

PRUDENCE AND MORAL CLARITY IN THE QUEST FOR PERSONHOOD.

The close relationship between the social conscience and representative democracy is at the heart of American and world history. Behind every major twist and turn of history there is a social movement driven not by legal subterfuge and political compromise but unabashed truth, courage, and clarity.

Before the emancipation proclamation and the passage of the 14th amendment, abolitionists had demanded the emancipation of African Americans for over 100 years. Before the passage of the 19th amendment and women's right to vote, the American women's suffrage movement had bravely weathered one defeat after another. Before the integration of minorities as equal members of American society, the civil rights movement fought the concept of racial segregation, a concept as old as man himself. All of these movements had four things in common: they all met with repeated defeats before achieving success, they all had uncompromising comprehensive goals, they all sought to boldly enshrine those fundamental goals in the civil law, and they fought openly and directly against public opinion and the legal and political establishment with faith in the rightness of their belief.

The abolitionist movement in the British Empire preceded the abolitionist movement in the United States and inspired many of our most beloved leaders such as Abraham Lincoln. It is well known that it took the heroic William Wilberforce nearly 50 years of relentless social and political activism to accomplish his goal in Britain. But most don't know that the fight could have been won considerably sooner. The slave trade and slavery in the British Empire would have ended decades earlier but for one poisoning concept: moral cowardice disguised as political prudence.

The year was 1792, and William Wilberforce rose to speak to his fellow members of parliament to urge them to support his motion to abolish the slave trade. It was the fifth consecutive year that Wilberforce made his motion. Sensing a favorable atmosphere in favor of abolition, Henry Dundas (a self-styled prudent incrementalist) rose and spoke. He offered an alternative to the abolition of the slave trade. Dundas suggested regulating the slave trade; making regulations that would force the plantation owners to treat the slaves better and giving them incentives to do so. Eric Metaxas, in his brilliant biography of William Wilberforce and the Heroic Campaign to End Slavery, describes the effect of gradualism, regulation, and prudence in the face of absolute evil. Describing the effect of an abolitionist's speech, Metaxas writes:

“His words shone a great deal of light onto the moral cowardice of ‘regulation’ and the lazy wickedness of ‘moderation.’

But Henry Dundas, the “enlightened moderate”, was not about to allow the the light of truth to shine. Metaxas describes Dundas' response to the motion for abolition:

So now Dundas rose and deftly splashed the single word *gradually* into Fox's (the fiery abolitionist) fire. It was very coolly done. Yes to abolition - Yes! But not

too hastily - No! True leadership demanded *prudence*. So yes - but *gradually*. Wilberforce would have thought of the slaves writhing in the middle passage, defeated, humiliated, pining for death. *Gradually*. It was as though these three syllables, soporific and falsely irenic, had bubbled up through Dundas's mouth from the dead belly of hell itself. Everyone seized on it. And why wouldn't they? Gradual abolition was abolition and it was not abolition - what more could a politician dream of?¹

Prudence has always been and will probably always be the chosen weapon of the status quo, and fear is its ammunition. That is not to say that prudence is evil. Prudence is a virtue and properly understood, it is necessary to direct our actions and help us achieve the moral good. According to St. Thomas Aquinas, prudence is "right reason in action." Unfortunately, prudence is most often used by those who are looking for a reason for inaction.

In Wilberforce's case, it was clear that Dundas's *prudent* call to gradualism was duplicitous, and was aimed only at maintaining the most politically advantageous position for himself.

Today, some political operators and legal activists are engaged in the same dissimulation regarding the virtue of prudence in the fight to legally recognize preborn personhood.

Some, like Clark Forsythe, president of Americans United for Life even try to use the example of William Wilberforce to further their cause of twisted prudence. They point to the fact that Wilberforce opted to pursue the abolition of the slave trade before the abolition of the institution of slavery. The analogy, however, is not appropriate. The slave trade was to slavery, as the accepted medical practice of abortion is to the rights of the preborn. For Mr. Forsythe's analogy to be correct, Americans United for Life would have to be lobbying, educating, and working towards the complete outlawing of the medical practice of abortion in the hopes that eventually they could establish the positive personhood rights of the preborn. Instead Mr. Forsythe and Americans United for Life advocate legal stratagems that by their own admission, "do not directly impact or implicate the woman's right to chose abortion,"² and "in no way implicate, alter, or infringe upon the right to abortion, and in no way affect the holdings of Roe v. Wade."³ Mr. Forsythe, whether intentionally or not, is much closer to Dundas than to Wilberforce.

Those most allied with the political status quo say that prudence demands regulation and gradualism. But they go even further than that. Prudence not only demands

¹ Eric Metaxas, [Amazing Grace: William Wilberforce and the Heroic Campaign to End Slavery](#) (New York: Harper Collins, 2007) 152.

² Americans United for Life. Unborn Victims of Violence Talking Points (2009).

³ Americans United for Life. Born-Alive Infants Protection Talking Points (2009).

regulation and gradualism, they say, but it also *precludes* any legal attempts to directly address the evil of abortion at this time.

In his essay on prudence and policymaking, Clark Forsythe, issues a philosophical defense of incrementalism through prudence. Forsythe writes:

“Prudent political leaders must pursue a vision of complete justice - of complete legal protection for human life. But, in the democratic process, they must pursue the ideal in such a way that progress is made and with the willingness to accept something when all is not achievable due to social, legal, or political obstacles beyond their control.”

The “willingness to accept something when all is not achievable” can, in principle, be a legitimately prudent option to move forward. Indeed, Pope John Paul II was correct in explaining that:

“When it is not possible to overturn or completely abrogate a pro-abortion law, an elected official ... could licitly support proposals aimed at limiting the harm done by such a law and at lessening its negative consequences.”⁴

But Americans United For Life, and Mr. Forsythe in particular, have, time and time again, come out at the eleventh hour, in closely contested legislative battles, against legislative efforts that were actually achievable.

Only in the past three years, Americans United for Life spoke up against a complete ban on abortion in the state of South Dakota in 2006⁵, counseled religious and pro-life groups to partner with pro-abortion forces to defeat a comprehensive legal affirmation of preborn personhood in Georgia in 2007⁶, published statements urging religious and political leaders to withhold their support of constitutional protection of the preborn in Colorado and Montana in 2008⁷, and just this year, actively lobbied local religious

⁴ Pope John Paul II, *The Gospel of Life (Evangelium Vitae)* para. 73, pp. 134-35 (Times Books ed. 1995).

⁵ Forsythe predicts that the South Dakota case will absorb much of the antiabortion movement's time and resources but that it is unlikely to be reviewed by the Supreme Court, partly because the court, he says, is not prepared to overturn Roe. "It's a question of allocation of resources," Forsythe says. "We support legislation that protects parental rights and educates women on the negative impact of abortion—and that will have the best chances of being effective." Dan Gilgoff, *State's Ban Shows Split in Anti ABortion Campaign*. U.S. News and World Report, 3/2/06. <http://www.usnews.com/usnews/news/articles/060302/2abortion.htm>

⁶ Americans United for Life Blog. <http://blog.aul.org/2008/01/25/georgia-catholic-bishops-on-georgia-human-life-amendment-hla/>

⁷ “Yet Burton has not received much support for Amendment 48 from her most natural allies—the country's major pro-life groups. Heavyweights like National Right to Life and Americans United for Life are not backing it.” Sarah Kliff, *Newsweek*. *Roe v. Wade v. Kristi: why are pro-lifers spurning a young true believer?* October 31, 2008. <http://www.newsweek.com/id/166730>

leaders⁸ and politicians in North Dakota to kill a bill seeking to protect all preborn persons after their house of representatives had passed it and the senate was poised to vote on the bill.

Americans United for Life, and Mr. Forsythe can not credibly argue for prudential acceptance of insignificant gains -because greater gains are unattainable- while at the same time actively working to socially, legally, and politically undermine the possibility of greater gains!

Mr. Forsythe writes, “it is not immoral to be prudent.” Indeed, but it is immoral to be disingenuous and duplicitous.

Whether prudence is rightly invoked or is instead a cover for personal and political ambition, and moral cowardice, turns in large part upon the real legitimacy the political and educational strategy that is prudently being avoided. For a defense of Personhood legislation, called by some Human Life Amendments, please see our article Personhood: A Path to Victory. However, it is also important to note that proper prudence would never direct action that directly undermines and discourages the efforts of those who seek to create a principled social movement for nebulous political gains.

Those, who like Dundas, seek to undermine principled actors have other motives outside of their love of the virtue of prudence.

According to the U.S. Conference of Catholic Bishops, prudence may compel us to act “even in a situation where the results are less than certain,” so long as “the consequences of not acting are serious.” Unfortunately the U.S. Conference is not referring to abolishing abortion, but to global warming.⁹

Churches with large numbers of members who support abortion rights are afraid to become too “extreme” and therefore favor gradual, incremental legislation when it comes to abortion. Christianity has always thrived under persecution, but church coffers, hierarchies, and bureaucracies don’t. It is much more politically expedient to urge action to address global warming than to urge action to completely abolish abortion. Churches that accept the theory that prudence means the “willingness to accept something when all is not achievable” while simultaneously not having the moral

⁸ “ ... the truths of faith and reason must be chiseled into civil policy with great precision in both thought and execution, thus meeting the demands of the cardinal virtue of prudence. To this end, we have sought and carefully weighed valued opinions from pro-life groups, legal experts with extensive and lengthy experience in abortion law ... and it is apparent to us that HB 1572, as written, raises many unanswered questions, could lead to unintended consequences and injustices, and would not achieve the goal of providing a direct challenge to Roe v. Wade and its progeny.”
North Dakota Conference of Catholic Bishops, March 12, 2009 weeks before a vote in the North Dakota Senate. <http://ndcatholic.org/2/assets/FinalStatement.pdf>

⁹ U.S. Conference of Catholic Bishops: Global Climate Change: A Plea for Dialogue, Prudence, and the Common Good. (2001)

courage to support legislation that honestly attempts to abolish real evil at hand are relegating themselves to moral insignificance while believing that they are buying in to the club of influence and power.

When prudence is not used merely to direct, but to stifle, prudence itself requires us to distinguish it from timidity, fear, and dissimulation. As individuals we must look at the personal and institutional motives that might cause an individual or an organization to stifle the principled efforts of another.

When pro-life leaders insist on incremental measures that, by their own admission, do not affect the right to an abortion, while actively opposing more sweeping efforts, they are abandoning Truth for political expediency. Truth is the only thing that will win this battle, for if Americans are only exposed to middling incremental pro-life arguments, how will their hearts and minds ever be truly changed to accept, even demand, the protection of each human life?

In his famous letter from a Birmingham jail, Martin Luther King sums up the belief that we must attempt to end abortion right now:

“We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. Frankly, I have yet to engage in a direct action campaign that was "well timed" in the view of those who have not suffered unduly from the disease of segregation. For years now I have heard the word "Wait!" It rings in the ear of every Negro with piercing familiarity. This "Wait" has almost always meant "Never." We must come to see, with one of our distinguished jurists, that "justice too long delayed is justice denied."

As a movement, we know what our goal is: to have all children in the womb protected by love and by law. It is important that we learn the lessons of history and rely on the moral clarity of our God-given moral law to guide our efforts not on demoralizing legal and moral subterfuge.