

## PERMISSIVE ABORTION LAWS RELIGION, AND MORAL COMPROMISE

By: [Terrance McConnell](#)

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### **Article:**

In the 1984 elections in the United States some of the candidates were criticized for advocating public policies that conflicted with the teachings of their churches. Chief among such targets of this criticism were Catholics, such as Geraldine Ferraro and Mario Cuomo, who defended permissive abortion *laws* while maintaining that in private they regard abortion as morally wrong. The purpose of this essay is to explore this criticism and to see what those under attack (whom I shall call "liberal Catholics") might say in response. And though I shall focus on Catholic public officials, it should be clear that the criticism under consideration need not be restricted to Catholics nor to public officials. A Jehovah's Witness who approves of blood transfusions will be open to this criticism, and so too will private individuals aligned with "Catholics for Free Choice"<sup>1</sup> (or any other person who supports permissive abortion laws but whose own church opposes them).

### **Part I**

As one might expect, there are a number of ambiguities embedded in this criticism, and one task is to sort through some of these. To begin and to introduce terminology that is somewhat misleading, I shall ask whether the criticism is relativized or absolute. I shall say that the criticism is *relativized* if the critics, when addressing liberal Catholics, mean to be saying, "Since you are a Catholic, you should not support permissive abortion laws." I shall say that the criticism is *absolute* if it is more plausibly construed as saying, "No public official should support permissive abortion laws." The absolutist is critical of *any* public official who supports what is taken to be the wrong view. The relativized version of the criticism, however, is aimed at those *who fail to be true to their own religious principles*.

Of course, if one opposes the election of a candidate on absolutist grounds, then that the relativized criticism is also applicable may seem incidental.

Yet, when one listens to the critics, it seems clear that some regard the relativized version of the criticism as particularly biting, and it is thought to put the candidate in an even worse light. One writer expresses the point this way: "People of faith lose their integrity if they fail to view public issues in light of their faith and speak and act accordingly."<sup>2</sup> Another writes:

Whether one is Protestant, Catholic, Jewish or any faith, those particular religious principles and tenets should be a completely transforming influence in one's life, affecting every area and activity of one's dealings with others. Otherwise, those who observe have the rights to question the validity of one's commitment to that faith.<sup>3</sup>

The upshot of these remarks, I take it, is that at one level a Catholic who supports permissive abortion laws is subject to an important moral criticism that an atheist, for example, can avoid. Unpacking the nature and force of this criticism is the main task to be pursued here.

Before embarking on this task, however, other ambiguities need to be pointed out. First, there are two different versions of the relativized criticism. According to the *weaker* version of that Criticism, public officials *ought not to support* policies that they oppose on religious grounds. According to the stronger version, public officials are *required to work for* the enactment of legislation supported by their religious beliefs and *to work against* legislation contrary to those beliefs. Put another way, the weaker view demands that a legislator's agenda *not conflict* with the agenda of his religion, while the stronger view requires that a legislator's agenda *must coincide* with the agenda of his religion. Both the weaker and stronger versions of the criticism condemn legislators who vote for a law that is contrary to the tenets of their religion. The idea common to both versions of the criticism is that one who supports legislation contrary to his religious beliefs is guilty of betrayal. But the stronger version is even more demanding in that it condemns legislators who do not actively work against the passage of such legislation.

The second ambiguity concerns the scope of the requirement that the critics say certain officials are guilty of violating. Does this requirement apply to *all* policies? Consider again Catholic public officials. While these individuals are often criticized for supporting permissive abortion laws, rarely are they condemned for failing to work for the prohibition of artificial means of birth control. Admittedly, advocates of the absolutist version of this criticism have made the target broader and have demanded that candidates take the "right" position on school prayer, the teaching of creationism, and homosexuality, in addition to abortion. But the narrower criticism is more common. At least two explanations of why this is so come to mind. One explanation concerns the *gravity* of the alleged wrongs. Though Catholicism may absolutely prohibit both abortion and artificial birth control, violating the former prohibition is by far the graver of the two wrongs.<sup>4</sup> So understood, the relativized version of the criticism is confined to very grave wrongs. The other explanation is that the weaker version of the relativized criticism is being assumed. Since artificial birth control is taken to be legally permissible unless explicitly forbidden and since there is no grass roots movement to make it illegal, rarely does a legislator have to face this issue.<sup>5</sup> But public officials are more often confronted directly with the abortion issue. Since these explanations are compatible, I shall assume that the criticism is restricted to the weaker version and applicable only to grave wrongs.

## **Part II**

Let us now see how liberal Catholics might defend their position. One possibility is to argue that though abortions ought to be stopped, passing restrictive abortion legislation will not accomplish that end. Other means will be more efficacious, such as moral education. Moreover, without a change in moral attitudes, abortions will continue to be obtained even though illegal, and this will result in even more harm. Not only will innocent fetuses continue to be destroyed, but women will likely be harmed because abortions performed outside a hospital or licensed clinic will be less safe. This argument, however, seems implausible because it rests on dubious empirical premises. It seems certain that abortions will not stop as long as we have permissive abortion laws. And even if restrictive abortion laws do not stop all abortions, surely it will prevent some. In short, if, as common sense suggests, there will be fewer abortions in a society that has restrictive abortion laws rather than permissive ones, then the argument under consideration cannot support the position of liberal Catholics. Moreover, even if restrictive abortion laws were ineffective, it seems that some evils are grave enough that one ought to take a stand against them even when doing so will bring about no change. And from the Catholic perspective, abortion is such an evil.

Turning to another argument, liberal Catholics sometimes appeal to a lack of consensus and to considerations of tolerance to support their position. Thus, in 1979, on the floor of the House of Representatives, Congresswoman Ferraro said, "As a Catholic, I accept the premise that a fertilized ovum is a baby... [but] I have no right to impose my beliefs on [others]."<sup>6</sup> The suggestion here seems to be that since the view that the fertilized ovum has full moral rights is based on a religious belief that is apparently not shared by the majority of Americans, it would be wrong to enact legislation based on that belief. Officials of the Catholic Church find this position unconvincing. Bishop James W. Malone, president of the National Conference of Catholic Bishops, rejects this view as "simply not logically tenable" and suggests that those who say that "their personal views should not influence their policy

decisions" are confused.<sup>7</sup> Now, of course, if the position of Catholic officials who personally oppose abortion but do not favor its legal prohibition were based on the view that personal beliefs should never influence policy decisions, then they would be guilty of confusion. But their view need not be based on such an extreme claim.

It is more charitable to attribute to these officials the view that immorality is not a sufficient condition for making an action illegal. Nearly everyone will agree that it would be much too intrusive and too cumbersome to have the coercive arm of the law trying to prohibit all immoral acts. Breaking a trivial promise may be immoral, but we do not want the law enforcing such precepts. This reply to the criticism of Bishop Malone seems fine in the abstract, but for the particular issue in question it falls short. Even if not all immoral acts ought to be legally-proscribed, surely serious (or grave) immoral acts ought to be forbidden by law. And with respect to the issue in question, Catholic public officials regard the act of abortion as the killing of an innocent human being with full moral rights. If any precept ought to be enforced, this one should be. So simply distinguishing between acts that are regarded as immoral and those that ought to be made illegal will not provide an adequate defense against the objection in question.

Another move that might be considered is to distinguish between knowledge and faith. Within the Catholic tradition, some things, including some moral matters, are regarded as knowable through the use of reason alone. Some matters, however, are taken to be articles of faith. A Catholic public official might plausibly maintain that it is justifiable to enforce that part of morality which is accessible to all through the exercise of reason, but not appropriate to enforce that part of (Catholic) morality that depends on religious faith, especially in a society where religious pluralism reigns. This position may be plausible for some cases; it seems, however, that it will not serve liberal Catholic legislators who support permissive abortion laws. Surely they will not be willing to say that the wrongness of abortion is simply an article of faith. It seems, rather, that if they are to be true to their religious tradition, they must say that the wrongness of abortion is part of the natural law, knowable to all who exercise reason properly.

There is a line of thought closely related to the one just sketched that liberal Catholic officials might consider. Some defending permissive abortion laws have argued that the moral status of the fetus is undecidable.<sup>8</sup> Whether this undecidability is extended to other moral issues may be left an open question; but at least the moral status of fetuses cannot be established. If it is granted that no view of the moral status of fetuses can have a rational foundation, then it seems to follow that this is merely a matter of taste. And if one also grants that in a pluralistic society diversity in matters of taste should be tolerated, then it follows that the legal policy that such a society should adopt is to allow each woman the freedom to choose abortion if she wishes. But at least two problems prevent liberal Catholics from embracing this position. First, this view regards the moral status of the fetus as a subjective matter, one to which there is no correct answer, and that is not compatible with their religious tradition.<sup>9</sup> One can modify this aspect of the position, of course. Instead of saying that there is no correct view of the moral status of the fetus, we can imagine the position making the more modest claim that the correct view is not known. This leads to the second problem, however, namely, that to say this may put conservatives (on abortion) in an even stronger position than liberals. For conservatives can argue that until we know the moral status of fetuses, we should adopt what is morally the least risky social policy.<sup>10</sup> And a restrictive abortion policy is less risky, as the following line of reasoning purports to show. If we enact restrictive abortion laws and it turns out that fetuses do not have moral rights, then we have inappropriately restricted the freedom of women. If we enact permissive abortion laws and it turns out that human fetuses have the full complement of moral rights, then we will have allowed mass homicide. Since the latter is the graver wrong, in the absence of *knowledge* of the moral status of fetuses, the less risky social policy is to enact restrictive abortion laws.

### **Part III**

Apparently not all religions share the Catholics' opposition to abortion; indeed, it seems that the majority of the people in the United States believe that abortion is at least sometimes permissible. Of course, this does not *make* abortion right; but a lack of moral consensus may put constraints on the content of the law. One might say that those who oppose abortion absolutely have not yet convinced the majority that this is a fundamental moral truth that must be legally enforced. In the absence of consensus and when the moral belief in question is tied so closely

to religion, the importance of freedom of religion suggests that enforcing this belief would be an inappropriate intrusion. *All* religious sects in the United States have good reason to protect freedom of belief. Even if a particular sect were able to impose one of its cherished beliefs on others, it might well be the object of such imposition with regard to some other important belief.<sup>11</sup> The same forces that might join Catholics in legally banning abortions may later conspire with others to implement forced sterilization in certain cases (for example, when a welfare mother has given birth to more than one illegitimate child). Thus, preserving one's own freedom of religious belief may require one to tolerate a state of affairs in which some of one's more central beliefs do not have the force of positive law.

This rationale seems to avoid the pitfalls of the others noted earlier. Still, something about this position seems puzzling. Remember, liberal Catholics are trying to defend their *support* of abortion laws. It is one thing to work *against* the enactment of permissive abortion laws and, in the face of defeat, to acknowledge that one must tolerate such policies until one can convince the majority of their wrongness.<sup>12</sup> It is another thing altogether, though, to say that a piece of legislation permits seriously immoral behavior, but to support it because one has not yet convinced most others of its heinousness. Others are not likely to take one's preachings seriously if one's votes are not in accord with those preachings. But in addition to this practical point, this position seems to be open to the objection that its proponents are guilty of *moral compromise*, and it is this criticism that I wish to explore further.<sup>13</sup>

To say that someone is *guilty* of moral compromise suggests that that activity is wrong, and that is the point that the critic wishes to make. In some contexts compromise seems perfectly reasonable, and one such context is the Political arena. If the President and the minority party in Congress favor a budget that allocates X dollars for defense and the majority party in Congress prefers a budget that gives Y dollars for defense, it seems not implausible for bargaining to occur and for the parties to agree on a figure somewhere between X and Y. Of course, in this case and many similar to it, one might say that what is being compromised are interests, not principles.<sup>14</sup> But even if one does regard this issue as a matter of principle (say, distributive justice), compromise need not be ruled out because, given the high budgetary figures and the factual complexities, one can hardly be confident about exact figures and percentages on such matters. But if liberal Catholics compromise so readily on the abortion issue, there does seem to be some reason to question their moral integrity (or their moral sincerity).

There is one obvious way to block the charge that compromise is an indication of lost moral integrity. If one maintains that, in certain situations, one ought to compromise, then one who does compromise in those situations can hardly be charged with lacking moral integrity (though he might be accused of having false moral beliefs),<sup>15</sup> One may have a position on a given moral issue, but if that issue is a matter of social policy and there is serious disagreement about it, these are additional considerations that may be relevant to determining what one ought, all things considered, to do. Compromising on a matter of principle may be motivated by the desire to resolve an issue peacefully, to show respect for those who hold a conflicting position (which prevents one from imposing one's views on others), and to maintain self-respect (which prevents one from capitulating completely). In a case like this, not only has our compromiser not lost his moral integrity, but he regards compromising as necessary for maintaining that integrity. I want to emphasize two points, then: (i) that the conscientious person need not eschew all compromises, only certain ones; and (ii) that compromise is neither inherently evil (as the critic holds) nor inherently good (as some others might think),<sup>16</sup> Whether all of this will help liberal Catholics, however, is something that must be investigated.

#### **Part IV**

What might lead one to compromise on the abortion issue? Several possibilities come to mind. One is that an individual may be uncertain about his position on the abortion question.<sup>17</sup> A person may have doubts about some of the premises he employs to arrive at the conclusion that abortion is always wrong, or he may think that the arguments of his opponents are as plausible as his own. Uncertainties of this sort may prompt one to agree to a middle ground between the extreme of one's own and one's opponent. However, this position seems very similar to ones described earlier, and it does not seem to be one that liberal Catholics can readily embrace. It is hardly compatible with Catholicism to doubt whether the human fetus has the right to life.

Another possibility should be explored, though. Liberal Catholics may hold firmly that human fetuses have the right to life and agree that this establishes the *prima facie* wrongness of abortion. They may believe, however, that restricting a woman's access to abortion conflicts with some other principle(s) they hold. Thus they have doubts that abortion is always, *all things considered*, wrong. They may hold, for example, that no one is morally required (nor should be legally compelled) to help another unless he has voluntarily incurred that obligation. And, the argument might continue, at least in cases where pregnancy is due to rape or failure of a reliable method of birth control, the woman has not voluntarily incurred an obligation to aid the fetus. In these cases, at least, a woman's right to freedom permits her to extract the fetus from her womb; or, to put it another way, the human fetus's right to life does not automatically give it the right to use another's body.<sup>18</sup> We must be careful in saying what version of this argument we might attribute to liberal Catholics. For construed one way, the argument purports to show that abortion in many cases is *morally* permissible, and that I assume Catholics wish to deny. What they want to maintain is that though abortion is immoral it ought not to be illegal. Thus, for them to adhere to the libertarian-like position just sketched, they might maintain that people are morally required to help others but that the law ought not to enforce this requirement. In effect, they would oppose Good Samaritan laws or laws based on the welfare principle.<sup>19</sup> This position, I think, is coherent, but it does not seem to be a view that the liberal Catholics I have in mind can actually endorse. In particular there are two problems. First, the interpretation of the right to life on this libertarian account seems too weak. If the fetus's right to life does not even give it the right to use the pregnant woman's body, then surely Catholics must wonder whether the right to life has been properly understood. And second, the liberal Catholics whose position we are discussing can hardly be categorized as contemporary libertarians. They have not generally opposed legislation based on the welfare principle. So, though this position may be one that some can embrace, it does not seem to be open to those politicians recently under attack.

## Part V

There is another moral principle to which liberal Catholics might appeal and which may lead them to oppose the legal prohibition of abortion. This is the principle of tolerance. Perhaps not surprisingly, John Rawls can be of some assistance here. His argument, in *A Theory of Justice*, for equal liberty of conscience may provide liberal Catholics with a principled basis for their position. Rawls argues that parties in the original position behind the veil of ignorance will choose a principle allowing each freedom of belief and practice with regard to moral and religious views.<sup>20</sup> Toleration is not adopted as a compromise or from political necessity, but rather is said to follow from the fact that each should be extended equal liberty. And if equal liberty of conscience is granted to all, then "from the standpoint of the original position, no particular interpretation of religious truth can be acknowledged as binding upon citizens generally . . . Each person must insist upon an equal right to decide what his religious obligations are."<sup>21</sup> It does not follow from this that any action based on a religious belief will be permitted. Religious practice must be limited when it is necessary to protect others. As Rawls puts it, "Moral and religious freedom follows from the principle of equal liberty; and . . . the only ground for denying the equal liberties is to avoid an even greater injustice, an even greater loss of liberty."<sup>22</sup> And Rawls makes it clear that he means for this to be a necessary condition for limiting liberty when he writes, "The limitation of liberty is justified only when it is necessary for liberty itself, to prevent an invasion of freedom that would be still worse."<sup>23</sup> An example of such limitation is provided by our own society. Though adult Jehovah's Witnesses are permitted to refuse blood transfusions for themselves, they are not permitted to refuse such lifesaving therapy for their children.

Now one might grant all of this and still maintain that it will not help liberal Catholics. Even if, based on moral or religious beliefs, some regard aborting the human fetus as permissible, it seems that Catholics must regard that act as a violation of a being's right to life. And if so, then the Rawlsian condition necessary for justifying restriction of freedom—namely, to prevent an invasion of freedom that is even worse—is satisfied. Protecting the right to life of a being would seem to warrant preventing others from acting on moral or religious beliefs (as the example of Jehovah's Witnesses and blood transfusions suggests). But liberal Catholics have a retort to this one that will enable them to maintain the belief that abortion is immoral but ought not to be forbidden by law. As stated earlier, in Rawls' liberal political theory a necessary condition for the restriction of liberty of conscience is to prevent

damage to public order or to prevent an even worse invasion of liberty. But this is not the only condition that must be satisfied.

Furthermore, liberty of conscience is to be limited only when there is a reasonable expectation that not doing so will damage the public order which the government should maintain. This expectation must be based on evidence and ways of reasoning acceptable to all. It must be supported by ordinary observation and modes of thought (including the methods of rational scientific inquiry where these are not controversial) which are generally recognized as correct.<sup>24</sup>

In effect, then, freedom of conscience may be restricted only if it is believed that not doing so will damage the public order, and this belief is shared by nearly all or the belief is based on evidence or methods of reasoning acceptable to nearly all. The belief that human fetuses have the right to life from the moment of conception is clearly not shared by all. Perhaps it is premature to affirm or to deny that this belief is based on evidence acceptable to nearly all. But it is not premature to say that many have not accepted or believed the evidence, if there is any evidence, for this claim. Thus if liberal Catholics adopt this Rawlsian position, they can maintain their belief that abortion is Unmoral, but (for now) hold that there should not be restrictive abortion laws. And this in no way compromises their moral integrity.

But even this further elaboration of the Rawlsian position is not enough to save liberal Catholics. At least two criticisms are likely to be raised. And while one of these can be answered, the other may prove to be quite damaging. First, some may accuse liberal Catholics of a blatant inconsistency. They seem to be saying that abortion is wrong but that it ought to be permitted. This appearance of contradiction can be eliminated, however. As was noted earlier, it makes sense to distinguish between behavior that one thinks is wrong and behavior that one thinks ought to be prohibited by positive law. One can say consistently that it is wrong to use artificial methods of birth control and wrong not to worship, and yet maintain that in a pluralistic democracy that these matters *should not be regulated by the state*. In effect, this is to adopt a second-order principle for choosing social policies that overrides one's first-order moral principles.<sup>25</sup>

This leads to a second and more serious problem, however. Most who have commended moral compromise and who have argued that it need not detract from one's integrity have acknowledged that there are moral limits on compromise; not just any principle may be compromised.<sup>26</sup> One hopes, for example, that most of us will not be willing to compromise with persons who believe that slavery or genocide is permissible. Yet it seems that liberal Catholics are compromising a principle that has just this status. After all, they regard abortion as the killing of an innocent human being. How can they approve of laws that permit such killings, even if these laws are favored by the majority? Indeed, because abortion is regarded by Catholics as so heinous, one should expect them to do many things to discourage abortions. At the very least, they (and other opponents of abortion) should support aid to pregnant women, programs that promote adoption of unwanted children, and aid to unwed mothers and their children. One might even think that they would regard themselves as justified in taking more extreme steps—for example, doing damage to abortion clinics.

Opponents of abortion adhere to a first-order principle which, it seems, instructs them to work for the abolition of abortions. Call this a principle of conscientiousness. Some, however, may also be committed to a second-order principle, one which counsels them to compromise on social policies regarding which there is widespread disagreement. Call this a principle of compromise. This now provides us with a different way of stating the second problem. Setting social policies in a democratic society does require individuals to compromise some of their first-order principles. But to endorse the view that *any* first-order principle may be overridden by the principle of compromise is implausible. Some principles are so fundamental that a willingness to compromise on them does threaten an agent's moral integrity; and such is the principle concerning which liberal Catholics must compromise.<sup>27</sup> This is not simply because the principle has a religious basis, but rather because of the alleged gravity of the evil specified by the principle.

## Part VI

If what I have argued is correct, the obvious ways of defending the position of public officials who privately oppose abortion but who support permissive abortion laws are flawed or at least open to serious question. Let us be careful not to overstate what follows from this, however. This certainly does not show that such public officials have a bad moral character. Nor, of course, does it even show that this position is indefensible. There may be other, more plausible ways to defend the view that I have overlooked. But until such a defense is advanced, liberal Catholics (and others similarly situated) have reason to worry about the credibility of their position.

At the philosophical level, what I have argued advances neither conservatism nor liberalism on the abortion issue. After all, the most that follows from what I have said is that liberal Catholics should abandon either their support of permissive abortion laws or their Catholicism. At the political level, however, conservatives are likely to be happier with the results of this investigation. Typically, a greater diversity of supporters brings about greater political strength. And certainly support from some Catholics has seemed to add political strength to liberalism on abortion. If that support is shown to be unavailable, it is reasonable to speculate that the liberal position will be weakened politically. If this is a consequence of what I argue here, it is one that, at the outset, was neither foreseen nor intended.<sup>28</sup>

## NOTES

1. "Catholics for Free Choice" is an organization which favors permissive abortion laws. While much public debate has focused on politicians, such as Governor Cuomo and Congresswoman Ferraro, no official Church action has been taken against them. But Mary Ann Sorrentino, executive director of Planned Parenthood in Rhode Island and a Catholic, excommunicated in May 1985. Sorrentino called attention to this failure to take similar action against more powerful and better known people, but the Church's position is that Sorrentino directly "procures" successful abortions for others.
2. "Letter to the Editor," *Greensboro News and Record*, October 8, 1984.
3. "Letter to the Editor," *Greensboro News and Record*, September 24, 1984.
4. The idea that two different acts can both be unconditionally prohibited and yet one is a graver wrong is explained by Alan Donagan, *The Theory of Morality* (University of Chicago Press, 1977), p. 152.
5. It must be acknowledged, though, that certain expenditures of public funds do promote, directly or indirectly, the use of artificial birth control.
6. Quoted in *Newsweek*, August 20, 1984, p. 66.
7. *Ibid.*, p. 66.
8. For an explanation and critical account of this line of argument, see L.W. Sumner, *Abortion and Moral Theory* (Princeton: Princeton University Press, 1981), pp. 77-80.
9. Many have challenged what has been assumed here, namely, that the subjectivity of morality can compel one to favor some social policies over others. And indeed I think that this assumption should be challenged. However, for a spirited defense of the view that moral relativity leads to toleration, and in particular to the endorsement of permissive abortion laws, see David Wong, *Moral Relativity* (Berkeley: University of California Press, 1984), chap. 12, especially pp. 190-197.
10. For an account of this argument, see Sumner, pp. 79-80.
11. This is one of the points made by Governor Mario Cuomo in his speech at the University of Notre Dame, Fall 1984.
12. I do not mean to imply that there are no problems at all for one who takes this position. If one is committed to a certain procedure or political structure for resolving conflicts among principles, one must realize that one's own principles may lose out and this may pose serious problems. For an interesting discussion, see Ted Honderich, "A Difficulty with Democracy," *Philosophy and Public Affairs*, vol. 3 (1974), pp. 121-126.

It is useful here to distinguish between tolerating another's behavior and cooperating with that behavior (a distinction drawn in Edward Langerak's "Tolerance, Cooperation, and Respect for Wrong Views," presented at the Eastern Division Meeting of the American Philosophical Association, December 1984). To tolerate another's behavior is not to interfere coercively with that behavior. To cooperate with another is to assist that other's behavior. The above reasoning may justify Catholic public officials in tolerating permissive abortion laws, though even that is doubtful. As George Sher notes, in "Subsidized Abortion:

- Moral Rights and Moral Compromise," *Philosophy and Public Affairs*, vol. 10 (1981), p. 368, it is puzzling that conservatives have not done more to prevent abortions. But in any case it seems clear that the reasoning does not justify cooperating with (by positively supporting) permissive abortion laws.
13. Some distinguish between compromise as a product (the substance of the outcome) and compromise as a process (the procedure). See, for example, Martin Golding. "The Nature of Compromise: A Preliminary Inquiry," in J. Roland Pennock and John W. Chapman (eds.). *Nomos XXI: Compromise in Ethics, Law, and Politics* (New York: New York University Press, 1979), pp. 7ff. When I speak of moral compromise here I mean to designate the product of the decision. Indeed, several have emphasized that what is morally important is *what* is accomplished, not the technique employed. See, for example, John H. Hallowell. "Compromise as a Political Ideal," *Ethics*, Vol. 54 (1944). p. 159 and David Braybrooke. "The Possibilities of Compromise," *Ethics*, vol. 93 (1982), p. 141.
  14. For an elaboration on this distinction, see Theodore M. Benditt. "Compromising Interests and Principles," in *Nomos XXI: Compromise En Ethics, Law, and Politics* (*op. cit.*). pp. 26-37.
  15. See Arthur Kuflick, "Morality and Compromise," *Ibid.*, esp. pp. 50-51. Kuflick makes a similar point in "The Inalienability of Autonomy," *Philosophy and Public Affairs*, vol. 13 (1984), p. 298.
  16. The former of these points is made by Hallowell, p. 170; the latter, by Braybrooke *op. cit.*, pp. 141-142.
  17. That complexity and uncertainty provide an occasion for compromise is argued by Sher, *op. cit.*, pp. 369-370.
  18. The source of this now familiar position is Judith Jarvis Thomson's "A Defense of Abortion," *Philosophy and Public Affairs*, vol. 1 (1971), pp. 47-66. It is not accurate to say, however, that Thomson "holds" that the human fetus has the right to life; rather, she grants this for the sake of argument.
  19. I take the welfare principle to state that a person's liberty may be justifiably restricted in order to force him to benefit others. See Joel Feinberg, *Social Philosophy* (Englewood Cliffs, NJ: Prentice-Hall, 1973), p. 33.
  20. This argument is developed in John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), pp. 205-221.
  21. *Ibid.*, p. 217.
  22. *Ibid.*, p. 214.
  23. *Ibid.*, p. 215. See also, pp. 212-213, where Rawls says that liberty of conscience may be restricted to prevent damage to the public order.
  24. *Ibid.*, p. 213.
  25. For a helpful discussion, see Honderich, "A Difficulty with Democracy," *op. cit.*, especially pp. 224-226.
  26. See Kullick, "Morality and Compromise," *op. cit.*, p. 41 and Sher, *op. cit.*, pp. 367-368. The principle "that all morally controversial decisions should be matters of individual conscience," Sher writes, "is plainly untenable" (p. 367). Sher cites wife-beating, slavery, and murder as actions that even the most enthusiastic defenders of tolerance will want to prevent (forcibly, if necessary). This is one reason why, as Sher notes later (pp. 371-372), it is difficult for conservatives to compromise on the abortion issue.
  27. Some of the terminology that I employ in this paragraph was suggested, to me by Gregory Trianosky, though in a much different context.  
I have not tried to explain the notion of moral integrity. For a discussion of a related notion, that of moral purity, see Thomas E. Hill, Jr., "Moral Purity and the Lesser Evil," *The Monist*, vol. 66 (1983), pp. 213-232. Here Hill suggests that a morally integrated life is "a life expressive of one's deepest values?' a life in wip'e' one's words arid deeds announce to the world what one' cherishes. Hill does not claim, however, that leading an integrated life is always right (p. 224).  
What I am suggesting is that the criticism being examined in this essay may be understood to say the following: persons who assume that human fetuses have the right to life from conception but who nevertheless support permissive abortion laws are, sending world a mixed message regarding their values. Their words indicate that they cherish all human life, but their deeds suggest otherwise.
  28. An earlier version of this essay was read at the II International Social Philosophy Conference in August of 1985. I would like to thank several participants in the subsequent discussion for their suggestions, especially Philip Alperson, Tziporah Kasachkoff, Larry May, and Howard McGary. I owe a special debt to Kasachkoff for many helpful references.