

# Is the Fetus a Fetish?

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I WROTE AN ARTICLE some time ago on the idea that abortion is, in an anthropological sense (following the theory of Rene Girard), a religious sacrifice: an action meant to deflect violence from its likely victim onto a party which is not able to reciprocate. Of course, my article was reciprocated; Britt Johnston wrote in the *Bulletin of the Colloquium on Religion and Violence* that the fetus is a fetish, a sacred object with “tremendous power to bind people together in solidarity...to lynch anyone who violates the sacredness of these sites/objects.”<sup>i</sup> His article, less than two thousand words long, accuses the pro-life movement of seeking to “lynch” mothers or doctors no less than ten times.

Amidst blunders about basic tenets of the theory that he was using, about definitions of terms, and about matters of fact, his level of alarm was so high, and his scholarship so weak, as to incite a senior scholar who was referenced in it to write that he was “chagrined” to have been invoked in support of “such rank nonsense.”<sup>ii</sup> Johnston’s embarrassing alarmism is, however, mirrored in rhetoric about “women’s lives” versus “the life of the fetus.” Jocelyn Elder famously exhorted right-to life people to “get over their love affair with the fetus.” Planned Parenthood censures pro-lifers for irrational attachment to “zygotes” and “blastocysts.”<sup>iii</sup>

Analysis of Johnston’s accusations can shed some light on the particular kind of fear behind the willingness to distort and on the resistance to fact that is such a curious feature of much abortion debate. In debates or published pro-and-con arrangements of arguments about abortion, over and over again, the opponents of abortion present observable facts, and the proponents of abortion present arguments based on intangible values, either their own or those they attribute to their opponents. Photographs are forbidden and medical information dismissed until the dishonesty of the concealment even embarrasses some abortion supporters, such as Naomi Wolf. But why does this particular issue

overset the moral probity of people ordinarily committed to honesty, such as Johnston, a Presbyterian minister? Before I make him my example, I should demonstrate exactly how his argumentation distorts his sources.

Johnston invokes the anthropology of Rene Girard, who points out that there are two fundamental ways of dealing with the spreading disorder caused by violent acts. Most effective is what Girard calls a “rational”<sup>iv</sup> judicial system, in which the offender is identified and punished by a state too powerful for its violent acts to be avenged. Primitive societies, however, are stabilized less securely by what Girard calls “generative violence.” In its paradigmatic form, a crowd plagued with rancorous disorder spontaneously chooses a victim, criminalizing him with a “violent unanimity” based on a “mimetic illusion,” which appears “hypocritical” or “absurd to the detached observer.”<sup>v</sup> Any sympathy with the victim breaks the compelling collective illusion. If the crowd ceases to believe in the efficacy of this death for their deliverance, then the disorder continues, as the victim’s defenders contend against the sacrificers. But if the process proceeds to its climax, it exhausts its fury upon the victim. Once the crowd is at peace, it credits the victim with causing the disorder, or magical peace-bearing powers, or both. Illusions of the guilt and the power of sacrificial victims invest their deaths with spiritual efficacy sought repeatedly in sacrificial re-enactments and other sacrificial practices. Girard traces to such behaviors the religious paradox of the sacred as terrible and good, of identifying death with rebirth.

If rationality breaks in, and it begins to be indefensible that victims truly are responsible for the social aspect of the sacrificial crisis and resolution, the cathartic violence does not necessarily stop; but the sacrificers, no longer “naïve persecutors,” in Girard’s phrase, need to deny that they have engaged in violence that might call for retribution. Holocaust deniers constitute a current example of this syndrome: saying the victims never existed, or the persecution was medically or practically necessary, or the like. Girard calls such concealments of historical facts, “collective bad faith.”<sup>vi</sup> Sacrificial systems, founded as they are upon a fragile illusion, are very conservative. Those who cherish a scapegoat to attack will go to great lengths to preserve that prerogative, and abandoning truth seems a small concession to the necessity of warding

off the threatened violence—whatever it may be.

My article argued that the aborting woman's illusion about the deadly power of the fetus is a species of the well-attested pattern of violent delusion and cathartic response. Johnston's equation of natural birth with death by mob violence mirrors both Girard's account of sacrificial mentality and the discovery by Paul Swope that aborting mothers see birth as a symbolic, spiritual death.<sup>vii</sup> Johnston attempts to label the anti-abortion community as Girardian sacrificers for whom the fetus is a deity. But a mimetic sacred victim is what the sacrificers kill. Pro-lifers do not kill fetuses, or invest them with death-dealing spiritual power; neither do they deify or seek the death penalty for mothers and abortionists. Johnston asserts that lynching is the real agenda of abortion opponents, and he contends that "a significant proportion of the activists who struggle to outlaw abortion also tend to favor capital punishment."<sup>viii</sup> Johnston does not identify the surveys that he says "suggest" this attitude among "conservative Protestants."

In fact, no support for Johnston's claim could be found by Michael Kearl of Trinity University in San Antonio, who statistically correlates opinions taken from the University of Chicago's prestigious National Opinion Research Center. Seventy percent of Americans in general support executions; the subgroup he calls Fundamentalist Protestants shows no statistically significant variation. Fundamentalists who are pro-choice, support executions at 71%; pro-lifers were at 70%—not a statistically significant difference. In fact, except for Catholics (who, if pro-life, oppose executions significantly more) no identifiable religious group—including those who have no religion—exhibits any statistical correlation between opposition to abortion and support of the death penalty—or, indeed, between opposition to abortion and opposition to the death penalty.<sup>ix</sup>

Kearl has published on a three-way correlation among Fundamentalist Protestants who disapprove both abortion and euthanasia. Whereas for other Protestants opposition to capital punishment increases the likelihood of individuals supporting abortion rights and euthanasia, for fundamentalist Protestants the relationship is the reverse. For instance, those fundamentalist Protestants who favor executions are 45%

more likely to favor physician-assisted death than those opposing executions. Thus it might be predicted that any shift toward opposing capital punishment will lead to increasing opposition in this group toward abortion and euthanasia.<sup>x</sup>

Johnston's irresponsible statistical assertion is not the only example of slack scholarship. He writes, "Dr. Ward argues that the fetus is a collective victim because of the cultural environment which values convenience, career, etc., above the life of the fetus."<sup>xi</sup> He provides no quotations to support this claim; none exist. I based my case on neither convenience nor career. I argued that women used abortion to deflect violence inherent in the double bind of an unstable social environment which condemns "sluts" and depreciates motherhood while denying respect to sexually unconnected women. I called the fetus a collective victim because public authorities protect its killing with strictures beyond any accorded to other medical procedures, and public legislation explicitly equates abortion sites to places of worship.<sup>xii</sup>

Johnston's catchiest phrase—fetus as fetish—is a telling misuse of that outmoded term from nineteenth-century anthropology. (Typing the word into Google makes one rather glad that nobody has to use it in research much anymore.) "Fetish" applies only to non-living items treated as though they were alive; an animal treated with special reverence is a totem, the difference being that animals in fact do have qualities very like those of humans. Universally, humans—and other animals, too—treat animals differently from non-living matter. One would rather step on an uncomfortable twig than on a worm, which would create no discomfort at all. Johnston dismissively acknowledges fetal "measurements of heartbeat and movement," asserting, again without quotation, that "much" "anti-abortion discourse" involves "imputation of a soul or spirit to the fetus," which he likens to "pagan imputation" of a spirit to a fetish. A philosophically dubious paragraph follows to prove that the fetus is only a what he calls a "metaphysical person," and he asserts, "Metaphysical notions...can have little relationship with the truth." So, he goes on, "We cannot really have a relationship with a fetus.... Inevitably, then, the fetus serves as a sacred object—a metaphysical person, an object invested with spirit—a fetish."<sup>xiii</sup>

Despite clear evidence that he knows the contrary physical facts, he seems compelled to make the fetus either a non-living thing or a fiction. This is mimetic “bad faith.” He cannot be supporting a sacrificial practice if the victim, the fetus, does not exist. Of course, in one sense the problem seems simple: Johnston is lying; deception is common enough in support of abortion. But what if he actually believes what he writes? The heart of Johnston’s argument is this, and I quote:

We find a community gathering around a sacred object to justify persecution; and we find an effort to draw upon moral laws to generate agreement about the guilt of the scapegoat—the scapegoat in this case being the abortionist and/or the pregnant woman.... She is a ready-made sacrificial victim. We can mete out her punishment through denial of the abortion she seeks; she must bear her child “in travail.” She must bear the cost of raising the child. The abortionist and the woman seeking the abortion occupy the position of the guilty victims in the center of the righteously indignant crowd. The scenario is structurally homologous with a lynching.... In the collective dynamics of the anti-abortion movement, this is precisely what we see—a community gathering around a sacred object, upholding it as more worthy—because of its innocence—than the mother who carries it, and weeping over its desecration by the sinful abortionist and the woman who gets the abortion. Bloody descriptions of the death of the fetus serve to inflame the passions of those who demand punishment of the infidels—just as the followers of Slobodan Milosevic once wept over the death of their national hero (who died in 1389) before they rose up to slaughter the Muslims.<sup>xiv</sup>

He goes on to deny the possibility that abortions opponents want to eliminate the procedure rather than its participants. Again I quote:

Spokespersons for the pro-life movement argue that they seek only to end slaughter, not to perpetrate it (notwithstanding the crazy minority who assassinate abortion doctors or put wanted lists on the internet). But the impulse of sacrificial violence isn’t necessarily only for lynching or slaughter. Girard’s definition of collective violence includes not only lynching, but exiling or punishing. The anti-abortion movement puts a clear emphasis on punishing abortionists (i.e., “outlawing abortion”).<sup>xv</sup>

Like every American adult, Johnson knows, that the Constitution forbids punishment for a retroactive law. Nobody who can distinguish between

“before” and “after” can rationally dismiss the difference between a law meant to deter an action contemplated, and a lynching punishing some event reputed to have happened in the past. Something profoundly irrational is controlling Johnston’s account of legislative change.

The nature of that irrationality can be seen in his identification of birth with death by lynching. Johnson knows that, unlike lynching birth in America is medically controlled to prevent pain and maternal death, and is supported by public funds. He also knows that any woman can surrender her child for adoption and thus need not accept the burdens of child-rearing. Moreover, physical consequences, such as a broken leg if I fall through your skylight, are not punishment. If you have me fined, or, in Johnston’s imagery, lynched for trespassing, that is punishment. Birth is a natural consequence of certain physical events, if nothing interferes with the transmission of life. Even in situations of rape, humanity as a whole does not mistake pregnancy for punishment; the United Nations took special care to make sure that even the language condemning the genocidal rape camps of the Bosnian war did not imply that pregnancy itself was considered an evil.<sup>xvi</sup> Only a mind deeply entangled in illusion can sincerely believe that the normal, involuntary physical processes of a healthy body are a punishment and a violation of rights. Anorexics do it; such imagery is easy to find on pro-anorexia websites.<sup>xvii</sup>

Johnston is not naïve about the life of the fetus, or its humanity; but he cannot allow himself to believe it. His rhetoric about “conservative Protestants” tells why. Johnston reveals the identity of his terrifying Protestants by discussing Paul Hill, who killed an abortionist. Hill, explaining the gagging order against him during his trial, gave this reason: “If I had been allowed to tell the truth, it would have inevitably resulted in my putting the abortionist, and the government which protected him, on trial for participating in mass murder.”<sup>xviii</sup>

Girard points out that the judicial system works on faith, just as the sacrificial system does—in this case, faith that the law is enacting a rationally ordered justice, rather than just avenging violence in a disorderly, infectious way as a private party would. Judicial systems are thus sharply distinguished from mob violence. However, if the community’s faith falters, anarchy threatens. If people think that the

judicial system is not founded on transcendent justice, its monolithic limitation of revenge crumbles into uncontrollable avalanches of private, defensive violence. Girard explains that, in such a crisis,

the always arbitrary but culturally real difference between legitimate and illegitimate violence will weaken. Its power of illusion diminishes and henceforth there are only enemy brothers to confront one another in its name, which all will claim to embody but which in reality no longer exists; cultural difference will be distinguished less and less from the mimetic crisis to which it returns. Any sense of legality will be lost.<sup>xix</sup>

Clearly, Paul Hill saw himself as a principled revolutionary who lost faith in the judicial system and declared a private war in the name of those it refused to avenge. But no one should start a war of intervention without hope of success, for the cost of war in terms of the control of violence in the community is immense—as looters have taught us in Iraq.

Moral philosopher Michael Walzer explains, “the best way to describe the crime of war is simply to say that there are no limits...there can be no imaginable act of violence, however treacherous or cruel, that falls outside of war...the aggressor is responsible for all the consequences of the fighting he begins.”<sup>xx</sup> Any wars, even justified revolutions, can produce anarchy; war must be the very last resort. In the American legal system, other remedies are still available. People who believe that a judicial system responds to objective justice are willing to suffer even mob violence to make the courts aware of injustice. Confident that judges committed to justice would recognize that all humans must be treated equally, freedom riders peacefully changed Jim Crow laws.

Similar faith motivates pro-lifers, who set about trying to convince judges rationally that the unborn are equal to other living human organisms. For most people, the biological argument works. However, abortion supporters like Britt Johnston and countless legislators still refuse to believe in the species identification, or the individuation, or the life of the fetus, despite plenty of objective evidence for all three.

This phenomenon is certainly the “collective bad faith” of those who know that their sacrifice can be accounted a crime—private violence inviting reprisal. Individually, the dissemblers must truly persuade

themselves, and their culture if they can, that they have never done or supported violence. It's health care; it's a choice; the fetus is a metaphysical person, or a part of the mother's body, like teeth or fingernails.<sup>xxi</sup> If the legal system that has supported their behavior is widely perceived as unjust, then they must be criminals.

Moreover, if faith in the judicial system collapses, it will not be in place to protect them with what Girard calls "the sovereignty and independence of the judiciary, whose decisions no group, not even the collectivity as a body, can challenge."<sup>xxii</sup> Believing, even knowing that the judicial system has indeed been co-opted by a violent illusion, abortion supporters' own collapse of faith in the legal system prevents them from seeing anything but violent assailants in those who seek to change it. With the inherent conservatism of sacrificial reasoning, they resist any change in abortion legislation as dangerous destabilization.

There is abundant evidence that judicial change has happened without violent revolution in the past, but evidently Johnston perceives the court system as perilously fragile. His transparent dishonesty may be a mere symptom of a nearly inescapable terror. Any crack in its façade might lead to physical anarchy and lynching. Submission to this terrifying illusion is sad, but not below the dignity of culpability. If Paul Hill were not real, the abortion mentality would have to invent him.

What, then, can be done? We must not forget our biology–recalcitrant reality is a fine teacher sometimes–but we must understand that the pro-abortion mentality that refuses to understand these things is like the mind of an anorexic, beset by irrational fears and distortions that prohibit the acknowledgment of physical reality. Such delusion can sometimes be cured, but neither force nor anger is effective. Force in this case is peculiarly ineffective because it raises the specter of uncontrolled vengeance.

Among those who have not yet succumbed to the delusion, exposure by gentle mockery might be a protection. With those already committed to abortion's defense, perhaps it would be most effective to speak individually at a time when abortion isn't on his or her mind, and begin the discussion in an area not yet blockaded with the defenses that surround abortion. They might discuss the fact that there was no *ex post*

*facto* punishment meted out to the doctors who performed lobotomies or sterilized the “unfit.” Or if that is too close to home, one might cite examples from the civil rights movement. A twenty-dollar bill would make a good prop to prove that when America accepted the Universal Declaration of Human Rights we did not retroactively punish those who genocidally sent the Cherokees on the Trail of Tears. Then the question of whether or not a change in abortion laws would in fact result in mass lynchings might be delicately broached, and a crack in the irrational structures of fear might appear. But don’t count on its being easy. Sacrificial illusion is immensely resistant to fact; then again, it is a brittle resistance. There is yet hope that judges will acknowledge rational science and equality as the proper basis for law. We must not, like Johnston, lose our faith that America founds its laws upon a transcendent justice, and that truth is a good and an ultimate joy.

## NOTES

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- i. Britt Johnston, “Sacrificial Anti-Abortionism,” *The Bulletin of the Colloquium on Violence and Religion* 21 (September 2002) p. 13.
  - ii. Gil Baillie, e-mail to Bernadette Waterman Ward, 24 May 2003.
  - iii. [www.plannedparenthoodnj.org/action/index.asp?step=2&item=326](http://www.plannedparenthoodnj.org/action/index.asp?step=2&item=326).
  - iv. Rene Girard, *Violence and the Sacred*, (Baltimore: Johns Hopkins Univ. Press, 1978) p. 22.
  - v. *The Girard Reader* (New York: Crossroads, 1999) p. 12.
  - vi. *The Girard Reader*, p. 99.
  - vii. Paul Swope, “Abortion: A Failure to Communicate,” *First Things* 82 (April 1998) p. 32.
  - viii. Johnston, p. 15.
  - ix. Michael Kearl, Chairman of Sociology, Trinity University, San Antonio, TX,

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personal communication via telephone, May 22, 2003. Dr. Kearl is in the midst of correlation of statistics about public opinion from the General Social Survey the national Opinion Research Center (NORC). He graciously shared with me his work in progress. The NORC survey contacts approximately 3000 Americans over age 18 for face-to face interviews. Interviewers ask about religious and political affiliations, and ask opinions on controversial topics. Dr. Kearl uses the religious classification system established by the work of Rod Stark. Dr. Kearl correlated answers to the question about whether abortion should be permitted for any reason and the question about whether capital punishment should be practiced. Except among Roman Catholics, there was no statistically significant correlation. The 1998 and 2000 NORC surveys show that in the general public, 72% of those who favored abortion favored capital punishment. 71% of those who opposed abortion favored capital punishment. Among fundamentalist Protestants, 71% of those who favored abortion also favored capital punishment; 70% of abortion opponents favored capital punishment. Among moderate Protestants, opponents and proponents of abortion both favored capital punishment equally at 75%. Among liberal Protestants, 74% of proponents of abortion favored capital punishment. 76% of those who opposed abortion favored capital punishment. The difference between the groups in the Jewish community was also statistically insignificant but Dr Kearl did advise that the actual number of Jews surveyed (72 out of 3062 respondents) created too narrow a database to justify claims about the group as a whole. Among Catholics, 78% of those who favored abortion favored capital punishment and only 69% of those who opposed abortion favored capital punishment.

x. <http://www.trinity.edu/~mkearl/death-5.html>,

xi. Johnston, p. 13.

xii. Bernadette Waterman Ward, "Abortion as a Sacrament: Mimetic Desire and Sacrifice in Sexual Politics," *Contagion* 7 (Spring 2000) 18-35.

xiii. Johnston, p. 14.

xiv. Johnston, pp. 13-14.

xv. Johnston, pp. 15-16.

xvi. Aside from the obvious fact that pregnancy has been sought and prized by most people in most cultures, and not always regarded as undesirable even when

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it is evidence of a disturbance of the orderly regulation of sexual activity within a community, I can find no record of any legal document anywhere that defines pregnancy as a punishment. The United Nations Universal Declaration on Human Rights declares “founding a family” as a right. The only instance in which pregnancy is equated with violence is in a document about the “rape camps” established during the Balkan war of the 1990s where the United Nations narrowly defined a war crime of “forced pregnancy”; the definition stands in article 7 of the Rome Statute of the International Criminal Court, which entered into force on April 11, 2002. The definition is in section (2)(f): “the unlawful confinement, of a woman forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law.”

xvii. See, for instance, the widely circulated anonymous “Letter from Ana,” which I located at “Makayla’s healingplace,” a pro-anorexia website. It accompanied a petition that anorexic “rights” be respected.

xviii. [http://www.armyofgod.com/PHill\\_ShortShot.html](http://www.armyofgod.com/PHill_ShortShot.html).

xix. *Things Hidden*, p. 128.

xx. Michael Walzer, *Just and Unjust Wars* (New York: Basic Books, 1977) pp. 22-23.

xxi. Joshua Mercer, “Child as Body Part? Neither Side Likes Court Ruling” *National Catholic Register*, 79:21 (May 25-31, 2003) pp. 1+.

xxii. *Violence and the Sacred*, pp. 22-23.