



LIBERTARIAN PRINCIPLES AND THE CONSEQUENCES OF ABORTION PROHIBITION

Individual liberty, self-determination, private property, and limited government are all libertarian principles that logically lead to the pro-choice position. To sacrifice existing persons for the sake of future generations—in slave labor camps, involuntary servitude, compulsory childbearing, or life-threatening abortions—violates everything we hold dear. Sharon Presley, “A Libertarian Feminist Case for Abortion Rights”

*Recognizing that abortion is a sensitive issue and that people can hold good-faith views on all sides, **we believe that government should be kept out of the matter**, leaving the question to each person for their conscientious consideration.* Libertarian Party 2016 Abortion Plank

Libertarian Principles

Below are often stated principles held in varying degrees by libertarians, whether anarchists, decentralists or minarchists. This paper shows their application to the abortion issue. Most libertarians who are against abortion, and may not agree with all these applications of principle below, nevertheless want the government kept out of the issue.

Individual liberty

- * Personhood and individual rights exist only after birth when a birthed child becomes self-conscious, capable of cognition and able to engage in purposeful action to affect their environment. The sperm and egg and fetus may be alive, but that does not mean they are persons with rights.
- * A living person’s first responsibility is to themselves. A woman should not have to sacrifice their life and liberty for the biological survival of a pre-human fetus. Forcing women to do so implies every person has a moral duty to provide bodily tissue and fluids to help others survive.
- * Every person should be free to defend themselves from anyone or anything acting forcefully against their liberty, including a fetus not wanted within their body.
- * The freedom to abort must be contrasted with prohibition of abortion leading to compulsory childbearing and the use of a woman’s body as a natural resource or a chattel slave. Childbearing results in far more medical problems for women than legal abortion. It is even deadly for some women. Over 300,000 women a year worldwide die during pregnancy or delivery and over 600 in the United States.
- * Liberty means that only voluntary means of convincing a woman to give birth to a child are libertarian. Thus only moral suasion and/or privately funded economic aid are libertarian ways to discourage abortion.

Self-determination

- * The human right of self-determination confers liberty on human beings and makes them free moral agents.
- * Since the woman is a free moral agent with sole dominion over her life, her claim to life is stronger than that of the fetus.
- * The woman’s right to self-determination means the choice to carry the child to term is hers alone, even if the father prefers she abort or keep the child.
- * Self-determination means individuals cannot be forced to abide by an onerous contract that makes them a defacto “slave”. That includes any alleged “contracts” with a fetus.

Private property

* Rights of life and liberty - and control of one's body - are based on self-ownership. One's body is one's property. The analogy often is used describing the fetus as a trespasser, a "stowaway" or even a parasite. The woman has a right to eject the unwanted intruder from her property, i.e., her body, in order to preserve her own life and liberty.

* A woman has a right to right to control her pregnancy until the point of birth, be it normal or premature, natural or via caesarian section.

* If the government can force a pregnant woman to allow her body, i.e. her property, to be used to service a fetus, it can force any one to do with their body or property anything government considers to be a service to others or to the state itself.

Limited government

* In this issue, as in so many, most libertarians believe that "government is the problem, not the solution." Government should be kept out of the issue.

* Most abortion prohibitionists oppose abortion on dubious religious grounds or use logically and factually flawed arguments which in no way support any governmental right to restrict a woman's liberty, self-determination or right to control her own body.

* Abortion laws, like most other laws, only multiply and become progressively worse. Since 2010 seventeen states have passed laws banning abortion after 18 or 20 weeks. In 2015 alone U.S. states introduced over 350 anti-abortion bills and passed 47 of them. Between over-regulation and violence against abortion clinics, since 2011 162 clinics have shut down nationwide. Note that starting from 1994 until 2008 the Libertarian Party platform recognized and decried many of the laws that are being introduced today.

* Abortion-prohibitionists often call abortion "murder" but deny or lie about the logical implication of the intentional and premeditated "murder" of a fetus: prosecution, conviction, prison, fines and even execution of women and providers involved in abortion.

Consequences of Prohibition

Libertarians often talk about the "unintended consequences" of laws. Yet even well-intentioned libertarians who want the LP to take no position on the issue have too little comprehension of the negative consequences of unwanted pregnancies for women. They affect poor women the most. Abortion prohibition creates a black market in abortions, leading to unprofessional, unsanitary and unsafe abortions that often leading to infection, mutilation, infertility and even death. Girls and women who have suffered incest or rape then must suffer trauma of giving birth to unwanted child. Abortion restrictions greatly increase the number of "late term" abortions as women are force to find money to go to other states. Unwanted children often are psychologically damaged; they and their mothers may end up on welfare for life. Efforts to outlaw abortion only have encouraged fanatics to bomb and burn abortion facilities and threaten and kill clinic staffers. Women prosecuted for these crimes and sent to prison often leave existing children behind to be neglected or abused by relatives or the governmental foster care system.

Given the consequences, those who want the state to outlaw abortion cannot be called pro-life. They must be called "abortion prohibitionists". Prohibiting abortion is clearly against libertarian principles of individual liberty, self-determination, property rights and limited government. And the consequences of restricting and outlawing abortion can be catastrophic for women. Statists are using abortion as yet one more excuse to intrude on every aspect of our lives.

See <http://pro-choicelibertarians.net/principles> for a longer version of this paper with references.