

Paging the Unbandaged

the American Revolution, a theory that justifies violent revolution has been universally accepted by political theorists and practical statesmen. While anarchical revolution seems to have little theoretical moral justification, a "positive" revolution is justified by the same conditions required for a just war. According to this theory, therefore, if the social-political situation is irredeemably bad, if all other avenues of reform have failed, if there is reasonable, practical hope for a real improvement of conditions, then revolution, with due proportionate violence inherent in it, is morally and humanly justified.

These six categories represent six distinct attitudes towards violence and nonviolence. What is sorely needed today is understanding on all sides. Those outside the Movement must carefully note and sympathetically understand the rather technical meaning of "nonviolence" for Gandhi, Martin Luther King, Jr., and their followers. All groups, except the actual revolutionaries, publicly and sincerely profess a type of nonviolence. There are, however, carefully distinguished degrees of violence in nonviolence.

On the other hand, those inside the Movement should become more reflective and critical about the meaning and the effects of their words and actions. Postures, words and actions have necessary consequences. Those in both passive and active resistance movements, in spite of their original sincere dedication to nonviolence, tend to overstate their position or to over-react to political and juridical repression. As a result, they suddenly find themselves in positions where violence seems to be the only alternative. One hesitates to admit that any historical necessity can drive the nonviolent to violence. But then, those dedicated to the principles of nonviolence must never allow themselves to act or react on grounds outside their own principles.

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While I appreciated the nice comments Dr. James J. Diamond and Richard A. McCormick, S.J., made in their reviews of my book *Abortion: Law, Choice and Morality* (7/11), I feel forced to enter a few objections.

First, I think Fr. McCormick confused my discussion of the *legal* problem of abortion and my discussion of the *personal morality* of abortion when he charged me with "inconsistency." I do argue in favor of abortion-on-request as a legal solution. But I also argue that when a woman is faced with an abortion decision, she should use her legal freedom only as a last resort and "with an overwhelming bias in favor of human life." I fail to see any "inconsistency" here, unless one assumes (as I'm sure Fr. McCormick does not) that the requirements of the law should in all cases be identical with the requirements of the private conscience. My arguments in favor of abortion on request rest on an analysis of what I believe the law can and cannot demand concerning abortion. My arguments against a woman's making light use of a permissive law rest on very different premises.

Second, I wish Dr. Diamond and Fr. McCormick had both taken more seriously the data I present in the first half of the book. That data is crucial to my reasoning and not just something thrown in for effect. I think it helps explain why I see no inconsistency in my solution.

Third, I did consider the possibility that, in Fr. McCormick's words, "traditional policy represents a hierarchical ordering *after* the many values involved had been sifted and weighed through experience and reflection over the centuries." But I rejected that possibility because I see no evidence that this is the case. John Noonan, among others, has argued that the historical record shows that, while there have been shifts

in Canon Law throughout the centuries on abortion, the tradition has, from the first and consistently thereafter, considered abortion a great evil. Moreover, I see no evidence that, again in Fr. McCormick's words, "traditional moral policy has actually served all the values best in the long run." It has certainly served the value of protecting fetal life, but not "all the values" which should be considered. It is the failure of traditional moral policy to serve a wide range of values which led me to criticize it in the book.

Fourth, and most emphatically, I did not arrive at my conclusions out of any "overarching eagerness to achieve a consensus on abortion." In my introductory chapter I say that I think some grounds exist that a consensus might be achieved; thereafter, I hardly allude to the problem of a consensus at all. I simply can't understand how Fr. McCormick got the impression that it is a dominant theme in the book, much less the methodology of the book. The methodology is of a very different sort, trying to analyze such problems as the relationship between facts and values, the concept of "the sanctity of life," the philosophical assumptions and implications of different theories concerning the "beginning" of life, etc. I quite agree with Fr. McCormick that a lust for consensus is "a notoriously risky way to begin to chart one's moral course." *It is a course I would not and did not choose.*

Beyond those complaints, I will readily concede that I remain torn and that my wounds are not bandaged. It was very perceptive of Fr. McCormick to have caught that note. But I am not torn very much on the problem of the law. I am torn on whether, and in what circumstances, a woman should have an abortion. If my book succeeds in leading others to be torn also, I will count it a success. Those who support "traditional moral policy" do not seem to me much torn at all; they *know* (they say) that the right decision is: don't abort. Those who fanatically argue that the only moral issue is what a woman wants also *know* (they say) what the right decision is: abort. Both groups could use a few unbandaged wounds. If nothing else, I would welcome more fellow patients.

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