potential to gain that gives it value immediately. While on face value this seems to make sense, why would we deprive a fetus of its ability to obtain those characteristics? However, when broken down, we are forced to accept some conclusions that most rational people won't accept. If it's potential that determines value, why is the line conception? There is potential for a human to be created and thus the potential for subjective experience and higher brain function every time two people engage in sexual intercourse. Therefore is the use of contraception also wrong because it prevents the potential for conception and thus the potential to develop subjective experience and higher brain functionality? Let's extrapolate this out even further. The potential can be traced all the way to the point at which a man and a woman have feelings of sexual attraction towards each other. This means there is a potential for them to have intercourse which would potentially lead to conception to occur which would potentially lead to that fetus developing subjective experience and higher brain functionality. Would we declare that those two individuals are depriving a fetus of its right to life by not having sex which would start the chain of events? Of course not. Most wouldn't accept the premise that using contraception would be depriving the fetus of its right to life even though it prevents the potential from it being created and thus having the potential to develop subjective experience and higher brain functionality.

There are also a few other issues with potential. If everything were to be granted based on potential, well then I as a 17-year-old should be able to drink, smoke, vote, rent a car, buy a gun, run for political office, and even claim my retirement benefits. Those all have minimum ages but I have the potential to reach those ages so therefore I should be given all benefits and privileges of those age groups now. Technically so should an infant and even fetus at conception. Same with age of consent laws. Children have the potential to reach the age which they can consent so why shouldn't they be given that ability now? The reality is that we realize different stages of development warrants different rights and privileges. Alcohol can be especially damaging to the young mind and thus we limit the purchase and ability to legally consume to those 21 years old and over. The fact that I as a 17-year-old have the potential to reach 21 doesn't grant me that privilege now the same way a fetus at conception isn't granted the right to life or considered valuable now just because it has the potential to reach that point where we would consider it to have moral value. Another example of how potential isn't used in the real world is in sporting tryouts or auditions for a production. The coach or director isn't looking at what you can do in the future, they are looking at what you can do now. If you tank the tryout or audition and then go to the coach or director and say "Hey I know I tanked but I have the potential to do better in the future", they'd brush you off. You have to prove you have current value to the team or production the same way you'd have to prove a fetus at conception has current value at that point, not just that there is potential for it to occur in the future, which isn't at all certain. 50-80% of fertilized eggs end in miscarriage. If you told the director that there was a 50-80% chance you'd miss the final production or tell the coach the same thing about game day, would you really expect them to prioritize you or give you value as a member of the

team or cast? We aren't even talking about something that is definite in happening. There is a greater chance that a fertilized egg will end in miscarriage rather than birth. We never use potential to justify value outside the womb so why is the fetus different?

Now you may make the argument, what about sleeping, or being in a coma, or being unconscious? You don't have subjective experience or the current capacity for higher brain functionality, so, therefore, do you lose your personhood and moral value in those situations? Well, the answer is obviously no you actually do retain them and the reason is because you never lose something called implicit memory. Implicit memory is an aspect of subjective experience and is what makes sure that you are the same person when you go to sleep as you are when you wake up and the same is true with a coma or being unconscious. Animals do have this as well, but not at the same level as humans. Due to the complexity of the human brain, humans have the ability for a higher level of implicit memory than animals meaning humans can last much longer in comas and other vegetative states and wake up as long as 27 years later with the same sense of self and identity they had when they entered. This just isn't present in animals. Animals like mice have been put in comas for as short as a few days and when they wake up, are unable to walk, smell, see or even have any similar brain activity as brain scans proved that these mice indeed had forgotten who they were entirely. As a human due to the complexity of the human brain, implicit memory is constant.

So maybe by now, you've accepted that granting the fetus full moral consideration and personhood at conception isn't logical, however, if you're still not convinced that a fertilized egg shouldn't be granted the same moral rights as you and me, let's consider the following scenarios. If a fertilized egg is truly equal in value to you and me, then miscarriage kills nearly 1 million people every year in the United States. Remember, you said you believed that fertilized eggs at conception were equal in value to you and me. Therefore shouldn't we be spending trillions of dollars to prevent miscarriages each year? Heck, during a global pandemic that's killed over 200,000 Americans, we've spent over \$3 trillion dollars to help those affected by the virus and pay for vaccine development and Personal Protective Equipment and treatments for those on Medicare and Medicaid. But using the estimated numbers, over 500,000 innocent human lives equal to you and me have died. Screw fighting the pandemic. More human beings with equal moral value to those who have died to the pandemic have been killed. We should be helping them. Now one objection that is often made against this argument is that miscarriage is a natural process while these other deaths are unnatural to which I respond that this is a false statement. The spread of a virus is natural the same way cancer is a natural process. Just because it's a natural process doesn't mean we let it be and don't try to stop the killing of innocent human lives. What about natural disasters? Why should we tell people to evacuate their homes? It's just a natural process. The truth is that the naturalness of a process is irrelevant. If the process, natural or not, kills innocent human beings with full personhood as you agreed before, then we have an obligation to stop this senseless loss of human life. Maybe 17 cents of every one of your taxpayer dollars should go to research on preventing miscarriages rather than to the military who will use it to senselessly bomb other countries and actually kill more people, and yes that is a plug to my previous podcast series called Actually Making

America Great and specifically the episode on the War on Terrorism which you should all check out and will be linked below. And what about invitro-fertilization? If you're unaware of what that is, it's basically the process where an egg and sperm are taken from the man and woman and fertilized in a lab and inserted back into the woman's uterus or a surrogate if they so choose. If you accept the natural process argument then even without the information that will follow this would already be wrong, but unfortunately despite being responsible for making fertilized eggs, the process of implantation in the uterus is difficult, and sometimes as many as 15-20 separate embryos are created or rather human persons as you would say which are just discarded after one implants. Implantation itself is a difficult process even without IVF. 50% of fertilized eggs don't implant and thus lead to miscarriage. So if you truly believe that the fertilized egg is a human person with equal value to you and me, then you must be against IVF which kills as many as 19 innocent human persons each time the process is initiated and be for exponentially higher funding of research that would study how to lower miscarriages because 1 million people are dying every year. Also, miscarriages can be affected by the decisions of the pregnant woman that can impact the chance of a miscarriage occurring. For example, and this touches briefly on the bodily rights argument that I'll address in the next episode, but if there's a particular diet that will reduce the miscarriage rate from 50-80% to 20-40%, should the government force that woman to adhere to that diet? If not, shouldn't she be charged with child neglect? Let's consider even more implications of personhood at conception. Can a pregnant woman be arrested? Now you may not be making the connection but for those who are, this was definitely a big brain moment for me. Basically, if you're granting the fetus personhood at conception which would give it all the protections in the constitution and otherwise, can a pregnant woman be arrested when there is an innocent human being inside of her with the right to due process and by doing this you're arresting an innocent human being and thus violating the constitutional rights you're giving to the fetus. How about the census? Should currently pregnant women be counted as two in the upcoming 2020 census, why is it birthright citizenship and not citizenship of the country in which you were conceived. If these examples make you uncomfortable or realize how absurd the claim of personhood and moral value is, good! It means you don't actually agree that the fetus has equal rights from conception. When analyzed thoughtfully, it is clear that the idea of a fertilized egg being given the same moral value as you and me is preposterous.

Now, this is in no way a comprehensive ethical discussion surrounding the issue of Abortion and specifically even personhood at conception, but rather using real-world examples as well as just logical and deductive reasoning skills to discuss why the idea of personhood at conception is deeply flawed. Now does this mean that there aren't arguments out there surrounding this specific topic that could challenge the assertions that I made here? Oh Of course not! And that's

where you come in! Please feel free to email me with any comments, questions, concerns, or anything else surrounding this episode. This is much more complicated than just what I brought up so if you're interested in learning more, I've linked down below a few online books that go more in-depth on this topic that I found to be insightful during the research and learning process. Books giving both perspectives are down below. Regardless, I hope you enjoyed this segment and that I stayed true to what I promised in the intro which was to respect everyone's views and make this more of an educational and thought-provoking series rather than the heated emotional debate that seems to be the norm. If you're willing, please leave a rating and review in Apple Podcasts and Subscribe for more of these segments. All else aside, regardless of where you stand on this issue, thank you for keeping an open mind and I hope to see you back here for the next segment. Take care.

Bodily Autonomy

Hello everyone, welcome to the second part of this series where we discuss the topic of abortion. As I just said this is indeed part 2 so I recommend listening to part one first as it gives the foundational arguments surrounding this topic and lays out a preliminary position that will give you a better understanding of what I will be discussing here. Now that being said, most of what we discussed in part 1 is largely irrelevant right now. For the sake of this episode, we will be accepting the position that the fetus from the moment of conception is a human being with personhood, has equal right to life, and is deserving of the same moral consideration as you and me. But even accepting those premises, that still doesn't prove the immorality of abortion and that is due to two words, Bodily Autonomy

In order to discuss why the argument of bodily autonomy holds validity, let's refer back to a previous court case in 1978 being *McFall v Schimp*. Robert McFall suffered from a rare condition that was life-threatening and thus he required a bone marrow transplant in order to survive. The only matching donor was his first cousin David Schimp, but David refused to donate to Robert. Robert then sued David but the court ruled that David had no legal obligation to give Robert his bone marrow. I assume you agree with this decision but you probably have some critiques of this in comparison with the abortion argument. But first, let's agree on a few facts about this situation. Robert McFall and David Schimp were both human beings with personhood and the same right to life as you and me, however, that still didn't give Robert a right to use David's bone marrow without his consent. Now that alone doesn't prove that abortion is moral or should be legal, but it does prove that you need to demonstrate not just that the fetus has personhood and the right to life, but that the right to life of the fetus alone isn't grounds for abortion to be illegal and you have to ensure that the reasoning you provide on why it should be doesn't implicate a situation where Schimp would be required to donate his bone marrow to McFall as I assume you already accepted that he shouldn't. Now I'll set up a scenario to parallel this and show you why this court case can be used to prove the bodily autonomy argument for abortion. For example, Jim and Amy have sex, let's say

simply for the purpose of pleasure, and thus Amy conceives a child and since for this argument we are granting personhood from conception, this person is named Bob. Does Bob have the right to use Amy's uterus without her consent, even though Bob is a human being with equal moral value to you and me? Now the first objection you probably have to the scenario is that Jim and Amy both willingly engaged in the act of intercourse which resulted in Bob needing her uterus and body to survive while in the case of McFall and Schimp, David Schimp didn't willingly engage in an action that resulted in Robert McFall needing his body. But for sake of argument, let's switch up this scenario. Let's say that originally David willingly agreed to donate bone marrow to Robert for a period of time and thus willingly allowed Robert to be dependent on him. But after a while, David begins to feel serious pain and thus desires to disconnect from Robert. Should David have the ability to disconnect from Robert even though he willingly allowed Robert to be dependent on him for a period of time and more specifically, can the state force David to use his body to continue to give bone marrow to Robert? I assume you will answer no and that the state cannot force someone to use their body even if they willingly agree for a brief period of time and then refuse. To that, I say that if you accept that premise, you must also accept the fact that just because Jim and Amy willingly engaged in sex doesn't give Bob the right to use Amy's uterus to survive just because the act was willing at one point.

However, you might bring up the fact that David wasn't the one who put Robert in the situation in which he was dependent on a bone marrow transplant in the first place and therefore to compare that to pregnancy in which the actions of the two parties led to the original dependence isn't a valid comparison. And with that assertion, I ask that we modify the situation a little more. Let's say that David and Robert were driving on the highway and David was driving recklessly without the concern for Robert's safety and thus crashes into Robert causing him to need the bone marrow transplant to survive. In that situation do you believe the state should require David to donate the bone marrow? The legal answer is no. I agree with you that David's choice in that modified situation, and honestly as well as the original one, is morally indefensible which the judge in the case actually agreed to as well. However, that does not change the fact that the state cannot compel David to donate his bone marrow, even in this modified scenario where David caused Robert to require a bone marrow transplant to survive. And that's not even the case with pregnancy. A better analogy for pregnancy is let's say that David and Robert meet for lunch in which Robert begs David for his bone marrow and in a fit of rage of yelling and eating, Robert begins to choke and then David performs the Heimlich on him to save his life. Without David's assistance, Robert wouldn't be alive to need the bone marrow transplant the same way the fetus wouldn't have been conceived without the mother. Do we say that just because Robert currently being alive is solely dependent on David because of the Heimlich that therefore David has an obligation to donate his bone marrow to save his life? No of course not the same way giving a homeless person food or money on a one-time occasion doesn't obligate you to continue to feed or sustain them. Just like a mother is not required to continue to sustain the fetus just because she let it be dependent on her for a period of time.

However, you also might bring up the point that David and Robert were cousins which makes the situation different than Amy and her unborn son Bob in the uterus and that Amy has a particular parental obligation to her child Bob that David didn't have to his cousin Robert. So

let's once again clarify a few things. For sake of argument let's first modify the original situation and clarify what is meant by "parental obligation." Let's assume that instead of being first cousins, David was Robert's father. But let's also clarify the types of parental relationships that exist. There's the obvious clear-cut biological definition which states that if your egg or sperm were used in the creation of that child then a biological parental relationship exists. But do you really believe that a biological parental obligation exists? For example, let's say that some of Jim's sperm is taken without his knowledge and is used to create a child via in-vitro fertilization, and that child is born but Jim doesn't ever meet that child until he's 45 when he is informed that unfortunately the child he never knew he had, needs a bone marrow transplant to survive. Should the state force Jim to donate his bone marrow to save that child that is biologically his and therefore you would claim to which he has a biological parental obligation? I would assume the answer is no as he's never met this child in his entire life and has had no such meaningful relationship with them.

But let's assume Jim or Amy adopts a child shortly after birth and raises this child for years. This wouldn't be a biological parental relationship but rather a custodial parental relationship. Would Jim or Amy have an obligation, or in other words could the state force them to donate bone marrow to save that child? The answer legally would still be no but I see how you could make a stronger moral argument as to why there is more of an ethical dilemma in this situation rather than the last where Jim merely had a biological relationship to a child he never met. To quote one of my favorite childhood movies called *The Spy Next Door*, Jackie Chan says, "Family isn't whose blood you carry, it's who you love and who loves you." This goes to show that in many ways, a custodial parental relationship is indeed more valuable than a purely biological one. However, even outside the womb, parents can't be forced to donate blood, tissue, organs, or any part of their body to save the life of their children. Another example, for instance, is let's say that Jim and Amy have their child Bob together and raise Bob but at the age of 10, Bob needs a blood transfusion to survive and Jim his father is the only matching donor. Can the state force Jim to give his blood to save the life of his 10-year-old child. That answer is indeed once again no. Now I'm not at all defending that action. I think refusing to donate your blood or organs to save the life of your child is once again morally indefensible. But that doesn't change the fact that the state cannot force Jim to use his body to even save the life of his 10-year-old son.

But let's backtrack a bit to 10 years earlier, the relationship between Amy and her unborn child Bob is not custodial but solely biological and we agreed a biological relationship alone is not grounds for the state to force you to use your body to keep someone alive, even your own born child, as we saw with the situation where Jim's sperm was taken and used to create a child that he didn't raise and met 45 years later to which we agree the state couldn't force him to donate his bone marrow to his biological child. So therefore the biological relationship between a fetus and a mother is not grounds for the state to force her to use her body to sustain that fetus. The last critique you may have is that it is natural for the uterus to gestate but it's not natural for someone's bone marrow to be extracted from their body and put into someone else. This is the natural process argument we covered in the last segment and just like last time when broken down, it's simply inconsistent and unfounded. So let's clarify. Does Amy's uterus only have an obligation to gestate the fetuses that she conceives or all fetuses? For example, if Amy is

impregnated via In Vitro Fertilization without her knowledge, does she have an obligation to that fetus? It doesn't share her DNA so she's not biologically related to it nor did she agree to have the fetus put inside of her. If you think she should still be obligated to carry that fetus to term even though it's not her fetus and the process was not natural, then the unnatural nature of extracting bone marrow from one person to another has no moral bearing on the situation regardless, as bone marrow is designed to produce red blood cells for all humans the same way you just agreed that a uterus is designed to gestate all fetuses. So in summary, even when granting the fetus the right to life with personhood and equal moral consideration as you and me, the concept of bodily autonomy still outweighs those implications. But going back to the previous episode, it doesn't make logical sense to grant the fetus personhood and moral value at conception anyways, so this entire segment was really just entirely for sake of argument.

Also, it's important to make the distinction between bodily autonomy and the concept of autonomy in general, which are very different concepts. There is the common argument or rather just talking point which is, "If the woman can kill the child then I shouldn't have to pay for child support" The fundamental issue with this is that this doesn't address the bodily autonomy argument at all, but rather brings up financial implications involved with raising a child, which just happens to be a main reason many women get abortions, but regardless, there is a difference between a financial obligation and a bodily obligation. For example, I may be obligated to pay taxes in which some of that money goes to medical research, but I will never be obligated to donate tissue or other parts of my body to that same research. That is because there is a huge difference and that extends to the difference between parental obligations in general and **specifically** bodily parental obligations which simply don't exist. And to clarify, every time I've used the word obligation, I have meant a government obligation enforced by law unless I specifically state it to be a moral or societal obligation. Could you make a strong case that parents have a strong moral obligation to donate blood to save the lives of their children to which they have a custodial relationship? Of course and most of society would agree that is the case, but can the government mandate it? No, they cannot. And once again that is a custodial relationship. Of course, parents have obligations to their children, no one is denying that. But wouldn't you say that the obligation is predicated more strongly on the relationship between a parent and child being custodial instead of being biological? Every time the argument surrounding obligations parents have to their children is brought up, it is almost always used in the custodial sense, while the relationship between a mother and a fetus is solely biological. The only thing the bodily autonomy argument for abortion states is that people (including parents) cannot be forced to use specifically their organs and other body parts for someone else (including their children), even if without it, they will die. That's the crux of this argument. And when people try to show parental obligations outside the womb to discredit bodily autonomy, they have completely straw manned or misrepresented the entire argument.

Now, this is in no way a comprehensive ethical discussion surrounding the issue of Abortion and specifically even the concept of bodily autonomy, but rather using real-world examples as well as just logical and deductive reasoning skills to discuss why the concept of bodily autonomy is a

valid defense of abortion, even when the fetus is granted equal moral consideration to you and me. Now does this mean that there aren't arguments out there surrounding this specific topic that could challenge the assertions that I made here? Oh Of course not! And that's where you come in! Please feel free to email me with any comments, questions, concerns, or anything else surrounding this episode. This is much more complicated than just what I brought up so if you're interested in learning more, I've linked down below a few online books that go more in-depth on this topic that I found to be insightful during the research and learning process. Books giving both perspectives are down below. Regardless, I hope you enjoyed this segment and that I stayed true to what I promised in the intro which was to respect everyone's views and make this more of an educational and thought-provoking series rather than the heated emotional debate that seems to be the norm. If you're willing, please leave a rating and review in Apple Podcasts and Subscribe for more of these segments. All else aside, regardless of where you stand on this issue, thank you for keeping an open mind and I hope to see you back here for the next segment. Take care.

[Why Abortion Should be legal and accessible](#)

Hello Everyone, welcome to Bad Table Talk, I'm your host Oliver Niehaus and this is the third and final part of our three-part series surrounding the issue of Abortion. This means you should definitely listen to parts 1 and 2 first as they layout preliminary arguments addressing the morality of abortion itself. However, that is not what will be discussed in this segment. For this segment, we will be accepting the premise that abortion is indeed the immoral taking of an innocent human being deserving of all the same rights as you and me and also has a right to the woman's body unlike any other person does but regardless, that's the premise. Abortion is wrong so therefore our goal should be to lower the number of abortions as much as possible, right? I hope the answer is yes. It would seem odd if that wasn't the case.

So what is the most effective way to decrease the number of abortions? Well I mean for starters, keep doing what we're doing! I know that may seem outrageous considering how contentious of an issue this currently is, but the number of abortions per year has been consistently decreasing since 1990 and it just so happens that a year later The FDA approved Norplant, which was the first long-acting reversible contraceptive for women. But regardless, the rate has indeed been dropping. In 1990, there were nearly 1.5 million abortions. As of 2016, which is the latest year of CDC records was 623,471. That is a decrease of over 56%. Clearly whatever has been happening since 1991 has been working.

So what's the secret? Well, it's increasing access to contraception and comprehensive sex education in schools. And guess what? The more accessible the contraception, the lower the rate of unwanted pregnancies and thus the lower rate of abortions. In 2009, Colorado began offering teens free IUDs without parental consent, and within eight years, teen pregnancies dropped 54% and the abortion rate fell by 64%. For every dollar spent on the program, the state saved nearly \$6 in labor and delivery costs, child-care assistance, and food stamps, and in total

that saved the taxpayers of Colorado nearly \$70 million. Despite the initial funding for the program running out in 2016, it has been sustained through programs like Medicaid and the Affordable Care Act. Wait, the so-called “pro-lifers” are trying to eliminate something that has helped decrease the abortion rate by 64%? (Cardi B clip “That’s suspicious, that’s weird”) Couldn’t have said it better myself! And long-acting reversible contraceptives like IUDs are among the most effective at lowering the abortion rate. This is because they are over 99% effective and don’t require someone to take a pill on a consistent basis which is honestly harder than you may think, given that the 18% of women who use contraception inconsistently—for example, by forgetting to take the pill every day or not using a condom every time they have sex—account for 41% of all unintended pregnancies. Increases in Long-acting reversible contraceptive use likely led to more consistent and effective contraceptive use overall, contributing to the decline in the unintended pregnancy rate. However, the Republicans in the Colorado state legislature have spoken out against this policy. And this isn’t just in Colorado. Across the nation, the GOP whose platform dictates them to be against abortion consistently advocates and votes against increased funding to programs that would subsidize the cost of contraception. They have consistently backed Supreme Court decisions such as the Hobby Lobby decisions which allowed employers to be exempt from providing contraception on their healthcare plans despite the ACA explicitly stating that for-profit businesses could not refuse to provide such contraception as is standard with basic healthcare plans. They have criticized past decisions like *Griswold v. Connecticut* which stated that states could not ban the use of contraception altogether. Those on the right declare those on the left of always wanting free things which is absurd, we just want to benefit from our labor and not have to work 3 jobs just to barely pay our rent while Corporate Executives rake in billions but besides the point, couldn’t it be argued right back at them in this scenario? They want to stop abortions but aren’t willing to put in the work or take the necessary steps that have been proven to achieve those results. Seems like maybe they are the ones who just want “free stuff” or in particular free results with no action. It makes you question how much they really care about stopping abortions. But regardless I could do a whole segment on the hypocrisy of the right but that is definitely for another time.

So we’ve established that more accessible contraception leads to lower abortion rates, but what about comprehensive sex education? I’d hope this would be self-evident that when people are more aware of intercourse that they can make better-informed decisions that would decrease the likelihood of unwanted pregnancy but for good measure let’s prove this with data. In 1992, California’s teen pregnancy rate was 157 per 1,000 teens aged 15 to 19 — the highest rate in the nation. To combat the problem, the state launched a three-year abstinence-only sex education effort, only to cancel the program in 1995 when it had absolutely no effect on teens’ decisions to start having sex. In 2003, lawmakers instead passed the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act. The law forbade classes from promoting religious doctrine or bias against people and said that all sex education programs had to be medically accurate, age-appropriate, and comprehensive. By 2005, California’s teen pregnancy rate was 75 per 1,000 teens — a more than 50 percent decline that surpassed the corresponding national decline of 37 percent.

So it's abundantly clear that increased access to contraception and comprehensive sex education decreases the number of abortions, but you may argue that you agree with all those things but why must abortion remain legal? Can't we walk and chew gum at the same time? Well, actually abortion restrictions have little to no effect on the overall abortion rate. One example is El Salvador. In 1988, El Salvador passed a total abortion ban. No exceptions. Not for rape, incest, or even to save the life of the mother. Women and girls found guilty of having an abortion face a prison sentence of two to eight years. Health care providers who assist them face up to 12 years in prison. And if that isn't enough, women who have had miscarriages have been charged with aggravated homicide, a charge which can bring a sentence of up to 50 years in prison. There have been documented cases by Amnesty International of many women who have been sentenced to decades in prison after having a miscarriage. Just imagine for a second. You are pregnant and actually excited to have a child, only to tragically miscarry. And on top of the grief of that miscarriage, you face a federal investigation to find out whether you were truly at fault for the miscarriage and possibly decades in jail. Is this really the type of treatment we want to subject women? And you may say that the US is fundamentally different from El Salvador and we would never allow women to be jailed for miscarriages. But look no further than the state of Alabama, where Marsha Jones was indicted for manslaughter after being shot in the stomach during an altercation that caused her to miscarry. The State of Georgia passed legislation that allows for women who perform their own abortions outside a formal medical setting to be charged with first-degree murder, which could carry a sentence of up to life in prison or the death penalty. How pro-life of them. So don't pull the whole "it won't happen in America" because it already is. And in El Salvador due to the total ban on abortion, clandestine abortions are very common, methods of which include ingesting rat poison or other pesticides, and thrusting knitting needles, pieces of wood, and other sharp objects into the cervix, and the use of the ulcer treatment drug misoprostol, which has become widely used to induce abortions. And 11% of women who underwent clandestine abortions died as a result and due to the fact that it is illegal, the figure is likely to be much higher. And not only that, suicide accounts for 57% of the deaths of pregnant females aged 10 to 19 in El Salvador, though it is likely once again that many more cases have gone unreported. And unsurprisingly El Salvador has one of the highest teen pregnancy rates. According to the National Family Health Survey, nearly a quarter of all teenagers aged between 15 and 19 in El Salvador have been pregnant at least once. So higher rates of maternal death whether by suicide or dangerous abortion procedures as well as no statistically significant change in the abortion rate. Is this really what the "Pro-life" community wants to implement in America?

So that's honestly it. That's the solution to limiting the number of abortions. Increase access to contraceptives as much as possible, and yes that means making them taxpayer-funded, as well as increasing sexual education. The fact is that those who are Pro-life actually don't care about decreasing abortions or at least aren't willing to take the necessary steps to do so. Because as soon as you start talking about policies that have been proven to lower the abortion rate, they get real quiet. But let me make it clear that I want to lower the abortion rate. Mostly because preventing unwanted pregnancies is better for women than getting an abortion clearly but also

because it's such a divisive issue. Simply put, abortion makes people sad and I don't want people to be sad so if we can lower the abortion rate without harming women, I'm all for it. But what if I told you that Republicans don't actually want to see the reversal of Roe v. Wade and a subsequent ban on abortion? You may find this shocking but it makes complete sense.

Abortion is a political issue and a powerful one at that. It has the ability to unite and move entire voter demographics, unlike virtually any other issue. The pro-life movement was founded to unite evangelicals and religious folk around one issue that they could then use to capture their vote. This is abundantly clear due to the fact the pro-life movement wasn't prominent until the 80s, nearly 10 years after Roe was decided. Evangelical and Political leader Randall Terry used the issue of abortion as a unification movement to rally evangelicals around Republican policies. Fighting abortion is what almost every Republican and conservative have in common so it obviously serves as a unifying factor that keeps them voting for the goal of outlawing abortion, which seems to never come. Why is abortion the issue of choice and not something like increasing access to contraception? Well because being pro-life is easy. It's easy to tell a woman no. It doesn't cost any money and you feel good because you have this false reality that you're saving human lives despite the fact that as I discussed before, you just drive women, majority low income and minority women, to turn to unsafe alternatives that put them in danger and don't actually lower the abortion rate. They don't advocate for policies such as increased access to contraceptives, mandatory paid maternity leave so women don't feel that they are being disenfranchised for having children, universal childcare which allows women and families as a whole to raise their children with less financial hardships, improving the education system which includes sex education as well as universal healthcare which would, which along with many other benefits, would eliminate the insanely high price to give birth. They don't support those policies because those require time and money and frankly that's not what interests them. They don't care about the lives of the unborn, they just want to continue this unification movement that has united evangelicals and conservatives for decades, unlike virtually any other issue. Overturning Roe would end the fight that's united religious conservatives for decades. Please name me one other policy issue in which the Republicans advocate for saving human lives? Healthcare? No, they're against universal healthcare, have consistently advocated for cuts to Medicare and Medicaid, as well as tried 70 times to repeal the Affordable Care Act which despite its serious flaws, protects those with pre-existing conditions, and is obviously better than the lack of alternative they have provided. How about Military spending? Nope, they've advocated for greater military funding which goes to bombing other countries and creating more terrorists, yes that is indeed a plug to my previous podcast series called Actually Making America Great and specifically the episode of the War on Terrorism which I'll link down below. How about immigration? Absolutely not as they've supported policies like family separation and extended the maximum amount of time people can be held in cages from 72 hours to weeks on end which has resulted in the deaths of 24 migrants during the Trump administration. What about police brutality and racial justice? No once again as Conservatives never fail to justify the deaths of unarmed black people at the hands of law enforcement. I seriously cannot find one policy that Republicans support that values actual people outside the womb but once again, my email is down below so if you're screaming at your phone or whatever device you're listening on, let me know. So why would it be any different with abortion? The answer is it's not. It's the

easiest issue to unify around and the amount of people who are single-issue voters surrounding abortion is quite high. So if you're against abortion and support the pro-life movement, I hope you know that they are harnessing your passion around the issue of abortion and using it to exploit your vote and you will never see the illegalization of abortion. And for those of you worried about Roe being overturned, don't be. Because it's clear the Republicans are using the issue for votes. The outlawing of abortion would end the movement and therefore that unification that they've relied on for decades. Of course, it's important to fight abortion restrictions as that still leaves the controversy brewing so they can still use it to exploit votes but still ends up seriously hurting women. So if I'm being honest, part of me wants to see Roe overturned. And of course, I'm not actually serious as this would be disastrous for women across the country and lead to similar problems seen in El Salvador, but part of me is curious to see what would happen. Because the Republican Party would be fractured. The easy feel-good issue that united their voters would be no more. It could literally be the downfall of the Republican Party.

To go even further than taxpayer-funded contraception, let me make the case for taxpayer-funded abortion. I know what you're thinking, what the hell is he thinking? And hey I get it that seems outrageous but I hope you'll hear me out. Currently, there is something in place called the Hyde Amendment which prohibits the use of taxpayer funds for abortions and the defense of this is that people's taxpayer dollars shouldn't be going to what they believe is the killing of innocent human beings. I think this is a particularly weak argument because under that logic I shouldn't have to pay taxes towards the military as they use that to senselessly bomb other countries and kill hundreds of thousands of innocent people. The reality is we have to pay taxes towards things we don't agree with. You don't just get to opt out of paying taxes towards things you don't agree with. Now I want to make an empirical case for why taxpayer-funded abortion would lower the rate. Right now Planned Parenthood is a business and if you are against abortion, you would probably say that they are in the business of killing babies which other than the rhetorical choice of words, is correct and as true with any business, their desire is to maximize profit and to sell as much of their product or service which in this case is abortion. And due to nonsensical efforts to defund Planned Parenthood which due to the Hyde Amendment don't even go towards abortions and just strip funding away from other forms of reproductive care like cancer screenings, contraceptives, and much more, they are forced to make up for that lack of funding somehow and how do they do it? Sell more abortions. It's their only way of profiting. Therefore it would make more sense that they would be more likely to push women towards abortion rather than counsel the pregnant woman through her options and offer her the many alternatives that they provide. Isn't that what we want? But due to the Hyde Amendment in place and increased efforts to defund them, Planned Parenthood quite literally has to perform a certain amount of abortions to keep the lights on. Wouldn't it be great if we removed the profit incentive? Instead of people paying for abortion out of pocket, the entirety of Planned Parenthood would be government-funded. And therefore there would be no incentive to push women towards abortion as they don't profit from it. They could more easily counsel women through pregnancy and decrease the likelihood they will even turn to abortion in the first place. We know that restrictions don't work as discussed earlier so could this be a viable alternative? I'll tell you that countries like Israel that have universal healthcare and

taxpayer-funded abortions actually have some of the lowest abortion rates in the developed world. I know it feels wrong. But the more accessible abortion is, the lower the rate. And this makes sense empirically. Imagine you get pregnant unexpectedly in a place where abortion is restricted. You'll be more likely to get an abortion at any opportunity you can get, out of fear that the opportunity may not present itself later. However, if it's legal and widely accessible, you'll take more time to consider your options. You'll be able to make decisions with the comfort of knowing that the option is there if you really want it. And you may decide to carry that fetus to term and won't that be great, that the child you end up having is actually wanted. So to recap, the most effective way to lower the number of abortions is to increase the accessibility of contraceptives, particularly long-acting reversible contraceptives, increase comprehensive sex education, and implement policies that assist women so they feel less inclined to turn to abortion, which does include taxpayer-funded abortion.

That right there is how we should be viewing pregnancy and abortion. Putting women in a situation that maximizes the likelihood that they will voluntarily give birth to a child surrounded by the resources needed to take care of them. Now that to me sounds like the truly pro-life solution.

Thank you for listening to the third and final episode in this three-part series surrounding the topic of abortion. From Fetal Personhood to Bodily autonomy to discussing the most effective ways to decrease the abortion rate, I hope you discovered a new way to think about this topic. I also hope that I stayed true to what I promised in the intro of every one of these episodes which were to respect everyone's opinions and make this more of an educational and thought-provoking series rather than the heated emotional debate that seems to be the norm. Now I did go after Republicans a fair share in this episode but I was mainly referring to those who hold political office, not the average republican. Feel free to also email me with your questions, comments, and concerns. If you're willing, please leave a rating and review in Apple Podcasts and Subscribe for more of these segments. All else aside, regardless of where you stand on this issue, thank you for keeping an open mind and I hope to see you back here for the next segment. Take care

5 tests the pro life position fails

1. The Intuition Test

- a. 1,000 embryos vs 6 year old child burning building, can only save one
- b. Refutation to abortion is murder: if you knew your neighbor was going to murder their two year old toddler, would you use a gun to stop them if necessary? If a pregnant woman was going to get an abortion, would you use a gun to stop her? Also if you believe abortion to be murder, will you be consistent across the board with prosecuting abortion? Not a single lawmaker supports prosecuting women for having an abortion yet they would prosecute a woman for murdering her two year old. Do we actually view abortion as the same evil?
- c. If your 14 year old daughter was raped, would you force her to go through pregnancy?
- d. If these examples make you intuitively question how you feel, could that indicate that there is a large differentiation between how we talk about the unborn and how we actually view them?

2. The Scientific Test

- a. Pro-lifers say that every time a sperm and egg combine, a unique, living, whole human being is created. What about molar pregnancies which is when an embryo becomes a cancerous tumor and what you end up with is not a unique, living, whole human being but rather a combination of hair, bones, teeth, and other disfigured parts. Is that really a unique, whole, living human being?
- b. Also an embryo can split into two (weak argument)
- c. Every cell in your body is alive (weak argument)

3. The Philosophical Test

- a. Difference between being a human and a person.
- b. Need to desire: If you don't desire anything, I'm not robbing you of anything if you didn't desire what I'm robbing you of. The unborn cannot desire anything until

around week 18 when the cerebral cortex is fully formed. Desire = believe + judgement

- c. Example: Let's say you have a kitten serum that turns irrational cats into rational ones. Are you obligated to turn the non rational kittens into rational ones? The answer is no, you can refuse.

Common objection to the life of the mother argument.

Pro lifer says that you should act to save both of them and if the unintended consequence is the death of the fetus then you didn't intentionally kill the fetus. (Killing vs letting die)

Thought experiment: If you knew for certain that the mother would die of a heart attack if she went through with birth, only way to prevent that is to abort the fetus (Intentionally kill)

Would you go through?

Pro lifers often say that intentionally killing is always worse than letting die. So therefore would the most moral decision be to not act and let the mother die? Some may say yes

If yes, what if the fetus would also die? Can we intentionally kill innocent human beings to save the lives of others?

Conservative would argue that needs do not entail rights

Ex. we need food and healthcare to survive, should those be rights granted to us and protected by the government?

What is bodily autonomy? Well simply put, bodily autonomy is the idea that you have the right to govern your own body and that extends to the idea that no one can use your body without your consent. Most pro-choicers are not arguing that the fetus is literally part of the woman's body as that is just factually inaccurate, what they are saying is that the fetus does not have the right to use the woman's body to survive and a conservative organization like YAF should be all over this concept. These are the same people against mask mandates and lockdowns because they

believe the government can't violate your individual rights to save the lives of others. But yet they do think the government should be able to violate a woman's individual rights to save the life of the fetus. Seems to be logically inconsistent.