(This letter is reprinted from the pro-lifers for Survival newsletter and we were very challenged by it in our attitude to abortion laws when it is framed in terms of assuring the fetus the same legal protection that others have - if we do not believe laws will end abortion or in laws in general then we must begin to act as we would in a society where human rights were protected by the activity of its members rather than selectively through the threat of prison.)

SELECTIVE ANARCHY?
These thoughts are addressed primarily to those in the pro-life movement - and there seem to be a growing number of them - who say that despite their strong opposition to abortion, they do not believe law is the solution to the problem. I assume you mean law is not even part of the solution and further, that you will not be working for the passage of the Hatch or HIA Amendments. Frankly, I'm disturbed by your position.

If you base your opposition to law on practical grounds - that law (or a law) will not stop abortion - then consider the evidence. NOW and Planned Parenthood are working ferociously against passage of Hatch right now, a strong indication of the impact it could have if passed. It is true that no law will stop all abortion (or any other criminal activity) there were illegal abortions before Roe vs. Wade, though probably not anywhere near as many as the abortion proponents used to tell of. But it is absurd to imagine that there would have been ten million + abortions in the past nine years if the court had not denied the unborn their equal protection under law! Those of you who say love is the answer, not law, will have to admit that since we've been without law, very little love of the unborn has been forthcoming to fill the gap. It is simple and, I think, undeniable fact that many people are sadly lacking in a real conscience and take their cues on how to behave from the set of rules imposed upon them from without. Many women who "choose" abortion and doctors who practice it would surely not do so if they faced legal action and the general social disapproval that accompanies it.

The anti-life philosophy has gained considerable ground in this country since 1973 (it was fertile ground) and so, even if Hatch passes we will doubtless have more illegal abortions than before the Court decision. It is here that love, patience, time and alternatives really come to bear.

Let us consider the "law" question in a more philosophical way. Do you anti-law people consider yourselves to be anarchists? I will astound you and amaze you when I admit I do favour anarchism as the ultimate development of a free society. But I believe it is a state to be attained gradually. We cannot suddenly pull the crutch of government away from a people whose muscles of self-control and compassion are atrophied from centuries of disuse. Pulling the rug of law out from under the feet of the unborn is a very poor way to commence anarchy. Can we have a sort of selective anarchy that applies only to them? Is that not merely a new form of discrimination - one based on the lingering notion that the unborn are not as human as the rest of us?

How many of you "no law" people would endorse a wiping out of such laws as the Bill of Rights, the Voting Rights Act, Fair Employment Act, Fair Housing Statutes, the Clean Air Act or the Endangered Species Act? It really seems to me that we are being asked to have anarchism for the unborn and New Deal Liberalism for everyone and everything else! If you wish to take a truly honourable anarchist position - and remain prolife - then of course you must be consistent.
You must also be willing to substitute your own direct, concrete action against abortion for the law you dis-
dain. Since I lack the courage and certainty to do that at this point, I must work for passage of laws to protect the unborn as I am protected. This is not an ultimate solution but a pragmatic temporary tool to use to save lives.

Unless we put the brakes on abortion soon then the sensibilities of all those involved in abortion - and the circle of people is large in every case - will be too hopelessly blunted for any of our arguments to reach them, and true love will be equally beyond their reach.

Jean Blackwood
Rt.3, Box 320
Rolla, Mo. 65401
U.S.A.

See! I will not forget you.
I have carved you on the palm of my hand.
1946

(from War Resisters International newsletter, October, 82)

5 October - BEN SASWAY - First of those to be indicted for refusal to register under the U.S. selective service laws - was yesterday sentenced to 2½ years imprisonment. This harsh sentence was imposed by the judge in the trial despite the fact that the prosecutor was only demanding a 6 month sentence. Sasway is planning to appeal on the basis of selective prosecution. Letters of protest to the U.S. embassy in your country please.

REGISTRATION RESISTERS

For the first time since the end of the Vietnam-era draft, young people are being imprisoned for acting on their opposition to conscription. Following a 60 day 'grace period' designed to encourage registration resisters to comply with the Selective Service Law, the government indicted several of the public resisters and those trials are continuing.

First to be indicted was 21 year old Benjamin Sasway of Vista, California, who responded firmly, "The government has chosen to prosecute me and a few others to intimidate the five hundred thousand people who did not register for the draft. I urge these resisters to stand firm, without fear. They can't possibly prosecute us all."

Sasway was convicted 26 August and jailed pending sentencing 4 October. Judge Gordon Thompson explaining the unusual move, expressed a fear that Sasway might flee to Canada, despite Sasway's public assurance that he would not and the fact that Canada has tightened its immigration policies since the Vietnam era, making it unlikely as a refuge for americans fleeing conscription.
Jean Blackwood's letter from the *Prolifers for Survival Newsletter* (reprinted in *Mutual Aid* November 1982) has crucial jumps and slips of reasoning.

She mentions that NOW and Planned Parenthood (i.e. the equivalents of WEL and *Children By Choice*) are working against attempts to introduce anti-abortion laws (attempts replicated here in Australia in the Luscher motion, in proposals for anti-abortion clauses in a Human Rights Bill, in attempts to avoid medical benefits for abortion and, most notoriously, in the attempted Queensland Pregnancy Termination Control Bill of 1980).

The writer draws a conclusion about the impact of the proposed laws from the "ferocious" opposition of these groups, namely that these laws would be effective i.e. that they would reduce the number of abortions. (By the way, the ferocity of the opposition offered by these groups is not in itself acceptable evidence for this point.)

Blackwood is too simplistic in representing the opposition to anti-abortion laws. One of the elements of this case which she neglests to mention is that it is the poor and powerless who will suffer most severely if such laws are reintroduced, just as they did before. If there is an increase in unwanted pregnancies brought to term it will not be from the elite and the rich. If there are satisfactory(?) statistics of goolings, economic deprivation and humiliation arising from prosecutions it will not be the dominant groups in society who will provide them.

Another element in the case against anti-abortion laws which is not mentioned is the likelihood of the regrowth of death, physical and psychological injury and ruthless exploitation which characterised illegal abortions. Even if Jean Blackwood does not believe that there were "anywhere near as many (illegal abortions) as the abortion proponents used to
tell of" then she must acknowledge the evidence about the kind of abortions that often occurred and the attempted abortions that women inflicted on themselves with crude methods and instruments. Pro-lifers are bound to consider this, especially the loss of life involved.

So far as the effectiveness of the proposed laws is concerned it would be neglectful of the historical context to believe that the reduction in the number of abortions which would probably occur would be very impressive for anti-abortionists. Just as it is unlikely that the tide of criticism of the domination by various groups of people over other people (say the domination of 'disabling professions') will turn, so it is unlikely that there will be a surrender by women of the control over their own bodies which has become an expectation (recognizing this is completely apart from the issue of your moral view of elements of this control). Is the exchange of an uncertain result for fairly certain suffering of the kind I have mentioned really effective enacting of the ethics of pro-lifers (least of all of anarchist pro-lifers)?

In regard to the effectiveness of the proposed laws it should not be hard for people involved in social action, like anarchist pro-lifers and pro-lifers against militarism, to imagine the results of the success of the statist and legalistic path. Surely they can envisage the scenes of mass struggle (as in Queensland in 1979) - petitions, public announcements of illegal abortions (as was done by Simone de Beauvoir and others in France) demonstrations and civil disobedience - with the counter-attack of law enforcement and public order maintenance that will follow. Do they really imagine that their absolutist position (which, as will be clear below, I willingly welcome) will provide them with clarity in action in such circumstances? Would they not achieve more that was clear and profound by their own personal example, by the mutual aid they offer to others choosing their stance on abortion and by their public protest against a
hardening of the heart in regard to human life? Does not the statist path have the danger of stereotyping their 'opponents' (creating enemies) by assuming as Blackwood does that people manifest "very little love" and a lack of "real conscience" when they choose abortion? Many people who are neither christians nor even humanist pro-lifers are very familiar with the ambivalence of the right to choose and are acquainted with grief and guilt. Pro-lifers should not create stereotypes from a minority of feminists who actually do attempt to make an unfeeling attitude to abortion into a self-purifying test of the genuiness of the feminism of others and who have used this as a basis for censorship, social pressure toward conformity and other repressive behaviour.

If we all, experienced as we are in social action, have learnt that terror, minor violence, pushing and shoving and even abuse confirm police and other officials in their upholding of immoral laws or in their brutality and, likewise, have learnt that recognition of humanity on either side of the barricades weakens the certainty of police, etc., then surely it is possible to see that attempts to make outcasts of women who have abortions ("legal action" and "general social disapproval") will only suppress the sensitivity which pro-lifers seek to arouse. Of course an anti-abortion stance is typically associated with a range of authoritarian and mean attitudes which find satisfaction in both caricaturing and repressing opponents. But for consistent pro-lifers the above point should be obvious.

A further consideration regarding the effectiveness of the proposed laws - Jean Blackwood wishes to reserve her "love, patience, time and alternatives" for the period after winning the passage of anti-abortion laws. There seems to be a failure to maintain consistency of means and ends here. Anarchists usually point out of other leftist practices that
the abandonment of certain values or principles to achieve a 'pragmatic' step forward usually results in the loss of the ends sought and the enshrinement of the questionable means used. An example from the principle of non-violence may help. Pro-lifers are, by definition, pacifists so their advocacy of non-violent political methods is based in the first place on an absolute, and usually religiously inspired, refusal to kill. However I have never come across such a person who does not base the extension and elaboration of the case for non-violence on the counter-productive results of the use of violence. Violence, it is argued, breeds further violence. Furthermore violence stimulates the growth of authoritarianism, servility, xenophobia and undermines democracy, tolerance etc. The conclusion, in so far as political action is concerned, is that while non-violent methods may seem sometimes too quiet or sometimes too slow that to choose violence is not effective, that non-violence will eventually produce results. It is not granted as a valid argument to say that there is very little peace, non-violence or love around and that therefore we should respond in kind to the situation, be 'pragmatic' and save the "love, patience, time and alternatives" for when supposedly dramatic results have been achieved by other means.

It is exactly this type of argument, unacceptable to pro-lifers, which Jean Blackwood uses to justify the recourse to state action against people who wish to have abortions. It is likely that, having campaigned for such laws, pro-lifers will step back from the battle which I have pictured as following and leave it to the state. (Certainly this will be so for the anti-abortionists who are anti-equality, pro-war and pro-censorship). The commitment of pro-lifers to changing people's ideas will certainly be less, their provision of love, patience, time and alternatives will certainly be less and their capacity to take action and get a considered response (given the anger that will be abroad) will
certainly be less than if they had worked on with grassroots methods instead of aligning with the "moral majority" and running to Big Brother.

In discussing the issue of law itself Blackwood unfortunately does not deal with the issue of principle that is raised by the kinds of laws she advocates. It is certainly true that there are laws which, if threatened with revocation, would receive a defence from anarchists. And there are proposals for law reform which anarchists would support even though they remain within the present legal structure. Undoubtedly anarchists would meet the issue with a radical analysis but that does not alter the truth of Blackwood's point. Clearly not all laws are of the same nature. But it is exactly the nature of anti-abortion law (not the supposed non-status of the foetus which some pro-abortionists emphasize) which is the crucial failing of arguments like Blackwood's.

Many laws respond to problems inherent in a society based on inequality. Others are simply expressive of the natural growth of bureaucracy or the intrusiveness and censoriousness of authorities (there are even many victimless 'crimes' in consequence of the latter). Other laws are specifically designed to defend the interests of the powerful and repress any challenges. From these develops a self-propelled growth of police powers. All such laws will, we hope, be undermined by social change and cannot in any sense find anarchist support.

Some laws deal with, however badly, issues which will have to be dealt with by law in an alternative society. An example would be laws to protect the environment. We may know that only an ecological society can solve these problems but we do not adopt a laissez-faire position on environmental protection.
Still other laws reflect social struggles between elites and the rest of us and to an extent embody partial 'victories' for justice or freedom (e.g. welfare, the recognition of human rights). Obviously such 'victories' are equivocal in their operation because of their history and the social context and they are vulnerable to attack. Nevertheless they represent a point of departure from which radical change can move forward. A successful attack on such laws is a defeat for the principles implied however minimally therein. It is not necessary, when involved in such issues, to take a position of simple approval. Nor is it obligatory, whatever left-wing or liberal bureaucrats may attempt to decree, to subject oneself to a lowest common denominator of understanding within such movements.

So a sensible person is selective about law as Blackwood suggests. The problem is that anti-abortion laws are precisely a step backwards rather than a point of departure. They involve the determination by the state of what a woman does with her body. They allow an invasion of the individual's perogatives as basic as imprisonment itself. The control exercised involves the state's determination of the specific course of an individual's life (and, as I have suggested, may threaten that life). Furthermore they invade the integrity of the personality in threatening the person's ability to make choices about their intimate relationships, their personal projects for happiness, freedom, security and growth.

Abortion is certainly death and it is certainly horrible and if not recognised for what it is it certainly contributes to the erosion of respect for life. But life for all people is revered not just for the fleshy, breathing existence of it but for how it is lived. People draw values from all of this complex of living and develop varying and conflicting values which are seen by them as relative, objective or even absolute. Which is not to say that all are equally true - pro-lifers are free to
reject others' choice of primary values and do all possible to move people to change. This is so even when their passion is aroused as much by religious absolutes as it is by 'absolutes' drawn from human life. In not accepting this many leftists and feminists are guilty of bigotry and of a failure to see that much of the resistance to oppression throughout the world (Poland, El Salvador, the anti-war movements) is substantially drawn from religious beliefs, beliefs which are far more impressive in the personal change they engender and the action they produce than any of the versions of the marxist faith.

But pro-lifers are not free to contract with the state to impose those values. In the first place they are not free of obligations to others which derive from the extension of values about life in its whole process. They are bound to respect others' life choices and they are bound to respect the view of others that the restrictions imposed by the existence of anti-abortion laws and the actual punishments delivered involve a lack of respect for life. This point is particularly revealed when examining the detail of anti-abortion laws - for example the questions of abortion for victims of rape, incest and cases of foreseen major intellectual incapacity disclosed in the baby in the womb (abortion was denied in some cases in draft anti-abortion laws in Australia). To take the last case the imposition on the parents extends for all their life. They remain primary care-givers. Their life choices are drastically limited. Society could lift this burden so as to allow parenting of such a child to be more joyful and less destructive of the life of the mother or father. But how many pro-lifers will give as much energy to this kind of social change as they intend to give to advocating anti-abortion laws? Is there not a whole field of action there in which to make abortion less needful? Would it not be better to base advocacy on an acceptance of the needs people perceive which lead them to choose abortion rather than be satisfied with a narrow
absolute and helping to try and crush those needs? The worthwhile slogan "Eliminate social problems not babies" reveals the awareness of pro-lifers of these considerations. But does eliminating abortion eliminate a single social problem, even that of abortion?

Another way of arriving at the same point is to consider those laws which exist and some of those proposed which do not even grant abortion when the mother's life is in danger. How does an absolute value stand up to this test? There is only one absolute but two lives here. In making the decision in this case to save the mother, values must be drawn from life as it is lived and not from life as such and thus the absolutism is diluted and pro-lifers must admit the wider sphere to their moral reasoning.

There is another reason why pro-lifers are not free to contract with the state to impose their values. This is because it is not possible to determine the terms of the contract so as to prevent the violation of the values on which the pro-lifers base their case. The operation of the laws themselves kills, directly and indirectly (suicide, the legacy of multi-problem families etc.).

There is a closely related consideration here. Pro-lifers who call for state action are under an obligation to consider just what the operation of the law of the state entails. They are associating themselves with a self-perpetuating sub-culture, economy, industry, bureaucratic machine of crime and punishment. The prison system is violence and it is often death. Blackwood seems oblivious to any consideration of challenging all this.

Imagining for a moment an alternative society may help clarify the parameters of action that an anarchist pro-lifer would accept. A community or a society needs laws, that is codified expressions of the values they wish to operate in their interaction at the public level. It helps to
regularize people's expectations. They do not need gaols for this. But all the matters relevant to abortion, other than funding of medical care, fall within a different arena of interaction. Like many, probably most, conflicts they fall within the community. While a community would also have laws - codification of democratic procedures, rules about traffic movement etc. - most matters would be resolved by community action or action within a workplace. This may produce new laws but these would often be an expression of a dynamic compromise and not always be the expression of an achieved stable state. There would be elements of compulsion in all this. For example a community may refuse to allow the operation in its vicinity of an industry which cannot or will not be made safe. They may exercise their authority by meetings, negotiations or direct action. But their authority would not extend beyond what effects them and would not extend to the imprisoning of the offender. There would be no point.

To return to the example of abortion. A group of pro-lifers may object to the carrying out of abortions at a medical centre. They should be at liberty to carry out vigils and other action at the centre. Clearly this could be disturbing to women having abortions. It could greatly add to their burden. This pain must be accepted as one of the costs of a free society, one of the costs of the dismantling of the crime/punishment/police industry. The pro-lifers would be sensible to make their stand in a way which increased the likelihood of changing people rather than arousing defensive hostility. But they may not. In either case they are within their rights. On the other hand if the pro-lifers actually invaded the centre in some way other people would be within their rights to remove them. In such a situation there would be no bodies of people with ultimate authority to come in from outside. The people involved would be left with the responsibility of the situation. In most cases a balance of rights would be found though it may not be amicable and it may fall apart but
always people would be forced onto their own resources of co-operation and reason. One need not imagine that such a community would be in constant disorder. To have order people would be forced to confront each other and strike viable balances. Such a process would resolve prejudices and hostilities or allow them to exist in a controlled form without the repression and brewing violence so typical of communities in conflict when people are not permanently responsible for their own order but abdicate (and escape) to the authority of the police or some other agency of the state. While all this is abstract it does give guidelines as to the mistaken nature of the attempt to control everything in regard to abortion, that is either to make it illegal or to disallow others the right to oppose it.

There is a vast difference between the scenario sketched above and the insane society we have now in which to act as if one were free not only brings one against the state but also arouses a range of irrational public reactions and, more importantly provides a range of obstacles, such as police and media, to prevent people working out these reactions. But there are avenues by which pro-lifers can communicate their understanding. At the community level for example by providing mutual aid for people in difficulty with child rearing or with severely handicapped children. At the more general level by acting to establish social responsibility for aspects of child care (and here a united front with the women’s movement is, in principle, obvious if, in reality, made difficult by the errors of advocacy up until the present).

It is necessary to clarify a final matter. The refusal to allow argument from the status of the child in the womb as life is a deadly mistake. According to the Australian Law Reform Commission (The Australian 2/12/81) the technology is almost at hand to produce foetuses in the laboratory to be killed and used for experimental and medical purposes.
Plans are being made for an international study of the relationship between folic acid deficiency and spina bifida (ABC Science Show 26/2/83) in which folic acid deficiency will be created in mothers. It is estimated that many pregnancies in the trial will result in spina bifida and these are to be tested for and aborted. (Researchers opposed to the study on ethical grounds also point out that the relationship is already proven). There are aspects of bio-technology and genetic engineering which involve violation of life. There are a host of issues around the effects of environmental chemicals and radioactivity and their effects on the foetus. In such a situation pro-life opinion may hold back further degeneration of values.

The only line that can be drawn is based on respect for life in the womb. The extrapolation from this to justify anti-abortion laws is impermissible and ineffective but the abandonment of the value is itself unnecessary, wrong and dangerous. It should be an aim of a decent society to reduce the number of abortions by reducing the conditions which necessitate them.

It seems appropriate to conclude with the words with which Mutual Aid introduced Jean Blackwood's article

"We must begin to act as we would in a society where human rights were protected by the activity of its members rather than selectively through the threat of prison."

Greg George