

**Some Theological and Practical Implications
of Churches and Pastors Advocacy of Abortion
in the Case of a Pregnancy Resulting From an Alleged Rape**

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There are clergy and laity within the Lutheran Church—Missouri Synod who believe that an abortion in the case of rape is justifiable. They ignore what the Scriptures have to say and use other grounds to limit or justify (as they see fit) cases for which an abortion may be performed. As a result great inconsistencies occur and many loopholes are formed to allow abortion on demand. By the ignoring the truth (God's Word) many problems result. This paper looks at some of the problems and how they came or may come to be.

The first major problem is the ignoring or the sidestepping of Scriptures. This paper deals with people who confess to be Christian, yet they ignore the Word of their Lord. Secondly, there is a problem when the law is used as the premise/basis for the person's stance. The current law allows abortions to be done in any case, even without parents' consent in cases of minors. Going back to the old law has no validity for the old law has been thrown out, also the laws that limit abortion (cases allowed) have been proved to be inconsistent and discriminatory. The third problem area is that of choosing medical (physical) grounds in the case of rape as being justifiable for abortion. The chance of pregnancy occurring is very slim (less than 1%). There are no medical grounds defined as "rape", rape is a legal term and not a medical one. Rape is only the circumstances of conception. The other side of medical grounds (that of psychological) still does not prove that abortion is the answer, but in fact it produces more guilt. In using rape as a psychological basis for abortion what in reality happens is that abortion for many other 'stressful' situations becomes accepted.

There are no justifiable grounds for abortion. Abortion is the taking of a life, which equals murder. Using rape to keep abortion laws on the 'books' is only an emotional appeal based upon no facts or evidence, just emotions. Why pastors keep on questioning this is due to society's play on "rights" and emotions of the people. But by no means is it based on facts. The unborn child is a living human being and is to be protected, abortion is a far cry from trying to protect the unborn. It is a far cry from the will of God.

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CHAPTER ONE: INTRODUCTION

During the Fifty-Third Regular Convention of The Lutheran Church—Missouri Synod (July 6-12, 1979) an official statement regarding abortion was adopted. Although this resolution (#3-02A)¹ is now the official stance of the Lutheran Church—Missouri Synod as a whole it still does not have the support of the whole body of the members of the Lutheran Church—Missouri Synod. When the resolution was adopted there had been an attempt to include in the resolution, by amendment, another “justifiable” cause for abortion. The proposed change was to include “rape” as an exception where abortion would be permissible.² This amendment was declined by the convention in 1979 but the question as to why ‘rape’ is not included still needs to be answered. Evidence of continued confusion over the question of abortion in cases of pregnancy resulting from rape came out in the district conventions of The Lutheran Church—Missouri Synod in 1980.³ Several districts discussed the Synodical resolution on abortion and it was during these discussions that amendments proposing the inclusion of rape (and sometimes they also included incest) as being justifiable exceptions for abortion were put to the floor and voted on. In all the cases cited in the proceedings of these district conventions the amendment failed.⁴

But having the question again put forth shows that there are pastors and laity alike who are confused about the question of rape being a legitimate/justifiable cause for an abortion. During one of these district proceedings a pastor expressed confusion about the whole question of abortion, whether it was totally right or wrong. He expressed the opinion that he was not sure whether the Scriptures really spoke to the question of abortion and then he went on to say his feelings about abortion in special cases, such as rape. As this pastor saw it, abortion is an option in the cases where the pregnancy is due to rape. This does not seem to be a single opinion and thus part of this investigation will deal with the strong trend, in more than just society in general, but among Christians too, to lean in favor of abortion in certain circumstances.

In the area of and question of abortion there is a massive amount of literature. So many viewpoints have been given and tossed at society and the Church. As a result, confusion, rather than clarity has increased. Where confusion seems to have dissipated, in society as a whole, the majority reach the conclusion favoring abortion in special cases. For the Christian family this tower of literature has had a negative effect to the point of even bringing pastors to support abortion under certain circumstances (rape, incest, physical health of mother, genetic). Neither the laity nor the clergy are immune to society’s influence which may change their original set of mind from total ‘Pro Life’ stance to ‘well, in some cases it is okay.’ Today’s Christian has been so bombarded and confronted with uncertainty and ambiguity in the exercise of choice that some wrong choices have been made (wrong according to the ‘Pro Life’ stance). Abortion is one of these areas in which some of these “wrong” choices have been made, both by laity and by pastors.

The purpose of this research paper is not to attempt to answer every single question regarding abortion. So many factors are involved that such an attempt would be impossible. To help bring this area into a researchable topic, the author intends to deal only with the subject of and the issues of abortion in cases when the pregnancy is due to an alleged rape. The use of the term ‘alleged’ is used to indicate that the fact rape is said to be the cause of the pregnancy and the actual crime has yet to be proved.

The Lutheran Church—Missouri Synod’s statement on abortion does not view rape as a justifiable cause for a woman to have an abortion. There is no elaborate statement given as to the reasoning for this conclusion. If they thought it was obvious then there must be some kind of a communication problem because there are very strong feelings in favor of abortion being justified in the case of rape. The paper presented by the Commission on Theology and Church Relations of the Lutheran Church—Missouri Synod only makes slight reference to this “special” case, “Instance of rape and incest create very special problems, requiring pastoral counseling of the most sensitive kind.”⁵ The statement is clear and plain enough yet it does not help answer some of the problem areas which this “special” case (rape) presents for the woman. Even though the rest of the document by the Commission on Theology and Church Relations is clear about the sanctity of life it is not clear in convincing these confused Christians (pastors and laity) so that they have full understanding of why rape is not a justifiable cause for abortion.

To further narrow down the topic to be researched the author shall limit examination to that of how pastors and churches may deal with rape and abortion. Specifically, when abortion is advocated and some of the problems that arise as a result of this advocacy. Use of the term “advocate” in this paper means only to view abortion as an option. It is not used here to present a picture of one who pushes or makes it mandatory to have an abortion when the pregnancy resulted from an alleged rape. The situation is complicated when abortion is seen as an option because many abortions are being done simply because it was one of the options considered.

Some of the complications that may arise when pastors and churches consider abortion as an option may be divided into two categories. The first is that in the realm of theology. Under this category the Holy Scriptures and the doctrine of the Church (specifically the Lutheran Church—Missouri Synod) will be related to the subject at hand. It shall be shown that there are very serious theological implications when one advocates abortion in the case of rape. It is even more interesting when the pastor has chosen to take the opposite view held by Synod.

The second category is the practical implications which arise when abortion is advocated. This division will examine how a pastor or a church makes itself vulnerable to being manipulated for personal means. It shall also be shown how one is then involved in areas in which they may not be qualified.

The format of this paper is not to examine some of the theological implications and then some of the practical implications but both shall be examined together throughout the whole paper. The reason for viewing these two categories together is that the author shall assume that for a majority of the time a pastor’s practical responses (his application) reflects his theological basis or premises. For example, anyone who is in total agreement with the exegesis of the Biblical passages used to support the ‘Pro Life’ stance is not going to advocate abortion at all. The theological stance is one of respect for innocent life, life’s beginning is at conception, and that all life is a gift of God. Thus the practical side and implication is to protect and safeguard that life as much as possible. The Lutheran Church—Missouri Synod’s position is one that does not justify abortion at any time. It states that all abortions are not a moral option, even in the case to prevent the death of another human being (mother), it is discussed as a tragically unavoidable by-product of medical procedures necessary to save the life of the mother. It does not say that abortion is perfectly all right, but that in these cases it is unavoidable, even then it still refers to abortion as a tragedy. Rape does not fit this category just because conception was done by an act of violence. The mother’s life is no longer threatened by death once the act of

violence is over, unless a medical problem arises as a result of the violence. This is important to note, rape is not a medical term, only a legal term. The act may produce many medical problems but the act itself, “rape”, is not an illness requiring an abortion. Rape is a serious crime and does cause great tragedy. But it is not a medical condition, not does it describe the medical conditions which result from the tragic experience of rape.⁶

Then what is rape, how has it been defined, and how and for what purpose shall the term be used? The standard definition of “rape” is “the carnal knowledge of a woman by force and against her will.”⁷ In order to understand the standard definition of rape you must grasp three points within the definition. The first is “carnal knowledge” which means any penetration from the slightest to full or complete sexual intercourse with emission of seminal fluid.”⁸ In this paper we are not concerned with the act, as to how far penetration occurred or how many times penetration occurred, the only fact that needs to be known here is that the woman is pregnant thus proving that sexual intercourse of some kind did occur. The second point within this definition is that force was used. This force may be of different forms other than physical beating or use of a weapon such as a knife or pistol. Intimidation and threats are viewed as force even though there are very little signs of violence or court admissible evidence. Again, for the most part we are not concerned with how the woman was raped. How she was raped has little bearing on the question of whether or not to have an abortion. The only connection it might have is the medical problems which resulted from the attacker’s method, other than the fact of the pregnancy itself. The third and final point contained in the standard definition is that the act of intercourse was against her will. The author hopes to demonstrate how this part of rape presents great difficulty for those who are in sympathy with abortion as a legitimate option for the victim.

Another definition is that “rape is the carnal knowledge, to a lesser or greater degree, of a female, not the wife of the assailant, without her consent and by compulsion either through fear, force, or fraud, singly or in combination.”⁹ This definition is a little bit more concise than the first. The most obvious difference here is that a man cannot be charged for rape against his wife (as long as they are still living together). Contrary to this definition this paper will assume that a man can rape his wife.¹⁰ The legality of the husband being charged with the rape of his wife will not be dealt with.

The trend is about the same in all of the definitions of rape. All indicate that there is intercourse, it was forced and against the will of the woman. Now this is actual true rape defined for legal purposes, but for an even fuller picture of rape take a look at Samuel Barr’s three categories of rape found in his book A Woman’s Choice.

1. Violent and/or forced rape
2. Rape by intimidation and/or threat
3. Social Rape, these are not reported for to do so would destroy the social unit (marriage—that of husband and wife, family both immediate and extended, friends, job).¹¹

The first two were previously discussed, but within the third a note is added. Rape may occur within the family structure. This includes husbands being able to ‘rape’ their wives. It also includes what is called incest. Rape may occur in such a close unit that it is not easily reported to the proper authorities. This is important and will be brought up again when proof of rape is discussed.

CHAPTER TWO:

LEGAL PREMISES FOR ADVOCATING ABORTION

Since the Supreme Court decision of 1973 abortion has received the stamp of validity, that it is justifiable according to the law to remove an unborn child from the womb prior to the time of complete development. Abortion done for the sole purpose of destroying life at the request of the woman is totally legal. In the case of pregnancy due to an alleged rape the woman may legally have an abortion. The intent of this chapter is to take a look at the law, especially when the law is used by the pastor or a church as the basis for supporting abortion, thus ignoring the teachings of Scripture and the position held by Synod.

Prior to 1973 many states were already wrestling with the issues of abortion. Each state slowly began to set up individual laws defining the circumstances in which abortions would be permissible. On April 25, 1967 the state of Colorado instituted a provision which included rape as a justifiable cause for an abortion. The statistics given below show the number of abortions that were done in Colorado alone with how many of those were done on the grounds of 'rape'.

YEAR	NUMBER DONE ON GROUND OF RAPE	TOTAL NUMBER OF ABORTIONS
1967 (Apr. 25—Dec. 31)	12	140
1968	60	497
1969	78	946
1970	71	2091
1971 (Jan. —Nov.)	<u>69</u>	<u>3341</u>
	290 (4.1%)	7015 ¹

These figures relate to the number of reported abortions, there are no figures telling how many abortions were performed and not reported, or done illegally. As a result the number of actual abortions could be higher.

In 1967 North Carolina also made a ruling on abortions that were to be done in the cases of rape. Their provision stated that a report must be filed with the police and proper authorities within one week of the alleged rape.² The state of Georgia (1967) ruled that an abortion on the grounds of rape requires certification by a legal officer, that there is probable cause to believe the crime did in fact occur.³ However, since the 1973 Supreme Court ruling these state provisions have little if any effect in controlling when abortions may be done. These state laws have in effect been nullified.

For the pastor there are many problems and inconsistencies that arise when he holds to the civil law of society and advocates abortion in the cases of rape (both proved or alleged). The first problem is to what definition of when life begins does the pastor hold? And two questions usually attached to this are a) when does the fetus or embryo become a living human being and b) when does the embryo or fetus become a living person? Based on current law an abortion may be done at any time during the first trimester and up till the point of, or stage of, viability (the fifth month or twenty-sixth to the twenty-eighth weeks in term).⁴ The stance the pastor must take in order to be consistent with the laws is that this unborn child that is to be aborted is not

alive, human life or a person, but that it is only “potential life”. This would have to be the stance for all rules of abortion otherwise it would be the taking of a life. It would be murder and our courts would be filled with thousands of trials for the murdering of unborn children. The premise the law stands on is that the fetus or embryo is not a living human being, and the laws reflect this position.

The pastors who reflected their feelings, during the district conventions in 1980⁵ did not support abortion on demand yet they did see abortion in the case of alleged rape as being justifiable. By using the same law and agreeing with it these pastors or churches would also have to (in order to be logical) agree as to why it is justifiable. That the unborn child is not a human life. With this mindset, why or how can a pastor then be selective as to abortion in general? The same premise covers all abortions, none of them would be the taking of a human life. This becomes the second major inconsistency, the application and the use of the premise allowing for abortion. Either it is the taking of a life or it is not. Since the law defines it as not being a human being then it follows that all abortions are to be allowed with no limitations. The pastor who holds onto the same premise must also see nothing wrong with abortion in general. If he does not follow this premise to its logical end then he is guilty of not only inconsistency but also discrimination.

A third inconsistency is a theological one, the use of God’s Word and the law of the society. The society may not believe that it is bound to the Word of God and the law given by God, but the pastor knows better. A Lutheran Church—Missouri Synod pastor is bound to the Scriptures. For a pastor to advocate abortion he must first be certain that his advocacy is in agreement with the Word of God. It is his duty to be sure that the Scriptures teaches the same premise as the law, that a child is not a living human being until after birth and until birth it is only potential life. After all the law of God is clear in the teaching that “Thou shalt not kill (murder)”.⁶ But the problem is not answered that easily, for even in the Bible there is killing done in God’s name, by Christians, and God approved.

It must be shown further that it is God’s right to be the judge and not man’s right.⁷ Nor does Exodus 20:13 show the unborn child is alive in the eyes of God. For the pastor who sees the unborn child as not alive has no problem with this commandment. According to his premise the law has not been broken. So it must be proved according to the Word of God that the unborn is to be protected in the eyes of God and man. That in fact the unborn child is a human being and that life begins from the moment of conception.

In Jeremiah 1:4-5 the Lord tells the prophet that He knew him before he was conceived. The text says that prior to Jeremiah being born he was “sanctified” (KJV).

“Then the word of the Lord came to me, saying, Before I formed thee in the belly, I knew thee; and before thou camest forth out of the womb I sanctified thee, and I ordained thee a prophet unto the nations.”

Jeremiah 1:4-5 (KJV)

By this text it has been understood that the prophet Jeremiah was treated as an individual personality prior to birth. There are Biblical scholars who do not hold to this view, that it is an antiabortion passage on grounds of personhood existing prior to birth. Spannaus will not concede that this text allows any conclusions about the status of the unborn child. According to

Spannaus the text refers only to the foreknowledge of God.⁸ What may be drawn is that God has a role in the development of the prophet, “formed you in the womb” only says God’s hand was involved and not that it was life. Some believe that this role of God’s points to or leads to supporting the humanity of the fetus.⁹ However, this is not conclusive enough to leave no doubts about abortion.

Psalm 22:9-10 gives God the credit for giving David life.

“But thou art he that took me out of the womb: thou didst make me hope when I was upon my mother’s breast. I was cast upon thee from the womb: thou art my God from my mother’s belly.” Ps. 22:9-10 (KJV)

There is general agreement with the meaning of this text. God is the source and creator of all life. But yet when one examines this text and Isaiah 49:1 and 5 there is a distinction made that God only grants life (beginning of life) at birth. With this view abortion is still not seen as being murder.

“¹Listen, O isles, unto me; and hearken, ye people, from afar; The Lord hath called me from the womb; from the bowels of my mother hath he made mention of my name. . . ⁵And now, saith the Lord that formed me from the womb to be his servant,” Isaiah 49:1,5 (KJV)

Kretzmann indicates that this call from God was only designating the Servant of Jehovah for His special service from the very point of His birth (this Servant is the Messiah and not the prophet Isaiah).¹⁰ Leupold also understands this text to be one of the “Suffering Servant” passages referring to Jesus Christ alone.

“Some have suggested that the Servant, whoever he may be, is in reality telling a story of his life (Volz). Our approach to the problem of the identity of the Servant is that he is in the last analysis none less than the Messiah. By the Spirit of prophecy, the prophet is given the privilege of seeing the Messiah and is initiated into the problems of his (Messiah’s) ministry.”¹¹

Then on verse 5 Leupold comments, “He recalls first the fact already emphasized, that he has been destined for office before birth.”¹² The distinction made is whether this text gives ground for understanding that life begins at the point of conception. Jeremiah 1:4 & 5 and this text Isaiah 49:1 & 5 are in agreement about God issuing a call before the point of birth and knowing that this child shall be His servant. But the addition of verse 5 of the Isaiah text may be understood as God creating life in the womb, prior to birth. The Lord is given the credit for having “formed me in the womb” (vs. 5). The word ‘formed’ is grammatically understood as a point of time, while still in the womb. Instead of taken as ‘source’ meaning that God formed Isaiah from the point in time after birth, after being ‘from’ or ‘out of’ the womb.¹³

There is needed proof from the Scriptures that in fact God not only has a hand in the forming of man, as indicated thus far, but also that the unborn child is understood as being alive and a human being. A text which gives this support is Luke 1:15.

“...for he shall be great in the sight of the Lord, and shall drink neither wine nor strong drink; and he shall be filled with the Holy Ghost, even from his mother’s womb.” Luke 1:15 (KJV)

This New Testament text is about John the Baptist, an angel of the Lord has appeared to Zacharias to announce the coming birth of his son. The reference is to John before he was born, that he had a soul and that he was full of the Holy Ghost. This clearly disbands any view that the fetus has no soul and that it is not a living human being. Lenski supports the view that the text does in fact refer to John prior to birth.

All prophets have the Holy Spirit, for there can be no divine prophecy without him. But John shall not merely have the Spirit when he begins to do his work, “he shall be filled with the Holy Spirit already from his mother’s womb” (*Eti* is not *ede*, but literally, “still from his mother’s womb,” i.e., before he leaves the womb, see vs 41, 44. So great will this prophet be (Matt. 11:9-11) that his whole existence shall be under the direct control of the Holy Spirit. “From his mother’s womb” is a Hebraistic phrase.¹⁴

Arndt is in agreement with Lenski, but Weiss, Plummer, Easton, Hauck, and Zohn all do not hold to this interpretation. Even though there is not unanimous agreement, the text gives strong evidence to support the position that the fetus is a living being with a soul and capable of being sanctified by the Holy Spirit.

The final textual point to be given is that the unborn child is life from the moment of conception. The necessity of this point is to make it clear that the Scriptures do not give approval to abortion, nor does it provide any loophole to sneak abortions through so that it appears that abortions are okay. The unborn child is alive, a life, from the moment of conception. The fact that the fetus is life also speaks to the legal problem of determining viability of the unborn. Viability is that point which the unborn child is considered to be able to survive separately from the mother’s womb. But even in the legal case of viability they are only dealing with “potential life” and do not view the unborn as a living human being.

The text in the Scriptures which most conclusively states that from the moment of conception human life begins is Luke 1:35. It is the angel Gabriel’s annunciation to Mary of the coming birth of Jesus.

“And the angel answered and said unto her, the Holy Ghost shall come upon thee, and the power of the Highest shall overshadow thee: therefore also that holy thing which shall be born of thee shall be called the Son of God.” Luke 1:35 (KJV)

According to Herman Sasse, of the Lutheran Church of Australia, this doctrine of the humanity of the fetus is an important truth of Christianity. It does not only deal with the issue of abortion but is also important in the understanding of the incarnation of the Son of God.¹⁵ The manner of the conception of Jesus Christ was miraculous, but He became man and went through what humans go through in the womb. Francis Pieper in his Christian Dogmatics says:

“. . . Scripture not only says in a general way that the Word became flesh (Jn. 1:14) by assuming human flesh and blood (Heb. 2:14) but it reports the special circumstances that the Son of God became man by being conceived by the Holy Ghost and born of a woman (Gal. 4:4; Lk. 1:35), as an embryo in his mother's womb. Not only as a man (Matt. 16:13-17; 26:63 f.), not only as a boy (Lk. 2:49), not only as a child in the manger (Lk. 2:11). but already as a child in his mother's womb he is *ho kurios*, the Lord God, called that by Elizabeth (Lk. 1:43), who was filled with the Holy Ghost (Lk. 1:41). He was then already received into the person of the Son of God.”¹⁶

It should be noted that Pieper is not alone, Article 3 of the Augsburg Confession and the Formula of Concord, the Epitome, Article 8, document the same position. God was also true man, a manhood that is identified as beginning in the womb of Mary and there is no separation as to being conceived and the state of being a man (human). Even though the manner of conception is unique the state in the womb was not different from any other child. Jesus was alive in the womb, human in the womb and this began at the point of conception in the womb.¹⁷

The pastor who again denies that life does not begin at conception may have problems dealing with other questions about Christ and His work and the incarnation. His whole doctrine of Christ may fall when confronted. Without the incarnation all Christ becomes is a god in human form, not truly human and therefore not going through life as a man, fulfilling the Law as a man, not experiencing life as we do. This removes Christ from being an example for us to follow, since he was never like us.

The lack of understanding what the Bible teaches in regards to abortion may lead a pastor to take the same views as the society, which is reflected in the civil laws. As indicated it is a lack of understanding on the pastor's part and not the Scriptures. However, a problem then arises because of the laws. Not to make these pastors look like fools, they have wrestled with the different texts and yet are not convinced by the answers they have come up with to totally rule out abortions, they do value life and the sanctity of life. They do not go around advocating abortion of demand. They do have some discretion even though it is a little mixed up. But the problem with the law is that it does not limit the grounds for abortion. The pastor has on some kind of basis chosen to be picky and limits the grounds that he sees as being valid, justifiable. One of the grounds most often accepted is in the case of rape. It may appear that this is limiting enough, but there are problems and loopholes that on the surface do not meet the eye at a glance.

The first major problem is that of proof of the crime. Prior to 1973 some states had a group of qualified men to sit in judgment upon each case of alleged rape to see if in fact the crime had been committed.¹⁸ These men were police and doctors and knowledgeable civil servants. This does not help the pastor of today for these groups are no longer functioning. Now the pastor is placed in the judge's seat alone. The groups that used to do this task had all the facts and data that could be obtained through modern science. The pastor will not have this information at his disposal for it is all property of the authorities and is basically privileged information. It may be given in court but not just anyone has access to the evidence. Even though it is realized that the pastor is not out to get a conviction against the assailant(s) it would be nice if there was some evidence to support the woman's story. Evidence besides the pregnancy itself.

The woman has come to the pastor for help and guidance. He is asked ‘what about abortion?’, some kind of answer ought to be given. The pastor may ask her what does she think, but in the end he is still going to have to give an answer to her question. He will be answering as a representative of the Church, no matter how hard he tries to indicate that his answer is a personal opinion. As stated earlier in the paper this matter is not up to personal opinions according to Synod. The pastor is supposed to represent the Church and also he is to be a Christian. What he says is accepted as if it is in agreement with the Scriptures. At this point it also must be pointed out that the pastor has already rejected what Synod has stated as its position. So he is back to point one, on what grounds can he justify abortion, if rape, why?

Why an abortion in the first place, why not resolve the problem another way? The law does not demand an abortion to be done in each case but only makes it possible. The problem the woman has may be understood as the pregnancy. The unborn child, even though innocent of the crime is viewed as an extension of the attacker and the brutal event.¹⁹ The constant reminder of the attack is just a continual nightmare for the woman and becomes unbearable for her. The problem is compounded for either the married or the single victim. If single she ends up having to quit work, pay the doctor bills herself and raise a child on her own or until she marries. If the woman is already married there are the problems of the husband and children accepting this child inflicted upon them. So why an abortion, it seems the easiest way out. There would be no need for the problem of family acceptance (immediate or extended family). There would be a release financially and emotionally. All of these appeals touch the heart of the pastor. They are real and must be dealt with, but is abortion the answer? Or does abortion only cloud the issues that need to be dealt with anyway?

The pastor advocating abortion has recognized these appeals and responded by giving his approval of abortion being the answer, at least an aid in dealing with some of the problems produced/resulting from the pregnancy. Society will not crucify him for this. Statistics done by Elise F. Jones and Charles F. Westoff indicate that over 71% of wives in the United States of America (a “Christian” country) in 1973 support/approve of abortion in the case of rape, this is compared to 52.8% in 1965.²⁰ No, he wouldn’t be condemned by a lot of people. All he has to do is be satisfied with himself.

The problem left is to still answer whether or not in fact the woman qualifies, was she raped? Is this a hoax covering up the truth, a damaging truth? It is a proven fact by the number of convictions that rape is the hardest crime to prove. As noted in chapter one there are three things needed to fulfill the definition of rape (either statutory or forcible). These three points are carnal knowledge, force, and non-consent. The most difficult point is to prove and believe that there was in fact ‘non-consent’ on the part of the woman. Medical science and technical investigation of the case cannot for certain prove non-consent, unless there were witnesses. According to A.F. Schiff it finally comes down to a good sixth sense and some experience in dealing with rape victims.²¹

“Many an attorney in a courtroom requesting a “yes” or “no” answer from an examiner fails to realize he is not dealing with an exact science. The examiner must rely on whatever history he can elicit from the victim, law officers, and any witnesses, on physical signs which sometimes can be misleading, a sixth sense derived from long experience in interviewing patients, a good knowledge of psychology, and judiciously used intuition.”²²

The pastor has even less factual information and has to judge based on even more intuition. Somehow he must determine if the woman is telling the truth and sometimes you just cannot know for sure. It is a fact that there are many false reports of rape. A.F. Schiff gave account of some of the ones he had encountered. One was a teenager who had been spurned by a boy she had been interested in. He had given her up for another girl. As a way to get back she enticed him into sexual intercourse in a school yard, then afterwards she cried rape! A second account given was with another teenager. This girl came home from a date long after the time set for her to be home (the set time was midnight). The parents were up and waiting for her in the early morning, in order to turn her parent's anger into concern she cried rape! A third incident was a woman who felt rejected for she was not paid for her services rendered. As a result she lodged a complaint of rape with the police. The fourth and last situation that Schiff mentions involves blackmail. A woman threatening to file a charge of rape unless the guy paid a specified amount of money.

Under any of these circumstances how can a pastor know the pregnancy was a result of rape? It would be difficult to be absolutely sure, and if by waiting for the police investigation to finish the pregnancy may end up too far along or the child could be born. And who can tell whether the conceived child is the result of rape or that the child is the result of sexual intercourse with the woman's husband or boyfriend (a totally voluntary act)? If the woman is unprotected (not using the 'pill' or IUD or any other contraceptive means) and has had intercourse with someone near the day of the rape no one could know for sure who the child's father is, at least not for a while and some painful test were done.

By using the old laws restricting abortion to special cases, rape being one of these, the pastor is still opening the door to being used by people. No pastor can look into the heart of another and see whether the motives are pure. Maybe he should not have to be the one to sit and judge. Maybe the police and doctors should decide, the role of the pastor should just be supportive of what she is going through. But this is too simplistic, if the pastor lets them decide he would still be ignoring his responsibility to speak out on abortion and the rights of the innocent party who is being condemned without a chance. Without a trial. In all the cases where abortion has been the choice the unborn haven't been heard. Yet the people of the United States of America consider themselves to be in and part of a democracy. The answer the pro-abortionists use is that the unborn child has no say, it has no rights, no voice, because it is not a living human being, nor is it a person. And yet their position has not been proved beyond a doubt to be true.

The final question in this chapter on "laws" in regards to rape and abortion, a question that has many implications, can a husband rape his wife? In our society today there is a great amount of wife abuse done in the home by the husband. A married woman who has tried to protect herself, desiring no more children, is then forced into submission by the husband to have sexual intercourse. All the legal standards are present for the crime of rape, 1. carnal knowledge, 2. force, and 3. non-consent/resistance. If the woman conceives the child is a product of a crime of rape. Under the law she should be able to get an abortion? If the pastor is using the law as his basis for abortion he too would be in support of a woman and her 'right' to have an abortion.

Or, a marriage may be having some problems. In a violent rage the husband takes the wife forcefully to bed for sex. She conceives! The child is unwanted and under the disguise of

rape (some of the physical signs of rape are present) she asks for an abortion. The woman is figuring that no real legal action can be taken against her husband since she believes that according to the law a wife cannot testify against her husband. All she wants is an abortion. What is the pastor to do? Especially when he bases his own stance upon the law.

There are few legal ways to prevent an abortion, the woman coming to the pastor is not looking for him to stop her but to help her with the dilemma she appears to be in. Legally, whether it was or was not rape a woman is able to obtain an abortion. The question before the pastor is what is the right thing to do? If she has an abortion is it against the Church and what would happen to her (what would the Church do)? Using the Scriptural basis the pastor has no stance or grounds to stand on to advocate abortion. By holding to the legal premises a pastor would have to condone any and all abortions in order to be consistent. He may chose, of his own choosing not that this is any better, to opt for another premise. This still ignores what is taught in the Bible. The next chapter deals with the most chosen of all bases, or premises, as a basis for abortion and that is the medical.

CHAPTER THREE

MEDICAL PREMISES

The position of the Lutheran Church—Missouri Synod does not permit an abortion to be done for any other reason than the saving the life of the mother from actual death. Synod does not view any other medical grounds as being justifiable, absent of all horror of having to take a life. When it is necessary, it is more than just necessity, it is unavoidable, “tragically unavoidable.”¹ The fact remains that there is a loss of life in aborting the unborn child, for the saving of the mother’s life or any other reason. The statement of Synod does not say that the mother has no option but to take the child’s life instead of her own. Synod is speaking to the rare case of when the pregnancy has developed complications that affect the life (not just the liveliness but the actual life) of the mother, that if the abortion is not done she will die, or both will die. The medical intent is to save at least one if they are unable to save both.

Up to this point in the paper there has only been shown the inadequacy of the laws regarding rape and abortion, and the problems that arise due to a pastor’s advocacy based upon the same laws. However, instead of using the law and its premises the pastor may rely on modern science and modern medicine to help supply the answer to the abortion question. The pastor may just refer any woman who comes to him seeking help with the questions within the realm of abortion to go to her doctor for the ‘medical’ advice. Thus this pastor does not have to deal with the issues, seeing it as a medical problem therefore letting them handle it. This attitude presents some of the same problems that occurred when the pastor left the ruling and answers up to the laws of the society.

The first error and most obvious is the denial and the ignoring of what the Holy Scriptures do teach about the beginning of life and the sanctity of life. By “beginning of life” the author is not referring to Adam and Eve, but what the Scriptures teach as to when does life begin, in the womb, at the point of conception, or at the point of birth. If the pastor did hold to the Word of God he would not be able to send the woman away that easily. Even in the case of rape the pregnancy, the child conceived, from the act of violence is still ‘life’ and this life is to be protected. Instead of helping the woman find other means and ways to deal with her problems the pastor who advocates abortion based on medical grounds will send her away. Or give her the support in having the abortion done due to medical grounds.

The second error is closely connected with the first. The pastor has placed the teachings and precepts of men above the teachings of the Word of God. This does apply to an area when there is the Word of God which speaks to the issue. As shown in Chapter Two there are passages which rule out “justifiable abortion”, as if there is a case where abortion is airtight in the eyes of God. The pastor relies on medical science to tell him the value of life in the womb, whether it ought to be removed or remain. Synod’s statement allows for the aid of modern medicine in determining that they have done all they could do to save both lives, but that they have failed and in order to save the mother they must take the life of the unborn child. That death is the certain outcome for both unless an abortion is done. For this evidence and knowledge doctors are needed. But the opinion of the doctor(s) in advocating abortion has gone far beyond these grounds. They now include many other ‘medical’ reasons for abortion.

The pastor has made a serious error in allowing modern medicine to decide for him the meaning and value of a life. A study done by Koslowsky, Pratt and Wintrob shows that with in a sample of 40 doctors in the state of Conneticut,72% support abortion on the grounds of rape.² In another study done on the doctors in the state of Mississippi by Murray and Jew in 1974, the support for abortion in cases of rape was overwhelming. They reported the following data:

General Grounds for Abortion within the First Trimester³

	Total	Psych.	ObGyn	Others
Danger to woman's life	97	96	97	98
Rape	93	100	93	90
Incest	93	96	90	92
Deformity of the Unborn child.	89	96	90	85

For rape it was 93% in support of abortion, and this is what the pastor would be trusting in to give the woman some advice. These states (Connecticut and Mississippi) by themselves are not conclusive, but when general population studies indicate that in 1965 “slightly over half of all Americans approved of abortion in the event of rape or possible deformity (Westoff, More, Ryder, 1969); the data reported in this study indicate that by 1975, about 84 percent of the American population approved of abortion in the event of rape or possible deformity” (Wagenaar & Knol).⁴ Pastors should really watch a lot closer what the medical profession is going to advise as they are included in these studies and they are very influential upon what the public thinks. Today's people support abortion in cases of rape. But what today's people do not know is that pregnancy resulting from rape is extremely rare.

The probability of pregnancy resulting from rape is considerably lower than what would be expected from a single unprotected act of coitus (which is 2-4%, as determined by Tietze). There are good reasons for this. First of all, a completed act of intercourse itself does not occur in 100% of forcible rape cases (89% in the Washington, D.C. series). Secondly, it is improbable with a normal 28-day menstrual cycle, that the attack will occur on the 1-2 days of the month in which the woman would be fertile. Thirdly, medical research indicates that a woman exposed to emotional trauma (such as rape) will not ovulate even if she is “scheduled” to. In Germany, during World War II, the Nazis tested this hypothesis by selecting women who were about to ovulate and sending them to the gas chambers, only to bring them back after their realistic mock-killing, to see what effects this had on their ovulatory patterns. An extremely high percentage of these women did not ovulate. Finally, there is good evidence that men who commit this crime are frequently not fertile because of other aberrant sexual behavior, such as frequent masturbation, which makes the likelihood of impregnating significantly less.⁵

The 2-4% probability for a single unprotected act of coitus is a fact. What increases the odds of pregnancy is that the assailant must confront a woman who is not using any birth control method at the time of the rape.

Hilgers and Horan view the including of rape as a trick by pro-abortionist to make their appeal stronger due to the emotional issues and to cloud all the other issues of abortion.⁶ To document this opinion they cite the records of pregnancies resulting from rape in a few cities. In Buffalo, New York, there has not been a pregnancy from confirmed rape in over 30 years. In Chicago it has been over 9 years, and in St. Paul it has been over the last 10 years. A report out of Washington, D.C. indicates only one pregnancy out of over 300 rape victims.⁷

It may be concluded that the case of pregnancy resulting from rape is very rare. Even though Hilgers and Horan limit their figures to confirmed rapes this conclusion is still very important in showing that the extreme argument 'what about in the case of rape?' does not give support to legalizing abortion in any case. Yet this has happened, abortion is legal. In the 60's abortion was legal in cases of rape, in the mid 70's any abortion may be legally obtained. The author of this paper is not placing total blame upon the medical profession but it is self-evident that they did not help to prevent this legalization to take place.

To fully grasp the medical understanding and treatment of the alleged rape victims one must examine the standard operational procedures that occurs in the hospital when the crime and victim are first brought to their attention. What is given here is a list of steps that the medical staff perform in cases of rape. This may vary slightly depending on the nature of other wounds inflicted upon the alleged rape victim (gunshot, stabbed or cuts).

1. If a minor, get consent of parent or legal guardian which is needed for the authorization for treatment.
2. Learn as much about the patient's medical history as possible (time permitting).
3. Obtain sexual history, obstetric experience.
4. General exam to elicit the presence of injuries, including those not in the genital area.
5. Observation and evaluation of the female emotional state.
6. Examine genital area, observe for secretions, bruises, tears.
7. Victim's clothing should be preserved, marked and turned over to proper authorities.
8. Series of specimens obtained with non-lubricated speculum.
9. A wet specimen of the vaginal pool and the cervical mucus, to be examined for sperm, both motile and non-motile.
10. Material from the vaginal pool should be submitted for acid phosphatase and blood group antigen of semen determinations.
11. Smear and culture for Neisseria
12. Base-line serologic test for syphilis.
13. Due to lack of apprehension of attacker it is wise to administer prophylactic treatment against syphilis and gonorrhea. For gonorrhea: use aqueous procaine penicillin G., 2.4 million units intramuscularly, to be repeated three days. For syphilis: benzathine penicillin, 2.4 million units intramuscularly.
14. Administration of diethylstilbestrol, 50mg., daily for five days, is to be used in the prevention of pregnancy.
15. Follow up to be sure of no pregnancy
16. Serologic test for syphilis for four months.
17. Vaginal cultures for Neisseria at weekly intervals (times 3) are done to check for gonococcus.
18. Assessment of her psychiatric state is also to be watched and indicated. It is preferred that all of the examination be done by one physician, at least to remain present.⁸

One practice that is not mentioned is the performing of what is commonly called a D & C, which means Dilation and Curettage. “This is a surgical procedure in which the cervix of the uterus is expanded in order to scrape the uterine walls.”⁹ This procedure was done 7-10 days after the incident under the pretense of removing any infection and also removing any doubt in the victim’s mind about pregnancy occurring. A D & C does not stop a pregnancy from happening but actually removes any fertilized egg that is in the womb. One of the reasons for waiting the 7-10 days was to allow time for the fertilized egg to get to the uterus for implantation. By doing a D & C the question of pregnancy always remained open and therefore the woman never knows if in fact she was pregnant. This was also an attempt to help solve the woman’s dilemma of whether to have an abortion. In all actuality a D & C is abortifacient.

Now days a drug called DES (diethylstilbestrol) is used in the prevention of pregnancies in cases of rape.¹⁰ It was tested on a college campus and received the nickname “morning after pill”. It was originally thought of as a medication that would prevent any unwanted pregnancy from occurring. In the testing on the campus it proved 100% in protecting the girls from a “pregnancy developing”, note that it does not stop conception but works after the fact. The girls were given 50 mg of diethylstilbestrol, orally, for four consecutive days. The dosage was started within four days of an unprotected sexual exposure, (the girls were near the time of their ovulation, this was to enhance the evidence of what the drug prevents). To most women diethylstilbestrol might sound like a miracle drug but it really is not. There are serious side effects known to occur and ones that are still being tested for. “The two most frequent undesirable side effects from taking such a large dose of estrogen are nausea and vomiting, and withdrawal bleeding.”¹¹ This quote is from the campus study, but research in the medical and physicians desk references produces much more interesting information on these side effects of diethylstilbestrol.

DES, acronym or abbreviated for diethylstilbestrol, a synthetic estrogenic hormone; also referred to as stilbestrol. This controversial chemical, which was used until recently as a growth hormone in cattle feeds, was banned by the U.S. Food and Drug Administration in 1972 after it was shown to be cancer-producing in some animals. Formerly, DES was prescribed in treating menopausal symptoms as well as for the prevention of miscarriages. Studies have shown a high incidence of vaginal cancer in the teenage daughters of women who took the drug during pregnancy. DES is an effective post-coital contraceptive even if taken as long as 72 hours after intercourse. This use is limited to situations involving rape, incest or other emergencies. The US Food and Drug Administration considers DES a potentially dangerous drug and warns against using it routinely as a contraceptive.¹²

The Physicians Desk Reference, 1979 goes on to indicate that when there is a suspected pregnancy diethylstilbestrol is not to be used.¹³ (See Appendix II for the full statement). Diethylstilbestrol is not only a dangerous drug but it is abortifacient when used to “prevent a pregnancy from developing”.¹⁴ Based on the research done by this author, there was no evidence given as to why diethylstilbestrol or Dilatation and Curettage were given or done as the case may be for abortion purposes. Why remove the pregnancy? On the basis of medical, physical health, this author could not find an answer as to the need of the abortion. Maybe it is because there is no reason! If this point is seen by any one as a loophole the author is prepared with a rebuttal.

Pointing out some medical grounds does not change the fact that abortion is against the Scriptures. If the realm of a particular abortion case (due to rape) involves life and death (to save the life), then no longer is rape the reason for or the cause of the abortion. The reason/cause is physical damage, un-repairable and endangering both lives, necessitating abortion, as Synod has said, it must be unavoidable and it is still a tragedy.

The next medical premise (some consider it medical) used for abortion is based on psychiatric grounds. Synod in the Commission on Theology and Church Relations document¹⁵ states that mental health or psychiatric grounds for abortion are not valid. It is recognized that the victim of rape is subject to humiliation, abuse both emotionally and physically, and that the event is a nightmare. But these are problems to be dealt with alongside of the pregnancy. Abortion is not a quick solution to removing the event from her mind and how it has affected her. Two psychiatrists, Dr. M.T. Notman and Dr. C.C. Nadelson report three basic categories that a victim of rape must deal with, 1. guilt, 2. anxiety, and 3. inadequacy.¹⁶

1. Guilt: is brought on by the very fact that the event happened. The victim feels guilty about not taking the proper or various precautions, she is mad at herself for being out (if the event occurs away from the home). She is very discouraged and disappointed with herself for not being able to get away from the assailant(s). The legal system and process only enhances this guilt the victim feels due to the way pressure is placed upon the woman to prove her own innocence, that in fact she was raped (referring back to the three criteria for rape).¹⁷

2. Anxiety: induced by herself and the people who are around her (family, friends, doctors, police). The victim may perceive them placing more shame and responsibility upon her for allowing the rape to take place. Anxiety will increase as her trust in people diminishes. She now sees herself as being more vulnerable than ever, helpless.¹⁸

3. Inadequacy: the victim's self-esteem drops. She generates more self-criticism, develops a growing or increasing attitude that her life is worthless and that she has not a right to exist as a human being. She becomes a person (in her own view) with very little dignity and finds it very difficult dealing with her dependence and independence.¹⁹

As a result of these three problem areas many action or behavior patterns will change and some issues will reappear many times. The consequences show up in 1. the mistrust of men, with avoidance and hesitation responses; 2. a variety of sexual disturbances; 3. phobic reaction to situations that are reminiscent of the rape incident; 4. depression, often precipitated by seemingly unrelated events that is some small detail brings back the original trauma.²⁰ These problems that Notman and Nadelson list are the same for the rape victim whether or not she conceives. The pregnancy adds the problems of financial responsibility and the problem of accepting the child, but in no way does a pregnancy make it easier to deal with the guilt, in fact it may increase the guilt. So with these problems in mind, what does an abortion accomplish?

The first thing is that an abortion supposedly removes a reminder of the tragic event. The unborn child is seen as a continuation of aggression that began with the attack upon the woman by the assailant. It cannot be denied that upfront the pregnancy would be a reminder to the victim, but what was noted by the psychiatrists is that even the littlest things serve as reminders. Instead of dealing with this problem in counseling along with all the little reminders the answer usually given is "abortion will help". An abortion is so much of a temporary solution to the

problem of guilt that it really is not a solution at all. One consideration ought to be noted: an abortion may in fact not relieve the guilt but increase it, for the victim may deep down inside her self see the unborn as a living human being and a part of her, this is her child too.

The second argument favoring abortion is that the unwanted child would be removed. As the unborn child may be seen as continuation of the original act of aggression by the victim, this child may also be understood in the same manner by the husband, the children of the victim, even the victims parents, and her brothers and sisters. This unwanted child would grow up in a home where there would be the lack of love and care. The basic life support needs might be supplied but that is all. This unwanted child could be released for adoption or foster parents. The victim is not required by law to raise the child. It would be interesting to see what value there is for the victim to go through the pregnancy to full term and have the child. What therapeutic value would the unborn child serve in helping the mother deal with some of her feelings up front instead of sequestering them inside herself and never letting them out to deal with them. To give the child up for adoption would be better than killing the innocent life just because it was not wanted by its real (natural) mother. Abortion in the case of rape on this basis, the child being unwanted, then is really abortion on demand. Logically a pastor could not condemn any person for having a abortion on this basis, if he takes on the same premise. The premise that denies the fact a fetus is a living human being.

The third argument is tied-in with the second and has the same solution. If this unborn child is not wanted based on financial reasons there are agencies which will help with the bills and see that the child has proper care. So this argument too does not stand on its own very well.

Yet, abortion on the surface still appeals to some as a good, needed, and justifiable option/solution. What has been stated so far in this paper is that the manner or circumstances of the conception are the underlying reason for abortion is the case of rape, but in reality the true reason is not the fact that conception occurred by rape but that other problems exist. Problems connected only by the fact that the woman is pregnant by an alleged rape. Reasons given like ‘depression’, ‘guilt’, ‘unwanted’ or ‘financial burden’, all of these are not restricted to the situation of “rape”.

If the true basis for abortion is going to be on psychiatric grounds, then it is the opinion of this author that the pastor who joins in the advocating of abortion on these grounds is opening the doors to many more abortions than just rape. Germain Grisez in his book Abortion: the Myths, the Realities, and the Arguments states that some research reports “strongly suggest that psychiatric indications for therapeutic abortion are mostly subjective.”²¹ Abortion in cases of rape is part of the therapeutic abortion category and therefore falls under this subjectivism. “One study in California revealed attitudes that varied so much that some psychiatrists never recommend therapeutic abortion, while some seen always to do so.”²² As a result of this subjectivism it becomes a shoppers’ market, if you want an abortion just find a psychiatrist who supports abortion, if you do not then find one against abortion. One point to be made in conjunction with the shoppers’ market is that the stats indicate it will be hard to find a conservative viewpoint against abortion.

Dr. George S. Fultz is one of the few such conservative psychiatrists, he believes that even depression resulting from rape is not a valid reason for an abortion. Fultz feels that abortion is only a temporary solution to the depression and guilt will return and will be greater

than before.²³ On the other end of the spectrum of conservative vs. liberal there is Dr. Jack Weinberg who includes socioeconomic welfare of the victim to be included in the definition of mental health. It may be proved that the victim does have many problems as a result of the alleged crime against her person and therefore ought to be able to seek help in having a major part of the problem removed—the pregnancy. Weinberg includes in this category of mental health the following: 1. poverty, 2. marital strife, 3. poor housing, 4. financial difficulties, 5. adverse working conditions, and 6. emotional conflicts. In his opinion all of these are seen as being able to produce mental and physical disorders.²⁴ In the case of rape there are many of these factors present to justify in Weinberg's view an abortion.

If the pastor has placed his trust in the hands of psychiatry to help the woman who claims to have been raped and desires an abortion, then he is in trouble. He is then (for the majority of psychiatrists) pulled into advocating abortion. Abortion not only in the case of rape but also many other cases. This happens either outright or by complicity. This same pastor would lose any guidelines he had for restrictive abortion rules. He would be sucked into allowing abortion on demand.

Underlining the whole medical viewpoint is the way the beginning of life has been understood. For the Lutheran Church—Missouri Synod the answer is based on the Scriptures. But for medical science the Scriptures have not been accepted as giving the answer or as being the authority to give the answer. For science the definition becomes one of man's technology and each field within science offers its own opinion. The genetic standpoint believes that there is one way to determine whether something is human and that is by the chromosome count and structure. When the sperm joins the egg in the human reproduction there are 46 chromosomes. From the point of the joining of these two (sperm and egg=fertilization) human life is continuous unto death. All changes that occur after that point (conception) are only stages of development and maturation affecting the same organism.²⁵ A pastor could base a anti-abortion view on the support of genetics. Or chose another field of science!

Based on the socio-psychological view point the unborn child is not considered a human being or a person. This personhood does not occur until the individual attains a sense of selfhood. This is to happen some time between the ages of 1 and 2 years.²⁶ Or he could chose another field, or another and keep on choosing until he found one he liked. The pastor has only to look at the Scriptures and see the answer he is to have. In fact his only option to begin with is to look in the Word of God and see if it speaks to the issues. If so then he is to follow the teachings of the Word, no matter what man's (science) reasoning has determined. In looking to science for the answer he may not find the right one, God's answer as given in His Word. The medical profession is a smart and knowledgeable one, but God is a lot wiser so trust in Him first.

CHAPTER FOUR

THE CONCLUSION

It has been shown that the probability of pregnancy in the case of rape is very rare. There are so many factors involved that the chances of pregnancy occurring need not be the major or minor concern of the woman. But it has also been shown that the figures used to indicate the probability of pregnancy are determined by the definition of rape that is used. When it is considered that husbands can be guilty of rape against their wives these figures change and the number of the pregnancies resulting from rape increase. But for the crime of rape as given in the law books the percentage is small.

Pro-abortionists would ask ‘what do you do for the small percentage, do you make them suffer because they are of the few who do conceive?’ In order to cover all the individual cases of rape one has to have a general premise to go on. Chapters two and three examined some of the premises and indicated that either any abortion should be viewed as justifiable or no abortion should be viewed as justifiable. This stands on how one interprets the value of life and when does human life begin. The Scriptures are clear, this author found no loopholes in God’s Word which would allow for abortion. The Word of God as given in the Scriptures does have something to say on each matter and it says no to abortion, and that the value of life is such that it is to be protected.

In the opinion of this author one must get down to the fine lines and be picky. The intent of this paper was to show some of the misunderstandings and mistakes that pastors have made in regards to the abortion issues, specifically cases of rape. The biggest issue that surrounds the whole abortion issue is the question: is the fetus a living human being? If the answer is yes, than any abortion would be murder. This has many implications, especially in regards to an abortion being done to save the life of the mother. Is that also murder? But the limits of the paper confine itself to rape and abortion. Due to the manner of conception abortion is seen as justifiable. The Scriptures do speak of rape but do not speak on the issue of conception as a result of rape, for it makes no difference. The unborn child is a living human being and a gift of God. In the case of rape the child may not seem like a gift of God but just the opposite. But it must be remembered that the unborn child is innocent of the sin that brought on the conception. Although it is true but a weak argument against the pro-abortion stance, it is asked is the innocent child to be murdered or suffer because of the sin of the parent(s). If the answer was yes, then any child conceived out of wedlock could be aborted. If the answer is no, then not one single abortion could be performed based on the following grounds: 1. being unwanted, 2. rape, 3 illegitimate, and 4. incest. All of these are a result of sin on part of one or both parents of the unborn child.

In dealing with the rape victim, abortion or the removal of whatever might be in the womb (as in the case of D & C done as a precaution against pregnancy) is not the answer. Abortion removes nothing that is curing or that interferes with the woman being able to cope with the event. It may on the surface help but there is a bigger need to deal with the true problems and provide more than just temporary aid. As pointed out in chapter three, abortion is nothing more than a temporary relief and may in fact increase the problem of depression. This is understandable when such a temporary aid is in actuality murder. It is murder whether you are a Christian or a non-Christian, the fact that a life is taken remains the same. Some science agrees

some does not, but it does not matter for the pastor, what does matter is what God's Word says. If pastors let themselves get wrapped up in what science thinks then soon pastors will be changing their minds on more than just abortion, but also many other issues (like creation, inspiration and inerrancy of Scripture, Jesus Christ).

When a pastor gives-in to the case or exception of rape as justifiable cause for abortion then that is just the beginning of the same pastor to be giving in to many more issues that plague man. Pastors will lean more and more on the mind of man instead of the Word and will of God.

NOTES

Notes for Chapter One

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6. Funk & Wagnalls Encyclopedic Dictionary, 1975 ed., s.v. “Rape”.
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8. Arthur F. Schiff, “Statistical Features of Rape,” Journal of Forensic Sciences 14 (1969): p.102.
9. Ibid., p.102.
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Notes for Chapter Two

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2. Germain G. Grisez, Abortion: the Myths, the Realities, and the Arguments (New York: Corpus Books, 1970) p. 247.
3. Ibid., p.249.
4. Ibid., p. 32.
5. The Lutheran Church—Missouri Synod’s 65th Convention of the Minnesota South District (St. Paul, Minn.: June 13-15, 1980) p.11; and The Lutheran Church—Missouri Synod’s 32nd Convention of the Southern California District (Anaheim, California: April 1980).
6. King James Version of the Bible, Exodus 20:13.
7. King James Version of the Bible, Matt. 7:1; Ps. 98:9; Ps. 7:11; Acts 10:42; and James 4:12.
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12. Ibid., p. 179.
13. Interview with Richard Gudgeon, Hebrew professor at Concordia Theological Seminary, Ft. Wayne, Ind., April 6, 1981.
14. R. C. H. Lenski, The Interpretation of St. Luke’s Gospel (Columbus, Ohio: Wartburg Press, 1945) p. 47.
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APPENDIX I.

TO STATE POSITION ON ABORTION

RESOLUTION 3-02A

Overtures 3-02A—3-23 (CW, pp.97-99)

WHEREAS, The Lutheran Church—Missouri Synod throughout its history has opposed abortion since 1971 has spoken in convention to condemn “willful abortion as contrary to the will of God”; and

WHEREAS, We as members of Christian congregations have the obligation to protest this heinous crime against the will of God legally sanctioned in the United States and other lands; and

WHEREAS, The practice of abortion, its promotion, and legal acceptance are destructive of the moral conscience and character of the people of any nation; therefore be it

Resolved, That The Lutheran Church—Missouri Synod in convention urgently call upon all Christians—

1. To hold firmly to the clear Biblical truths that (a) the living but unborn are persons in the sight of God from the time of conception (Job 10:9-11; Ps. 51:5; 139:13-17; Jer. 1:5; Luke 1:41-44; (b) as persons the unborn stand under the full protection of God’s own prohibition against murder (Gen. 9:6; Ex. 20:13; Num. 35:33; Acts 7:19; 1 John 3:15); and (c) since abortion takes a human life, abortion is not a moral option, except as a tragically unavoidable byproduct of medical procedures necessary to prevent the death of another human being, viz., the mother; and

2. To speak and act as responsible citizens on behalf of the living but unborn in the civic and political arena to secure for these defenseless persons due protection under the law; and

3. To offer as an alternative to abortion supportive understanding, compassion, and help to the expectant parent(s) and family, to foster concern for unwanted babies, encouraging Lutheran agencies and families to open hearts and homes to their need for life in a family; and be it further

Resolved, That the Synod earnestly encourage its pastors, teachers, officers, and boards—

1. To warn publicly and privately (Prov. 31:8-9) against the sin of abortion;

2. To instruct the community of God that abortion is not in the realm of Christian liberty, private choice, personal opinion, or political preference;

3. To nurture a deep reverence and gratitude for God’s gracious gift of human life;

4. To oppose in a responsible way attitudes and policies in congregations, schools, hospitals, Lutheran social service agencies, and other institutions within their sphere of influence and work which suggest that abortion is a matter of personal choice;

5. To support the efforts to responsible pro-life groups in their communities, e.g., “Lutherans for Life” (CTCR Report, CW, p. 74);

6. To promote clear instruction of Christian morality in homes, schools, and churches of the Synod, showing the blessing and safeguards inherent to God’s will for sexual chastity before marriage and faithfulness in marriage;

7. To teach within our Lutheran schools and churches the biological, social, and parental functions of child-bearing; and

8. To support the efforts to secure the human life amendment to the United States Constitution.

Action: Adopted as amended (3).

(Three amendments were approved: The addition of the reference to Proverbs in Point 1 of the second resolve, and Points 7 and 8. The word “Lutheran” was inserted in Point 7 by common consent. In Session 7 the convention changed the order of words as given in Point 7. An amendment referring to rape at the end of Point 1 of the first resolve was declined.)

APPENDIX II.

The report from the Physicians Desk Reference, 1979

Three independent case-control studies have reported an increased risk of endometrial cancer in postmenopausal women exposed to exogenous estrogens for prolonged periods. This risk was independent of other known risk factors for endometrial cancer. These studies are further supported by the finding that, since 1969, the incidence rate of endometrial cancer has increased sharply in eight different areas of the United States which have population-based cancer reporting systems.

The three case-control studies reported that the risk of endometrial cancer in estrogen users was about 4.5 to 13.9 times greater than in nonusers. The risk appears to depend on both the duration of treatment and the dose of estrogen. In view of these findings, the lowest dose that will control symptoms should be utilized when estrogens are used for the treatment of menopausal symptoms, and medications should be discontinued as soon as possible. When prolonged treatment is medically indicated, a reassessment should be made on at least a semiannual basis to determine the need for continued therapy. Although the evidence must be considered preliminary, one study suggests that cyclic administration of low doses of estrogen may carry less risk than does continuous administration; therefore it appears prudent to utilize such a regimen.

Close clinical surveillance of all women taking estrogens is important. In all cases of undiagnosed persistent or recurring abnormal vaginal bleeding, adequate diagnostic measures should be undertaken to read out malignancy.

The use of female sex hormones, both estrogens and progestogens, during early pregnancy may effect the offspring. It has been reported that females exposed *in utero* to diethylstilbestrol, a nonsteroidal estrogen, may have an increased risk of developing later in life a rare form of vaginal or cervical cancer. This risk has been estimated to be no greater than 4 per 1000 exposures. Furthermore, from 30 to 90 percent of such exposed women have been found to have vaginal adneosis and epithelial changes of the vagina and cervix. Although these changes are histologically benign, it is not known whether they are precursors of malignancy. Even though similar data are not available with the use of other estrogens, it cannot be presumed that they would not induce similar changes.

Several reports suggest that there is an association between intrauterine exposure to female sex hormones and congenital anomalies, including congenital heart defects and limb-reduction defects. One case-control study estimated a 4.7-fold increased risk of limb-reduction defects in infants exposed *in utero* to sex hormones (oral contraceptives, hormone withdrawal tests for pregnancy, or attempted treatment for threatened abortion). Some of these exposures were very short and involved only a few days of treatment. The data suggest that the risk of limb-reduction defects in exposed fetuses is somewhat less than 1 per 1000.

In the past, female sex hormones have been used during pregnancy in an attempt to treat threatened or habitual abortion; however, their efficacy was never conclusively proved or disproved.

If diethylstilbestrol is administered during pregnancy, or if the patient becomes pregnant while taking this drug, she should be apprised of the potential risks to the fetus and of the advisability of pregnancy continuation.