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Is the Principle of Double Effect Legitimate When It Comes to Abortion?

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#STRask - Stand to Reason

Questions about the legitimacy of the principle of double effect when it comes to abortion and saving the mother's life, whether laws should protect the unborn baby at the expense of the mother's life, laws for non-viable pregnancies, and changing pro-choice areas vs. leaving.

- * Is it just a cop-out to cite the principle of double effect when the unborn baby dies as a result of saving the mother's life?
- * What should lawmakers do when it comes to situations where the mother has to choose between her life and her baby's life? Should she be forced to carry the baby and die as a result?
- * Do pro-life abortion policies make it difficult for doctors to assist pregnant patients because they have to wait until the mother is in danger to address non-viable pregnancies?
- * Is it better to stay in an area that's historically pro-choice and try to change it or move to a pro-life area?

Transcript

This is Amy Hall, and I'm here with Greg Coco on hashtag STRask to answer the questions that you send about everything. Good morning, Amos. Good morning, Greg.

Alright, Greg, here is a question from Jake. We have a few questions today about pro-life policy. Okay.

And this first one comes from Jake. Can you discuss the principle of double effect? Is citing it a cop-out when a pre-born baby does not survive delivery, but mom does? Well, the principle of double effect also referred to as the law of double effect, which I've written on before. We have details about this on our site at STR.org. Is a principle that

applies when you are facing a kind of a moral dilemma.

And it's not a cop-out because it's not ad hoc. It isn't like, oh, somebody just thought this up to kind of dismiss a challenge of some sort, but it is a carefully thought through ethical perspective that is meant to help us to navigate through a challenging set of ethical difficulties. Okay.

The law of double effect is an ethical principle that acknowledges that some particular action is going to have two consequences, a good consequence and a bad consequence. Alright. And so that's why it turns out to be a moral dilemma.

Alright. And in one sense, the moral dilemmas are resolved by looking at the two and trying to weigh which one, if it's a genuine moral dilemma, in other words, you have no other choices but these two. And each taken by themselves, moral dilemmas, when each taken by themselves might be bad, then you choose the one that is the less bad and the greater good, if you will.

And that's how you kind of solve the dilemma. You got to choose one or the other. You choose the greater good.

And you're doing a good thing when you do that. Okay. So the log double effect is similar to that.

But what it's meant to show is that there are times when you do a good thing. And you realize there's going to be a second effect, a second effect that is the result of the good thing that you're doing. It becomes morally defensible, this good thing that you're doing given two conditions.

One of them is that you are not intending the negative effect. You are intending the good thing and you realize a consequence of that action is going to be this negative thing. But you're not intending the negative thing.

I'll give you an example of the opposite. If you have a person who is terminal and you have doctor assisted suicide, the doctor is going in not to help the person die more comfortably as a result of natural causes. But the doctor is going in to take the life.

The intention of the doctor is to take the life. Okay. And so that makes it a very different kind of moral circumstance.

In the case of double effect, you don't intend the bad thing. You are willing to live with the bad thing that you don't intend because of the goodness of the good thing and the necessity of it. The second thing is that you're not treating the, in this case, when there are human beings that are involved, you're not treating them as mere means to ends, but you're treating them.

You have in the consideration here that these are valuable human beings. Okay. So let's take June 6, 1944, the DD Invasion.

The DD Invasion resulted in 30,000 civilian deaths. French. Did the Allied forces intend the death of those 30,000? No, they didn't intend.

They intended to soften up the German defenses and make a landing to liberate Europe. Okay. But they knew what was going to happen.

All right. So they intended a good thing that was absolutely necessary for the liberation of Europe and saving tens of thousands, many more, obviously millions of lives that would have lost under the current regime, but they knew they were going to lose these lives. But these were not inconsequential.

These were real human beings that had human value. And it's tragic that this took place. So here you have the log double effect in play.

We realize that the action we're going to take is well-intentioned and for a good end. But it has going to have a tragic consequence. But it is morally acceptable in light of the fact that we're not trying to kill Frenchmen.

We're trying to soften up the defenses so that the German army can be pushed back and France could be liberated. And we're realizing the tragedy. We're not using the people as a means to announce.

We are realizing the tragedy that's involved there. Okay. So there's the general principle.

It applies in the question that we have actually is met with regards to abortion. And the question is usually applied double effect when the mother's life is in danger. When the mother's life is in danger from the pregnancy, is it morally acceptable to take the life to do the abortion in order to save the life of the mother? And in the principle of the law of double effect, the answer is yes.

But given a couple of things, obviously the intention is to save the life. The only way to save the life is to end the pregnancy and ending the pregnancy entails ending the life of another equally valuable human being. But it's acceptable because of what's in view here, saving the life of the mother.

Now, we have to stipulate here that the mother's life has to be genuinely in danger, which is relatively rare nowadays when that's the case. And what a lot of people want to do is extend this danger to include environmental circumstances, quality of life, stuff, and all that. That doesn't enter in appropriately into this question.

If the mother's life is potentially forfeit by carrying to term and likely forfeit, then something like termination of the pregnancy. And many won't even call it an abortion

because it's an inappropriate term in this circumstance because of the law of double effect. And by the way, we're not copping out here.

We're trying to reason through the circumstance and make a moral distinction here between this circumstance and a whole lot of other circumstances that people try to justify that aren't justified. And I'm not even sure there are very many if any situations where you actually have to do an abortion. I think where this usually comes up is when there's some sort of treatment the mother needs that when that treatment is done, it results in the death of the baby, but they're not directly just removing the baby.

Yeah, well, that would be the case like a chemotherapy or something. Well, in ectopic pregnancies, arguably, at least I'm not a doctor, but some have told me even ectopic pregnancies can the child can survive. I don't know how that works, but at least arguably this might be where the embryo attaches to the fallopian tube instead of making its full journey down into the uterus and attaching there where it can be properly cared for by the mother.

So, and if the baby kind of grows there, maybe I don't know the consequences, but that's the easy thing. Yeah, and notice, thank you for mentioning that. The goal here is to save one life, not to sacrifice both.

If both are going to die, then acting in a way to save the one is morally defensible, even if it means the consequence, the foreseeable consequence of the death of the child. And incidentally, by the way, even in this case, we are still treating and viewing the mother and the child as humans that have intrinsic value. We just like the Frenchman on the coast in Normandy.

So it isn't diminishing the value as many pro-abortion arguments do. They just try to dismiss and diminish the value of the unborn in an illicit way. And sometimes mothers will refuse treatment for things like cancer in order to save the life of their baby.

So I wouldn't say it's required to do either one. So if the mother wanted to give her life for the baby, I don't think that's wrong, but it's also not wrong to save the life of the mother, especially in cases where both would die. Now, I just wanted, Jake had linked to an article, and I just wanted to briefly say, I think you've covered all these things, but the article summarized for things that I think bring this nicely to a close here.

But here's what it said, the goal of the surgery itself must be good, or at least morally neutral. So to save the mother's life, to remove a tumor, whatever, not, I'm not calling the baby a tumor. I'm saying, and let's say there's a tumor, and it has to be in order to remove it, the baby will die, but the goal is to remove the tumor, not to kill the baby.

Your intention has to be for the good. Right. And then it says the good effect must not come about as a result of the evil effect, but must come directly from the good action.

So you're not doing something evil in order to get a good result. Then the evil effect must not be desired in itself, but only permitted if there is no other choice. That's right.

And then the fourth one is there must be a sufficiently grave reason for permitting the evil effect to occur. So notice how ethical thinkers have worked really hard to try to resolve this kind of challenge, because the issue does come up. And it's not just, like I mentioned, ad hoc, we're just not coming off the top of our head in a way to illicitly justify what people would say is an abortion under special circumstances, but not under other circumstances.

And it seems to people like this is cheating. It's not. It's a carefully thought through ethical point of view that needs to be applied when you run into very unique circumstances, but both treat the unborn as the valuable human being.

The unborn and the mother as the valuable human beings, they are intrinsically. And that's really critical to this decision. Okay.

So the next question comes from Naya. And I think you've mostly already answered this, but I wanted to ask it explicitly because I think a lot of people wonder about the pro-life view on this. So here's the question.

What should lawmakers do when crafting abortion policies that encompass situations where the mother has to choose between her life and the baby's life? Do you think laws should be fashioned in a way that forces women to carry those babies and die as a result? Should they induce labor? I guess I'm a little confused on the set of circumstances that are being described here. If the mother's life is in danger, the mother has the liberty to choose to carry to term and take the risk. And in fact, many women do.

And one thing they discover is when women are told they'd be better off to abort than to carry to term, and they decide to carry to the term, everything works out fine. So the doctors over emphasize the threat to the mother. This happens with some frequency.

And I know that some people are going to say, well, you're just making this up. Look at there are lots of women that are listening to my voice right now that know when they ran into a troublesome pregnancy, troublesome of some sort. And maybe it was a congenital defect of the child that they found out through amniocentesis, which some people have characterized as a search and destroy mission.

You find out through amniocentesis or this baby's Down syndrome. Then they know the pressure that they get from doctors to abort. A tremendous amount of pressure.

I've heard this time and time and time again. So we shouldn't be surprised then when the doctors operating from a totally different set of values are going to over likely overemphasize the threat to the mom regarding a troublesome pregnancy. They don't want to have, you know, obviously problems with the mother in her health care in a

troublesome pregnancy.

But at the same time, I think the way to get around that is just say, and the pregnancy. And so oftentimes they overemphasize the risk and women who carry the term have a fine pregnancy and fine baby. Okay.

So I think it should be up to the woman. I don't think that there's any obligation to carry a child that is a threat to the mother, a genuine threat. And this is where, you know, where the fudge factor does come in a lot from the other side.

And the threat isn't just to the life and well-being, but it's to the life of the mother, but it's somehow to the well-being of the mother. And this is a very, very flexible concept. You know, she'll have to quit her job.

Oh, we can't have that. I've seen a lot of equivocation on the word life where when we say the life of the mother, they're interpreting that as quality of life. Right.

Instead of actual life. Yeah. This is actually do versus Bolton that followed Roe versus Wade makes this kind of emphasis.

So I think we've already already covered that we don't think that laws should require a woman to die in the place of her child. And especially that doesn't make sense in cases where they would both die, but hopefully that will resolve that. And I don't think there are any pro-life laws out there that don't have an exception for the life of the mother.

And incidentally, this is not the issue. This is a distraction. The issue is all of the lives of one more children that are taken for completely different reasons.

And what I think the focus is here is to try to show how mean Christians are because they won't, or pro-lifers are, I should say, because they won't allow for abortion for any reason. And what they do is they focus on the hard cases to demonstrate that. Hard cases make bad policy.

Okay. There's an aphorism in governance that's a sound one. Hard cases make bad policy.

You do not make policy based on hard cases. You make policy based on the standard, not on the exception. And I've also seen people argue, and I mentioned this before, but I've seen people argue that they don't actually know of any situations where you have to do a direct abortion to save a mother's life.

It's always some other situation where you're saving the mother's life in some sort of operation that ends up in the death of the baby, but not directly. So, again, I agree with you, Greg, that this is mostly just a distraction. Not to ask the question, because the question is being asked out there, but those who are arguing for pro-choice policies.

Okay. Here is another question from Naya. I've heard pro-life abortion policies make it difficult for doctors to assist their pregnant patients because they must wait until the mom is in danger to address non-viable pregnancies, even when it's a non-viable situation from the start.

How can policy legally protect babies and doctors? Well, that's a question I can't answer. And partly because this is medically nuanced. And so I don't know how to tell you part of what's causing me to pause is that I don't trust these generalized statements coming from wherever.

You know, I think that lots of times the circumstances are not fairly characterized by the people who oppose pro-life legislation protecting the unborn child. What about this? What about that? Those cases, when? Well, wait a minute. What exactly does that look like? You know, why is it that if the mother's life is actually in danger, then are you saying that they know this pregnancy is endangering the mother's life, but they won't is a dangerous is dangerous to the mother, but you can't act on it until the mother's life is actually endangered.

I'm not sure exactly what that means unless they're anticipating a danger that's to come, but the danger isn't actually manifest at the moment. And if that's what the law is requiring, well, to me, there's a protect development there. And that is that they're anticipating a danger that isn't present and the law requires them to wait for there to be a genuine danger and not just an anticipated danger.

And this is where I don't trust a lot of the doctors for the reasons I just offered or the politicians because they make more of the future danger than actually eventuates. And therefore they justify killing babies that ultimately did not need to be killed. And so this is why maybe this is a wait and see kind of provision in the law that is appropriate for the circumstance.

Well, I picked up on one phrase in here that I think the question might be about because I think the key thing here might be they make it difficult for doctors to assist their pregnant patients because they must wait until mom is in danger to address non viable pregnancies, even when it's a non viable situation from the start. So the way I interpret that question is there's a baby that's going to die anyway, but the law prohibits them from aborting the baby unless there's a danger to the life of the mother. Okay.

Oh, that's the non viable part. Yeah, this is what if that is the question being asked here, then my question is, it makes it difficult for doctors to assist their pregnant patients. Do you mean by assisting killing the baby just because it's non viable.

And there's an assumption here, if that's the question that that that is something just assumed that we of course we kill non viable babies. This is this is not right. You know, I just saw a video I first of all I have a couple articles on the website about should we.

I can't remember the name of it, but something about should we abort babies that are going to die. And there's all these reasons there why we don't do that. We don't kill disabled people because they're disabled and they're inconvenient.

Or even that they're terminal. Oh, right. Right.

Exactly. I just saw a video on Twitter that was a young woman who had had a baby who was going to die. And people are asking her why don't why aren't you aborting it.

And she says, why would I give my baby a violent death just because she's going to die. She's safe in their hand. Yes, she's safe in there right now in my love in my body.

Why would I why would I give her a violent death just because she is going to die. Right. And I think we just don't think about this is becoming assumption in our culture that if it's going to die, well then let's kill it.

But why? Everybody's going to die. I realize people make a distinction here because there's no future quality of life that's in view for the for the unborn child. But but this amounts to a doctor assisted suicide.

This is euthanasia is what it amounts to. But it is it is non it is non voluntary because the child isn't able to make a choice one way or another. So the doctor in this action makes or and the mom makes the choice for them.

So it is an act of euthanasia and why in the justification is whether going to die anyway. Well, if they're going to die anyway, let them die naturally. Don't let them die at the hand of another human being just to speed up the process violently and painfully.

Yeah. Yeah. So anyway, it's it's this what your your frustration that you're showing it's me to is is evidencing is the is the twisted way that the culture has learned to think about these things.

It's just flat out twisted. We've become used to thinking about them in certain ways that we just have not questioned because we don't think it's actually human being. I think that's what it comes down to.

Obviously only one question, right? That's the question you have to ask. What is it? Yeah. So I'm going to squeeze another one in here, Greg.

This one comes from matchless M. Is it better to stay in an area that is historically pro choice and try to change it or move to a pro life area? Also, should you stay at a workplace that is toxic or leave? One could argue for staying and trying to make a difference or to allow God to teach or mature you. Well, this is the same kind of question that people ask about leaving their kids in a public school. And so I have a guideline for that.

And then we'll see how if it applies to this other issue that you just raised. My question about leaving your kids in a public school, which suggests my kids will be able to have a salutary effect on that environment. Or maybe the parents would have a salutary effect on the environment because they're somehow connected.

My question is, do you think it's more likely that your child will influence the environment than it is that the environment would influence your child? I actually think in most cases, it's more likely that the environment is going to influence the child more than the child, the environment. There may be some exceptions. But if that's the case, if you're basically throwing your child into the deep end of the pool with high hopes that they're going to somehow have this salutary effect.

And it doesn't happen that way, the opposite happens. Well, you're just fed your child to the wolves. That's the question that has to be asked.

Now, I don't think that kind of circumstance is even in evidence here. I got a pro-choice community that I'm working at. Maybe I should move to a pro-life community.

Why? Neither has any influence on your convictions or ability to lead a Christian life. The way it would have on a child throw in an environment that's hostile, for example, the ability to change the child's thinking and action. I would not move just for that reason.

Man, there's too many pro-triches where I work. I'm going to go to someplace where they have a lot of pro-lifers. What would be the advantage to that? What are you protecting yourself from and what are you gaining in the move? I don't see that equation applying at all in that circumstance.

Well, I think my answer would be we need people in both places. We need people creating communities that are pro-life that can show the beauty of that because I think there are a lot of other things that are connected with someone's idea of the human person and human value that would flourish in a community where everyone shared that value. But we also need people to change people's minds just like we need missionaries, but we also need people in our own country living out their lives as Christians.

I don't think there's a hard and fast rule. I think you have to know what your gifts are and where you can most glorify God. Is it working to change people's minds or is it developing a community that reflects God to the world? Both, I think, are valid.

And I think you just have to figure out what your gifts are and where you will best glorify God. This question seemed to me, and this I could be totally mistaken. I don't agree with the point you just made, Amy.

But it seemed to me that what was driving this option was a comfort level. I'm uncomfortable with all these pro choices. I'd be more comfortable with a bunch of pro-lifers.

I don't know if that's the best way to decide this, because we are thrust into circumstances that were uncomfortable in for the purpose of being an agent of change, at least potentially. So that would be a concern to me if it was just like this is a hassle. I don't want the hassle of dealing with non-believers and their views.

I want the comfort and safety of a Christian environment for my day-to-day work. So I guess the bottom line is whatever you're doing, do it intentionally. Don't do it for comfort, but do it for purpose for fulfilling what God has called us to fulfill.

And I just want to close, since we've talked so much about abortion today, I just want to point out that one of the reasons why I think it's so hard to change people's minds about abortion is because so many women have had abortions and so many men have been involved in abortions, that it's very hard to face that truth, to face the truth of it, to accept that when you don't have the gospel. Without the gospel, there's no way you can face the fact that you have ended the life of your own child in a violent and destructive way. But with the gospel, we can face our guilt, we can be forgiven, completely forgiven.

And so as you're out there, maybe it's you out there in your car or running or you're thinking about it and you had an abortion, the gospel covers you. Jesus paid for your sin. You are completely free from that.

You don't have to live in guilt. And as you're trying to convince others, don't forget that the gospel plays a part in this. No one can face the weight of that sin on their own.

And I hope those of you who are out there trying to convince people are able to convey that so that people have a way to allow themselves to see the truth. Well, thank you so much for your questions. We look forward to hearing from you.

You can send them on X with a hashtag STRS or just go to our website at STR.org. This is Amy Hall and Greg Koko for Stand to Reason.