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In Light of the Scott Roeder Conviction:

**A WORKING PAPER ON THE ETHICS OF FORCE IN DEFENSE OF UNBORN
HUMAN LIFE**

PART I

The Moral Principles on the Use of Force

The doctrinal and systematic theological tradition of the Christian faith, since the time of the early Church Fathers has much to offer in aiding a person to arrive at a correct understanding of the issue before us. After all, we are not the first to wonder about these things and probe into them. I have relied very heavily on this doctrinal tradition primarily as it comes to us in the form of the Christian Just War Theory. Many Christian theologians and moral thinkers have wrestled with the very serious question of whether it is proper, and under what conditions might it be morally licit to use force in defense of life (or other goods such as property or land). Going back to St. Augustine and St. Ambrose, the Just War Theory was forged. Shooting abortionists or destroying abortion centers must be evaluated in light of the Christian principles that are our heritage as the New People of God. After all, shooting abortionists and destroying the mills, can be examined within the context of self-defense, or defense of others. Now, unless one is a principled pacifist, one can claim that, in principle and in practical application, it is not always and everywhere wrong to employ force, including deadly force in defense of life.

The Christian religion is not categorically pacifist, though I think within the tradition it is possible for individuals to have a vocation to

pacifism. Catholic priests, for instance, are pacifists. They cannot fight as soldiers in an army. St. Francis of Assisi (who was not a priest) acted as a pacifist whenever his own bodily well-being was assaulted. Many will argue that prior to Constantine the Church was pacifist, i.e. that Christians, refused to serve in the army, and refused to defend themselves or others when attacked. The historical record simply does not support this view. I can provide a detailed examination of this point if others want it. The New Testament itself does not condemn soldiers. For example in Luke. 3:14 some soldiers presented themselves to John the Baptist for baptism and asked what was required of them. John told them: "Don't bully anyone, Denounce no one falsely. Be content with your pay." He does not tell them that their profession is immoral which certainly required them to kill others if necessary. In Lk. 7: 1-10 we have the story about the Roman centurion (this man was not even a Jew). A centurion is a soldier with authority over 100 other soldiers. His is a profession which involves the use of lethal force but Jesus, instead of condemning him, or pointing out this ethical problem says instead that in this soldier he has found a faith that exceeds that of the Israelites! Obviously this Roman was a righteous soldier. He cared about his servant and apparently did not abuse his authority---but he was in a profession that used deadly force against others.

Now while soldiering is not condemned, we must take seriously Christ's teaching in the Beatitudes. Christ does teach that his followers are to turn the other cheek and love their enemies. And so, in fact, we are to do so. What

Christ is teaching here is a whole moral attitude of life. We are not to retaliate in vengeance when others hurt us and do unjust things to us. We are to return love for evil. We are not to wish evil upon our enemies. Love means to will the good for another---even those who do us harm. The Christian faith does not teach that a person cannot defend life against unjust attacks. And this is the whole point in defense of life. If for example, my children were attacked, I can justifiably shoot the attacker (if that is justifiable proportionate force to repel him) to save my children. Believe it or not this does not mean I have hated or directly willed that evil befall this attacker. In a true and real sense, his death is an indirect result of my primary object which is the defense of my young ones. I do not seek his death directly. I seek the defense of my children directly. I have not hated him. I have not will evil against him. I have sought legitimately to stop the attack---the result of which is the possible the death of the attacker.

Christ admonished Peter: "Those who live by the sword will die by the sword." These words of our Lord are not a condemnation of all use of force. Christ did not say these words to the centurion, who apparently was not in an intrinsically evil profession. Again, Christ is talking about a total moral attitude of life. First, Peter resorted to force in a situation that clearly called for self-sacrifice. How often had Christ preached to the apostles that He was to offer up His life for the salvation of the world? Even at this point Peter didn't get it. Peter was trying to subvert the providence of God, the will of God for Christ at this moment. But the admonition of Christ has to do

with an attitude about the use of force. What's condemned here is the living of a violent way of life---even in defense of truth. What's condemned is a person's placing his trust solely in the use of force. This is not the way of the Christian who must live by faith. At Gethsemane Peter's action showed that he was living by force and not by faith since Christ had already told Him the Father's will---but Peter would not accept it. The Christian faith has not interpreted these words of Christ as a wholesale condemnation on the use of force in defense of life. Christ Himself used force in the cleansing of the Temple---albeit not lethal force---but He did assault people (or at least threatened people with a whip) and destroyed property that was being used sacrilegiously.

PART II

What An Evaluation of the Use of Force in Defense of Life Must Consider

I think it may be quite possible to agree or disagree on some (or all) of the theological analysis I have given above. Nevertheless---the Christian tradition (mostly through the Just War Theory) provides us folks living at the beginning of the second millennium with some extremely invaluable principles upon which to discern when and where the use of force is legitimate and whether it is legitimate in the saving of unborn children threatened by abortion. I think if we are going to arrive at an objectively based answer rooted in the Christian faith, any use of lethal force in defense of life must at least fulfill these conditions:

- 1.) That the force in defense of life is enough (proportionate) and no more to repel the unjust attack.

- 2.) That there is a probability that lives will be saved by such force.
- 3.) That the use of force is the last resort in defense of life.

Under these three conditions it would appear that the use of force in defense of the unborn is not inherently immoral, but under the present circumstances of how most abortions are obtained, such force is virtually immoral.

Let's take condition no. 3 for instance. There are many actions that can be done far short of killing an abortionist to save the lives of just as many unborn children on any given day. The property that is used to do the killing can be destroyed rather than the baby killer himself. Indeed, sidewalk counseling probably saves just as many lives within a given time period as taking out an abortionist would. Certainly, killing an abortionist is not the last resort and thus to do so, to save the unborn, is not morally licit. The usefulness of these three conditions bears discussion but you see where these three conditions are headed.

PART III

Why the Use of Force to Stop Abortion Should Not Be Used

The use of force in defense of the unborn is virtually immoral. This means, of course, that it could be morally licit under extremely rare circumstances. I've been thinking about the possible hypothetical situations. However, even if force is licit I believe there is good reason to forego its use, especially in our attempt to end abortion. Indeed, I believe the use of force against abortions should be publicly condemned. Simply because a person has the right to the use of force in defense of life does not necessarily mean he must or should make use of it.

On the practical level force really won't work. As long as abortion is legal

it is ultimately the woman who must be reached. Abortion is a very peculiar sort of murder. The victim is inside the body of another person. As long as abortion is legal this other person, namely the mother, must be persuaded not to kill her child. This means she must be reached by having the truth spoken to her and by personal acts of love toward her.

But there is something we must consider that is far more weighty than just whether force is practical in saving babies or not. I believe that our most effective weapon against abortion is adhering to the Cross of Christ. Perhaps God will call us to fight a bloody war over abortion, but ultimately the cause of abortion can still only be healed through a massive change of heart---a conversion. Abortion is the result of a grave spiritual crisis. The Cross of Christ is the only true balm for such a moral disaster as abortion represents. What does the Cross of Christ mean but that the Christian pro-lifer lay down his life for others---to live a life of self sacrificial love so that others may be saved. We need to be radical lovers. What keeps us from this is fear. And so we need to pray for a lot of grace. We fear jail, we fear loss of our liberty, we fear ridicule, rejection, and all the risks involved on whatever level. This is the key to ending abortion. It is the key in the heart of the Church that still waits to be turned.