## Making Sense of Bioethics January, 2007

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## Sexual Assault and Abortion

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I recall once hearing a story about a philosopher who visited with a group of junior-high school students at a private school in the Midwest. He had a discussion with them about ethics, and offered a few arguments to suggest that direct abortion was always unethical and unjust. A 14-year-old girl put up her hand and asked him if he would make an exception for rape in his position against abortion. He put the ball back into her court by suggesting a "thought experiment." He asked her to consider the hypothetical case that her own father became a rapist:

"If your dad goes out and rapes somebody, and we convict him of that rape in a court of law, do you think it would be right for us to then say, 'O.K., because your dad is guilty of that rape, we're going to kill you, his 14-year-old daughter?""

The girl and her classmates unanimously replied, "No". He pursued the same line of logic a bit further, asking if it would be acceptable if, instead of 14 years old, she were only 2 years old, or 2 months old. Again, they said, "No." Finally, he asked,

"So how could I say that I'm going to let abortion happen because of rape? If I permit abortion because of rape, I am killing a child in the womb for a crime committed by his or her dad. Is that right?"

His coherent and dispassionate approach helped the students appreciate the need to scrutinize their own assumptions and move beyond unexamined emotionalism.

Rape is always a grave and unconscionable crime, a tragedy of enormous proportions. If a woman becomes pregnant following sexual assault, abortion is sometimes offered as a path to fixing the rape. But the decision to encourage a second trauma after the first trauma of sexual assault represents, ultimately, a misguided response to a situation that needs to be handled with much greater sensitivity and compassion. Strong feelings of anger can arise in these situations, directed towards the child, even though the child conceived in rape is an innocent bystander, and a victim of the same awful set of circumstances as the mother. He or she clearly ought not be

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treated as some kind of surrogate for the rapist. The real malefactor and culprit is always the rapist and never the child, and the perpetrator of the crime needs to be apprehended and punished to the full extent of the law. In these highly charged situations, an apparently compassionate response may be offered which is, in fact, profoundly unethical, and not authentically compassionate either. In tragic situations like sexual assault, it can be enormously difficult to perceive the right lines, and to think with reason rather than emotions.

Oftentimes we may be tempted to imagine that a child conceived by rape would only serve as a reminder to the mother of the original traumatic event she had suffered, and that she would be "better off" without that reminder. Interestingly, however, in a study published in March of 2000, that conclusion was found to be invalid. David C. Reardon, Julie Makimaa, and Amy Sobie sifted through nine years worth of testimonies gathered by the Elliot Institute and Fortress International to get a true picture of the effects of abortion on a woman who had suffered from the trauma of rape. Amy Sobie summarized it this way:

"The vast majority of the women (and their children) who responded advanced the view that abortion is NOT a good solution to sexual assault pregnancies and that it often leads to further physical and emotional trauma for the women. Conversely, none of the women who carried to term expressed regret that they had chosen to give birth or a wish that they had chosen abortion instead."

In the final analysis, rape is unable to ever justify abortion, even though in every one of the more than 55 countries that now have abortion on demand, the initial step taken was intense lobbying for the availability of abortion in so-called 'hard cases' -especially rape and incest. Of all abortions performed, 99.96% occur for reasons unrelated to rape, so the very rare exception has been carefully employed to provide cover for all other cases. Playing the emotional card has been largely successful in the public arena, reminding us of the urgent need for a more level headed and dispassionate discussion of the real goods that are at stake. True compasssion invites us to suffer with,

to be present to, and to aid the victims of sexual assault, by offering them our unconditional love, acceptance, and support, rather than short-circuiting the situation in favor of easy and inauthentic "solutions."

Rev. Tadeusz Pacholczyk, Ph.D. earned his doctorate in neuroscience from Yale and did post-doctoral work at Harvard. He is a priest of the diocese of Fall River, MA, and serves as the Director of Education at The National Catholic Bioethics Center in Philadelphia. Father Tad writes a monthly column on timely life issues. From stem cell research to organ donation, abortion to euthanasia, he offers a clear and compelling analysis of modern bioethical questions, addressing issues we may confront at one time or another in our daily living. His column, entitled "Making Sense of Bioethics" is nationally syndicated in the U.S. to numerous diocesan newspapers, and has been reprinted by newspapers in England, Canada, Poland and Australia.

