

PIEDMONT BAPTIST GRADUATE SCHOOL

THE MIRROR OF EVIL:
A HISTORICAL COMPARISON OF ABORTION AND SLAVERY

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CONTENTS

INTRODUCTION	3
Historical Perspective	4
“A House Divided”	4
“All Men are Created Equal”	5
“A National Benefit”	6
“One Great Question of the Day”	9
“A Self-Inflicted Wound”	11
Careful Comparison	13
Potential Life	13
Morally Acceptable	16
The Great Issue	17
Another Dred Scott Decision	19
Critics Answered	20
Practical Benefit	21
CONCLUSION	22
WORKS CITED	23

INTRODUCTION

"There are those who argue that the right to privacy is of higher order than the right to life . . . that was the premise of slavery. You could not protest the existence or treatment of slaves on the plantation because that was private and therefore outside your right to be concerned."¹

Rev. Jesse Jackson, civil rights activist and one-time opponent of abortion, made this historical analogy between slavery and abortion in his 1977 article for the *National Right to Life News*. Since then, religious leaders,² academics,³ and Supreme Court Justices⁴ have echoed this argument. Even a casual observer can note the similarities between the slavery in America's past and abortion in her present.

The uncertain nature of historical analogies, however, questions the legitimacy of this argument. Are its proponents basing it on irrelevant comparisons? Simply because some things are alike does not necessitate an analogy. Each similarity must be carefully evaluated to determine its relevance. Such evaluation reveals that some elements correspond coincidentally. Yet a careful historical analysis of others reveals a parallelism that supports their moral equivalence.

¹ Jesse Jackson, "How We Respect Life is the Over-riding Moral Issue," *Right to Life News*, January 1977. [webpage – online] available from <http://swissnet.ai.mit.edu/~rauch/nvp/consistent/jackson.html>; Internet; accessed 19 September 2006.

² "Pope Compares Abortion to Slavery," *Pro Life Infonet*, 27 January, 1999. [webpage – online] available from <http://www.cnsnews.com/Politics/archive/199901/POL19990127b.html>; Internet; accessed 28 September 2006.

³ Robert P. George and Gerard V. Bradley, "Not In Good Conscience," *National Review*, 12 October 2004. [magazine - online] available from http://www.nationalreview.com/comment/george_bradley200410120849.asp; Internet; accessed 28 September 2006.

⁴ *Planned Parenthood of Southeast PA v. Casey*, 505 U.S. 833 (U.S. Supreme 1992).

Historical Perspective

“A House Divided”⁵

By the time Lincoln delivered his famous speech to the Republican State Convention on June 16, 1858, the growing animosity between “slave” and “free” had almost reached its climax. The differences between the cultures of North and South had been present since the founding of the nation and had intensified for the preceding three decades.

The mutual dislike and distrust that pervaded both geographic regions served to escalate what could be termed a war of cultures.⁶ The social, economic, ideological, and cultural differences of North and South were becoming increasingly evident.

Despite years of attempted compromise, disunion loomed closer than ever. As the rhetoric grew more heated, sectional rivalries and prejudices began to intensify. What had previously been a reasonably civil discussion began to degenerate into a bitter, often venomous debate. Opinions began to change, and even some leaders that had not previously defended slavery began to do so.⁷

In the years immediately preceding the Civil War, the issue of sectionalism came to the forefront. General animosity toward the opposing region became a primary element. The feelings of one Northerner were indicative of many on both sides:

There is no sett [sic] of People on God’s Earth that I despise and hold in such utter contempt as I do those Southern Rebels . . . in fact, I am at peace with the whole world, except them, and with them, I have a deadly hatred.⁸

⁵ Abraham Lincoln, *Lincoln: Speeches and Writings 1832-1858* (New York: Literary Classics of the United States, Inc., 1989), 426.

⁶ Kenneth M. Stampp ed., *The Causes of the Civil War* (New York: Simon and Schuster, Inc., 1974), 152.

⁷ Carl N. Deggar “*There Was Another South,*” in *Historical Viewpoints*, Vol. 1, ed. John A Garraty (New York: Harper and Row, 1975), 298.

⁸ Stampp, *Causes*, 159.

“All Men are Created Equal”

The perception of division merely according to geographical lines is superficial and ignores deeper issues. The real controversy was ideological. This debate centered on the lines from the Declaration of Independence: “all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

While both sides of the issue had varying responses to dealing with slavery, essentially two options presented themselves. The great question of the day was “Are slaves to be considered human?” In the eyes of its opponents, slavery reduced the status of the slave to “the equal of a hog.”⁹ At best its proponents viewed the African slave as mentally and spiritually inferior.¹⁰ Faced with the logical implications of the phrase “all men are created equal,” the defenders of slavery were left with no other option than to deny the humanity of the black race.

The debate over the humanity of slaves had begun as early as the Constitutional Convention. One of the several compromises between the northern and southern states at that Convention was the “Three-fifths Compromise.” It was created to settle the dispute between the slave states and the free over counting population for purposes of taxation and representation. The resulting compromise established that for both, slaves counted as three-fifths a person. While not concretely denying their humanity, it clearly classified them as something less than fully human.

⁹ Lincoln, *Speeches and Writings*, 327.

¹⁰ Richard H. Colfax, *Evidence Against the Views of the Abolitionists, Consisting of Physical and Moral Proofs, of the Natural Inferiority of the Negroes* (New York: James T. M. Bleakley Publishers, 1833), 24-25.

Through the following decades, the legal standing of slaves produced similarly conflicting compromises. As the Dred Scott decision by the Supreme Court would ultimately determine, the slave could never be a citizen of the United States and thus had no Constitutional rights. A slave, former slave, or descendant of slaves was banned from ever achieving citizenship.¹¹ Yet in criminal cases, they were held to a standard of personal responsibility.¹²

Caught between the contradictory positions, it became popular to view the slave as less than fully human rather than inhuman. This compromise of principle was necessary to reconcile the glaring contradictions of slavery existing in a free, “Christian” society. However, it produced a condition where "A pig in the corn was not a thief; a slave in the smokehouse was. A horse that trampled the life from a cruel master was no murderer; a slave who struck out against brutality was."¹³

“A National Benefit”

Such a complicated position required equally complicated defenses. As the intensity of the pressure for abolition increased, so also grew the need for defense from slavery’s proponents. Originally, the arguments supporting slavery were based on three elements:

¹¹ William O. Douglas, *Mr. Lincoln and the Negroes: The Long Road to Equality* (New York: Atheneum, 1966), 19.

¹² Dinesh D’Souza, “We the Slaveowners: In Jefferson’s America, Were Some Men Not Created Equal?” *Policy Review*, Fall 1994, Number 74.

¹³ D’Souza, “We the Slaveowners”.

the Constitution, nature, and moral law. In the earlier years of the debate, these were presented without the rancor and bitterness.¹⁴

The absence of Constitutional restrictions or overt mention seemed to support the idea that there was a given right to hold slaves. The Founding Fathers, who could word things precisely when they chose, had been deliberately ambiguous when it came to this volatile issue.¹⁵ Even many who opposed slavery were slow to address it in states where it pre-existed, choosing to fight its expansion rather than challenge the popular perception.¹⁶

The natural argument relied heavily on the fundamental notion that the Negro was mentally inferior to his white master. An example of this type of defense is found in Richard Colfax's *Evidence Against the Views of the Abolitionists, Consisting of Physical and Moral Proofs, of the Natural Inferiority of the Negroes*:

If then it is consistent with science, to believe that the mind will be great in proportion to the size and figure of the brain: it is equally reasonable to suppose, that the acknowledged meanness of the negroe's [sic] intellect, only coincides with the shape of his head; or in other words, that his want of capability to receive a complicated education renders it improper and impolitic, that he should be allowed the privileges of citizenship in an enlightened country!¹⁷

Based on this pseudo-scientific argument, the slavery proponents argued that slavery is not only right, but also a necessity. Incapable of any higher purpose in life, the African was a danger to himself and society if a “kind” master failed to provide for him.

¹⁴ Avery Craven, *The Coming of the Civil War: A Stimulating and Profound Analysis of the Factors Which Brought A Nation Into War with Itself* (Chicago: University of Chicago Press, 1957), 155.

¹⁵ William H. Rehnquist, *The Supreme Court: How It Was, How It Is* (New York: William Morrow and Company, Inc. 1987), 135.

¹⁶ Doris Kearns Goodwin, *Team of Rivals: The Political Genius of Abraham Lincoln* (New York: Simon and Schuster, 2005), 61.

¹⁷ Colfax, *Evidence*, 24-25.

At this early point in the debate, the influences of sectional hostility, race fears, and racial superiority were not the dominating elements they would become. As the pressure from abolitionists increased, however, so did the need for new arguments defending the institution.¹⁸

These arguments came from a variety of sources. Some argued from history. The great civilizations of the past had known slavery, therefore it could not be wrong. In order to reconcile slavery with Christian beliefs, many found the basis for their approval in the texts of Scripture. By both “precept and example”¹⁹ the Bible, according to their interpretation, endorsed slavery.

Thus, slavery became not only a necessity, but a moral obligation as well. In 1854, Congressman William J. Grayson authored a leading defense of slavery, *The Hireling and the Slave*. In it he describes the positive aspects of slavery:

What more can be required of Slavery, in reference to the negro, than has been done? It has made him, from a savage, an orderly and efficient labourer. It supports him in comfort and peace. It restrains his vices. It improves his mind, morals and manners. It instructs him in Christian knowledge.²⁰

They labored under the delusion that slavery was beneficial for the slave. Comparison between the poor of the North and the slaves of the south became common. It was the South’s duty to maintain and protect such a beneficial system.

As the rhetoric on both sides intensified, the defense of slavery became even more extreme. The Governor of South Carolina declared, “Slavery is not a national evil; on the

¹⁸ Craven, *The Coming*, 155-156.

¹⁹ Craven, *The Coming*, 156-157.

²⁰ William J. Grayson, *The Hireling and the Slave*, 2nd ed. (Charleston: John Russell, 1855), 12.

contrary it is a national benefit.”²¹ He went on to say that slavery “has exalted the white race itself to higher hopes and purposes, and it is perhaps of the most sacred obligation that we should give it the means of expansion.”²² Pastors preached sermons in its defense.²³ Extremists called for the reinstatement of the slave trade.²⁴ No longer just a right, or a necessity, slavery had become a moral obligation that had blessed the South and the slave. It must be defended at all cost.

Slavery was firmly established on economic self-interest. From the traders who first brought the slaves to the New World to the slave-owners themselves, “American slavery was prompted not by racism but by the pursuit of profit.”²⁵

Throughout the decades of slavery, the pro-slavery forces argued that the South must have slavery in order to survive economically. Eventually, the economic argument became a cornerstone of its defense. As the defense progressed from “right” to “blessing,” so too did this line of reasoning.

At first, proponents argued that only the African could endure laboring in the tropical heat of the Southern region. Therefore, the only way for the agrarian culture to survive was to have slave labor to work. By the middle of the century, they argued that the South

²¹ Craven, *The Coming*, 158.

²² Allan Nevins, *Ordeal of the Union*, Vol. II: A House Dividing 1852-1857 (New York: Charles Scribner’s Sons, 1947), 579.

²³ George W. Freeman, *The Rights and Duties of Slaveholders: Two Discourses Delivered on Sunday, November 27, 1836, in Christ Church, Raleigh, N. C.* (Charleston: A.E. Miller, 1837), 5-11.

²⁴ Carl Sandburg, *Abraham Lincoln: The Prairie Years, 1809-1861* (New York: Dell Publishing, 1974), 263.

²⁵ D’Souza, *We the Slaveowners*.

was experiencing unusual economic prosperity because of slavery. When this was disproved, pro-slavery Southerners reacted negatively.²⁶

“One Great Question of the Day”

For the thinking American, slavery was the issue of the moment. Though primarily divided according to geographical lines, there were exceptions to that generic division. As with any major controversy, there were a variety of positions. The South was not the monolith of pro-slavery radicals sometimes perceived. Some denounced slavery on ethical reasons, while others took the more pragmatic approach, citing political or economic reasons.²⁷ Northern opinions ranged from the extreme abolitionist to those willing to compromise over the slavery issue.

By 1860, a majority of Americans were in favor of restricting the expansion of slavery.²⁸ They were not all abolitionists, but were aware of the immoral nature of slavery. Their support gave Abraham Lincoln the presidency.

This majority held various views on dealing with slavery. Many called for moderate means of eradication. Gradual emancipation, voluntary colonization, and monetary compensation were some of the solutions proffered by these anti-slavery advocates.²⁹

At the center of the argument, compromise called for things to remain as they were. Stephen Douglas, the most prominent spokesman of this group, opposed even the more

²⁶ D'Souza, *We the Slaveowners*.

²⁷ Deggar, *Another South*, 298.

²⁸ Allan Nevins, *War for the Union, 1861-1862*. (New York: Konecky and Konecky, 1971), 10.

²⁹ Goodwin, *Rivals*, 206.

moderate views of emancipation. Compromise on slavery had held the country together since its inception. The Three-fifths Compromise, the Missouri Compromise in 1820, the Compromise of 1850, and the provisions of the Nebraska-Kansas Act of 1854 balanced the interests of the North and South with provisions that satisfied each.³⁰

Representing both regions, these centrists proposed further compromise to maintain the “peace, harmony, and good-will among all the States, by permitting each to mind its own business.”³¹ Their position was essentially, “I’m personally against it, but I can’t force my beliefs on others.” This attitude of appeasement found national support and launched Douglas into candidacy for president.

Abolitionists were adamant in their demands for immediate and complete emancipation. Anything less would be immoral. This led some extremists, such as John Brown of Kansas, to advocate violence as an acceptable means.

This radical ideology had two negative results. It cast the abolitionist movement in a profoundly bad light. Even many abolitionists denounced the extreme conduct of Brown and his followers. It resulted also in a fanatical defense of slavery in the South. Brown’s attack on Harper’s Ferry in 1859 “galvanized slave state leaders as nothing before it.”³² In the words of President James Buchanan, “One extreme naturally begets another.”³³ Fearing a slave revolt as well as the increased resolve of abolition forces, the pro-slavery

³⁰ Douglas, *Mr. Lincoln*, 17-18.

³¹ Stephen Douglas, *Political Debates between Hon. Abraham Lincoln and Hon. Stephen A. Douglas in the Celebrated Campaign of 1858, in Illinois (Columbus: 1860)*, 24-40 in *The Causes of the Civil War*, ed. Kenneth M. Stampp (New York: Simon and Schuster, Inc., 1974), 81.

³² William C. Davis, *Look Away! A History of the Confederate States of America*. (New York: The Free Press, 2002), 11.

³³ James Buchanan, *Mr. Buchanan’s Administration on the Eve of the Rebellion* (New York: 1866) 9-14 in *The Causes of the Civil War*, ed. Kenneth M. Stampp (New York: Simon and Schuster, Inc., 1974), 81.

leaders of the South reacted with firm resolve.³⁴ Dissolution of the union became a more viable option to prevent bloodshed.

Strangely, the church seemed to be split on this issue. Southern churches often led the defense of slavery from a Biblical standpoint. In the North, the abolition movement was firmly founded and led by Christians and pastors.

“A Self-Inflicted Wound”³⁵

By 1857, the controversy over slavery had come to a climax. The days of compromise were short. The Supreme Court was drafting the decision in the Scott v. Sandford case. This landmark case tested not only of the constitutionality of slavery, but of its defense as well.

The Court would decide whether Congress had the authority to ban slavery in portions of the United States and whether slaves could become citizens.³⁶ If they denied these rights, they were in effect negating the compromise that had banned slavery in certain states.

On March 6, 1857, Justice Roger Taney announced the courts ruling. In a 7-2 decision, the Court had ruled that blacks “are not included and were not intended to be included, under the word ‘citizens’ in the Constitution.”³⁷ They were "beings of an inferior order, and altogether unfit to associate with the white race, either in social or

³⁴ Goodwin, *Rivals*, 226-227.

³⁵ Rehnquist, *Supreme Court*, 143

³⁶ Rehnquist, *Supreme Court*, 138-140

³⁷ Dred Scott, Plaintiff in Error, v. John F. A. Sandford, 60 U.S. 393, 19 How. 393, 15 L.Ed. 691 (U.S. Supreme 1856).

political relations, and so far inferior that they had no rights which the white man was bound to respect."³⁸ Further, in addition to prohibiting Congress from legislating against slavery, the decision implied that the legislature was required to protect it.³⁹

Reaction to the decision came swiftly. The moderates who favored the status quo applauded it. Those who were content to leave slavery alone but opposed its expansion joined the abolitionist in vehemently denouncing it.

From the moderate abolitionists, Lincoln spoke against it, accusing the justices of trying to find "middle ground between the right and the wrong."⁴⁰ He carefully pointed out the logical error of denying Constitutional rights, citing the citizenship of blacks that voted for the Constitution.⁴¹

This "self-inflicted wound" failed to accomplish the purpose of the court. Despite the hopes of the Chief Justice that the decision would end the dispute over slavery, the Dred Scott case only served to inflame the issue. While it may have "settled the question of congressional authority...it exacerbated rather than ameliorated the class of opinion over slavery."⁴²

³⁸ Scott v. Sandford (U. S. Supreme 1856).

³⁹ Allan Nevins, *The Needless Conflict*, in *Historical Viewpoints*, Vol. 1 ed. John Garraty (New York: Harper and Row, 1975), 304.

⁴⁰ Douglas, *Mr. Lincoln*, 20.

⁴¹ Goodwin, *Rivals*, 190.

⁴² Rehnquist, *Supreme Court*, 143.

Comparison

The similarities of slavery and abortion are hard to ignore. They have been noted since within a decade of the Civil War itself. Dr. Joseph C Stone, a Union veteran called abortion a “violation of every natural sentiment, and, like slavery, in opposition to the laws of God and man.”⁴³

Perhaps no controversy since slavery has divided the nation as abortion has for the past four decades. In a recent Pew poll, one fourth felt it was morally wrong, one fourth believed it was not a moral issue, and the remaining half sought middle ground.⁴⁴ On this volatile issue, America is once again “a house divided.”

Not Quite Human

Abortion rests at the center of another “cultural war.” It is a conflict of world-views. The focus of this “war” like the debate over slavery is the debate over human rights. The question for slavery was “is the black race to be considered human?” For abortion it is similar: “Can the unborn child be considered human?”

Using some of the same arguments as the proponents of slavery, pro-choice advocates have determined that the unborn is merely “potentially human.”⁴⁵ They have relegated the status of the baby to a non-existence. As with the three-fifth clause, the legal

⁴³ Marvin Olasky, *Abortion Rites: A Social History of Abortion in America* (Wheaton: Crossway, 1992), 128.

⁴⁴ Pew Research Center, “Pragmatic Americans Liberal and Conservative on Social Issues” 3 August 2006 [document – online] available from http://www.pewtrusts.org/ideas/ideas_item.cfm?content_item_id=3016&content_type_id=18; Internet; accessed 30 September 2006.

⁴⁵ Norman Geisler, *Christian Ethics*, (Grand Rapids: Baker, 1989), 135.

definition of “potential life”⁴⁶ classifies the unborn baby as something less than fully human. Such terms as “fetus” and “cell mass” are used to emphasize this classification.

The arguments used in defense of abortion also mirror those for slavery. Constitutional right is the cornerstone of abortion defense. The “right to privacy” by *Griswold v. Connecticut* in 1965 provided the basis for this claim.⁴⁷ Rather than actually deny all rights to the unborn, *Roe v. Wade* determined the mother’s right to “privacy” superceded the baby’s right to “life”.

Property rights were a popular argument for slavery. Stephen Douglas argued that each person should have the right to choose for himself. Consider the following Douglas statements adapted to defend abortion:

It is no argument to say that abortion is an evil, and hence should not be tolerated. You must allow the people to decide for themselves whether it is a good or an evil. The pro-choice side both "denies the right of Congress to force the acceptance of abortion upon people unwilling to believe it is moral" and "denies the right of Congress to force the prohibition of abortion upon people unwilling to believe it is immoral." The "great principle" is the right to choose, "the right of every person to judge for himself whether a thing is right or wrong, whether it would be good or evil for him to do it; and the right of free action, the right of free thought, the right of free judgment upon the question is dearer to every true American than any other under a free government. When that principle is recognized, you will have peace and harmony and fraternal feeling between all the States of this Union; until you do recognize that doctrine, there will be sectional warfare agitating and distracting the country."⁴⁸

This argument fits well with the logic of contemporary abortion rights proponents.

⁴⁶ *Roe v. Wade*, 410 U.S. 113 (U.S. Supreme 1973)

⁴⁷ D. J. Herda, *Roe v. Wade: The Abortion Question* (Hillside, N. J.: Enslow, 1994), 29-31.

⁴⁸ Benjamin D. Wiker, “A House Divided Against Itself Cannot Stand: The Looming War Over Abortion,” *New Oxford Review*, February 1999, Volume LXVI, Number 2. [journal – online] available from <http://www.newoxfordreview.org/article.jsp?did=0299-wiker>; Internet; accessed 27 September 2006.

Like the “scientific” argument that the Negro was inferior, pro-choice advocates argue from science that the unborn is not human. This point has drawn a great deal of controversy, revealing a diversity of opinion as to what actually defines human. In fact, one of the contentions pro-choice supporters had with the Roe decision was that it established a point of viability. They feared this would result in future restrictions as medical advances pushed this point earlier.⁴⁹

Lack of intellect is often used to deny the humanity of the unborn. As with Lincoln and the opponents of slavery, the use of physical characteristics to deny rights is as objectionable to pro-life advocates. This opens the possibility for denying the rights of anyone less intelligent than the majority.

Another position is that while the “fetus” is both alive and human, it is not a person. Though admitting that it is human and even that it is a “potential person”, these abortion defenders refuse to grant the right to life when it interferes with the right to “pursuit of happiness” of the mother.

“Morally Acceptable”

Arguments from history and even Scripture are common to both slavery and abortion. John Swomley, professor of social ethics at the St. Paul School of Theology argues that “not only the Bible does not condemn abortion . . . because the fetus is at most a potential human being the practice of abortion is morally acceptable.”⁵⁰

Like slavery, abortion’s defense has evolved from a Constitutional right to a benefit

⁴⁹ Herda, *Roe v. Wade*, 86-87.

⁵⁰ Charles P. Cozic, and Stacey L Tipp, eds. *Abortion: Opposing Viewpoints* (San Diego: Greenhaven Press, 1991), 112.

and blessing. Women are freer, safer, and able to pursue greater education, occupational, and economic success.⁵¹ Planned Parenthood uses the following arguments to defend abortion:

- * Deaths from abortion declined dramatically during the past two decades.
- * Medically safe, legal abortion has had a profound impact on American women and their families.
- * The health and well-being of women and children suffer the most in states that have the most stringent anti-abortion laws.⁵²

From such data, it is argued that abortion is not just a right, it is a necessity and benefit. Books such as “*How The Pro-Choice Movement Saved America*” reinforce the idea that abortion is one of the most profound blessings to our nation.⁵³

With the increasing pressure for stem-cell research, the greater benefit to society pressures many pro-life supporters to ponder the “national benefit” and “sacred obligation” to allow abortion rights. The arguments based on economic reasons sound eerily similar to those defending slavery in the decades preceding the Civil War.

One Great Issue

There are a variety of solutions offered regarding the abortion issue. Once again the Christian church has taken a diverse stance toward a moral issue. While conservative evangelical, fundamental, and Catholic churches have taken a strong stand on the issue, other Protestant denominations have been more ambiguous in their positions. In his book,

⁵¹ Joyce Arthur, *Legal Abortion: The Sign of a Civilized Society*, October 1999. [document – online] available from <http://www.prochoiceactionnetwork-canada.org/articles/civilize.shtml#benefits>; Internet; accessed 30 September 2006.

⁵² Susanne Pichler, “Medical and Social Health Benefits Since Abortion Was Made Legal in the U.S.,” October 2005, [website – online] available from <http://www.plannedparenthood.org/news-articles/press/politics-policy-issues>; Internet; accessed 30 September 2006.

⁵³ Christina Page, *How the Pro-Choice Movement Saved America* (New York: Perseus, 2006).

“*Abortion: Toward an Evangelical Consensus*”, Paul Fowler links this failure to speak out to the influence of an increased skepticism toward the absolute authority of Scripture. He notes that the emergence of abortion as an issue reflected the change in society’s view of truth.⁵⁴

Just as with slavery, only a minority of Americans call for full abolition. Also reflecting the attitude of pre-Civil War America, however, is the majority (66%) that calls for further restriction of abortion.⁵⁵ Their attitude seems to mirror the centrists who desired the “peace, harmony, and good-will among all the States, by permitting each to mind its own business.”⁵⁶

Among those who are the “abolitionists”, there are also the extremists. The “John Browns” of pro-life, they feel justified in their extreme attacks on abortion, clinics, and medical personnel who perform abortions. Similarly, their illogical conduct detracts from the overall message of the pro-life movement, galvanizes the will of the pro-choice advocates, and contradicts the message they claim to believe.

The moderates of the pro-life “abolitionists” have taken a gradual approach to ending abortion. A strategy of “progressive repeal” has seen the greatest effect in this cultural war. Abortion supporters view the beginning of this process as the election of Ronald Reagan as president. Various court cases and judicial appointments in the years since have brought both success and setback to abortion “abolitionists”.⁵⁷

⁵⁴ Paul Fowler, *Abortion: Toward an Evangelical Consensus* (Portland: Multnomah, 1987), 24-26.

⁵⁵ Pew Research, “Pragmatic Americans”.

⁵⁶ Stephen Douglas, *Political Debates*, 81.

⁵⁷ Herda, *Roe v. Wade*, 89-95.

Another Dred Scott Decision

One of the clearest similarities between the two issues is the Constitutional defense of both by the Supreme Court. Just as the justices of Roger Taney's court voted seven to two in favor of slavery, the Harry Blackmun court found in favor of abortion by the same margin. Once again the court had tried to find "middle ground between right and wrong."⁵⁸

The "law of the land" is a common defense for abortion. Yet slavery also had the same support. Some of the comparisons between the two decisions include:

1. The words "citizens" or "persons" used in the Constitution were never intended to include Blacks/unborn children.

In the Dred Scott case of 1857 the Supreme Court said:

"... a negro, whose ancestors were imported into this country, and sold as slaves. . . were not intended to be included under the word 'citizens' in the Constitution, and can, therefore, claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States."

In the Roe v. Wade case of 1973 the Supreme Court said:

"The word 'person,' as used in the Fourteenth Amendment, does not include the unborn... [T]he unborn have never been recognized in the law as persons in the whole sense."

2. The right to privacy protects the decision to own slaves/abort unborn children.

In the Dred Scott case of 1857 the Supreme Court said:

A slave is the property of the master and the Constitution has "provided for the protection of private property against the encroachments of the Government."

In the Roe v. Wade case of 1973 the Supreme Court said:

"This right of privacy... is broad enough to encompass a woman's decision whether or not to terminate her pregnancy."

⁵⁸ Douglas, *Mr. Lincoln*, 20.

3. Slavery/abortion is justified because historically the rights of Blacks/ unborn children have been abused.

In the Dred Scott case of 1857 the Supreme Court said:

"...that unfortunate race...had for more than a century before been regarded as beings of an inferior order [and] they had no rights which the white man was bound to respect."

In the Roe v. Wade case of 1973 the Supreme Court said:

"...abortion was practiced in Greek times as well as in the Roman Era.... Greek and Roman law afforded little protection to the unborn."

4. Slavery/abortion is for the victim's own good.

In the Dred Scott case of 1857 the Supreme Court said:

"...the negro might justly and lawfully be reduced to slavery for his benefit."

In the Roe v. Wade case of 1973 the Supreme Court said:

"There is also the distress for all concerned, associated with the unwanted child, and there is the problem of bringing a child into a family unable, psychologically, and otherwise to care for it."⁵⁹

Just as Chief Justice Taney hoped *Scott v. Sandford* would quell the debate over slavery, Justice Blackmun hoped *Roe v. Wade* would end the controversy over abortion.⁶⁰ Like *Scott*, the *Roe* decision failed to satisfy either side of the argument and only intensified the debate. Just as the *Dred Scott* decision sparked the abolitionist sentiment in the North, *Roe v. Wade* helped rally the founders of the pro-life movement.

⁵⁹ "Court Blunders on Slavery and Abortion" [document – online] available from <http://www.nrlc.org/news/1999/NRL699/slave.html>; Internet; accessed 30 September 2006.

⁶⁰ Paul Greenberg, "Harry Blackmun, Our Own Roger Taney," *The Houston Chronicle*, April 9, 1994.

Critics Answered

There are criticisms of this analogy that merit response. Those who deny the humanness of the unborn will say that this analogy does not apply. If the “fetus” (in their words) is not a person, then abortion cannot be compared to slavery, which restricted the rights of a human being. Therefore, slavery is not analogous to abortion.

These critics miss the point of the analogy and conversely provide supporting evidence to its validity. The central similarity of this comparison is not merely the mistreatment of the weak. While that element is present, it is only secondary. The primary analogy is in the denial of humanity and the arguments that proceed from that point. This criticism does not negate the analogy; it affirms it.

Another argument will deny the analogy by claiming that abortion is much worse than slavery. These critics will purport that slavery, while wrong, was not as bad as murder. Therefore, pro-life advocates should not use this argument because it is not an accurate analogy.

Like the previous argument, this also misses the point. The comparison is not between the severity of the acts, but between the ideology and arguments which supported the respective issue. An analogy is not similar in every aspect, nor should singular likeness imply complete correspondence.

Practical Benefit

This analogy provides the pro-life advocate with several benefits. Though one who rejects the humanity of the unborn might not be convinced, the person who is sincerely open to persuasion could be moved by the relevance of the historical similarities.

Lincoln's advice was that to "win a man to your cause you must first win his heart." This comparison will appeal to the "great high road to his reason," and aid in convincing the honest skeptic.

Observing the successes and failures of the abolition movement will aid in the strategy of the contemporary pro-life movement. Whereas both radicals and compromisers failed, the one who will patiently yet diligently work for the abolition of abortion will ultimately succeed. In this is the encouragement that perseverance pays off. Though over three decades have passed since the legalization of abortion, great progress has been made toward its eventual repeal. The history of the civil war teaches us that success is possible.

Conclusion

The moral equivalence of slavery and abortion is based on the comparison of the arguments and ideology supporting both. These are more than just coincidental similarities. They lead to the conclusion that abortion is an immoral institution. A moral people must not rest until it has met the same fate as its predecessor.

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