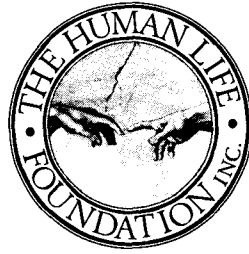


the HUMAN LIFE REVIEW



SUMMER 1989

Featured in this issue:

Mary Meehan on Operation Rescue in Action
Brian Robertson on The Chains of 'Choice'
Jason DeParle on Beyond the Legal Right
John Wauck on Abortion & 'Moral Tension'
George Weigel on The Hospitable Society
Carl A. Anderson on Exporting Contraception
Christine Allison on A Child to Lead Us
Frank Zepezauer on Lesbian Sabotage

Also in this issue:

• Malcolm Muggeridge • Wm. F. Buckley Jr. • Francis Canavan, S.J. •
Joseph Sobran • Alan Dershowitz • Thomas Sowell • Ray Kerrison

Published by:

The Human Life Foundation, Inc.
New York, N.Y.

... FROM THE PUBLISHER

Quite a large number of people have worked for and contributed to this journal over the past 15 years. Not surprisingly, many were interested in knowing *why* we worked so hard on what may be the biggest (and we'd add best) non-commercial product generally available in the marketplace of ideas. Our jaunty answer was: We mean to see *Roe v. Wade* reversed. It seems that we have survived to see just that, thanks to all those good people who helped us do it—which most especially includes all of you who made it *financially* possible to survive. Surely few other publications, however successful, can boast of more loyal readers? But then you *shared* our goal: that explains it.

Fittingly, this issue is one of our most varied—16 different pieces—including the usual mix of the new, old, and borrowed, which is another of our unique features. We trust you will enjoy it from cover to cover, undistracted by ads—or anything else!

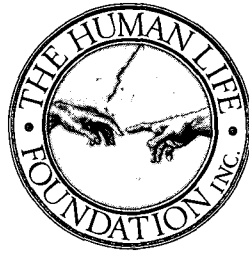
The article by Mr. Jason DeParle is reprinted with the kind permission of *The Washington Monthly*, which asked us to include its address (and phone number as well). Glad to: the *Monthly* is an unusual “little” magazine—both in size and circulation—but it is well known to journalists, politicians, and bureaucrats in Washington and elsewhere, in large part because its feisty editor, Charles Peters, is an unusual man. A Founding Father of “Neo-Liberalism,” Peters often comes down as hard upon his political allies as upon his conservative opponents. The result is a magazine we rarely fail to read. We think you will find Mr. DeParle's piece a good example of what we mean—the *Monthly* is both readable and unpredictable, and we recommend it to anyone who enjoys reading *different* viewpoints. You can get it (at \$33 per year) by addressing *The Washington Monthly*, 1611 Connecticut Ave., N.W., Washington D.C. 20009—or, if you prefer, call them at (202) 462-0128.

The article by Mr. George Weigel is the complete Chapter Seven of his new book *Catholicism and the Renewal of American Democracy*, published by Paulist Press, New York/Mahwah; it is available (at \$11.95 a copy) from Paulist Press, 997 MacArthur Blvd., Mahwah, N.J. 07430. We recommend it highly.

As usual, you will find complete information on how to get our back issues, bound volumes, etc., printed on the inside back cover of this issue.

EDWARD A. CAPANO
Publisher

THE HUMAN LIFE REVIEW



SUMMER 1989

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Editor

J. P. MCFADDEN

Publisher

EDWARD A. CAPANO

Contributing Editors

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ELLEN WILSON FIELDING

JOHN WAUCK

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FRANCIS CANAVAN, S.J.

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MALCOLM MUGGERIDGE

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Assistant Publisher

STEPHEN KLIMCZUK

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MARY M. O'CONNOR

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Circulation Manager

RICARDO RIVERA

Published by THE HUMAN LIFE FOUNDATION, INC. Editorial Office, Room 840, 150 E. 35th St., N.Y., N.Y. 10016. The editors will consider all manuscripts submitted, but assume no responsibility for unsolicited material. Editorial and subscription inquiries, and requests for reprint permission, should be sent directly to the editorial office. Subscription price: \$15 per year; Canada and foreign \$20 (U.S. currency).

Vol. XV, No. 3. ©1989 by THE HUMAN LIFE FOUNDATION, INC., New York, N.Y.

Printed in the U.S.A.

INTRODUCTION

“**G**ENERALLY, when some drastic readjustment of accepted moral values, such as is involved by legalized abortion, is under consideration, once the decisive legislative step is taken the consequent change in *mores* soon comes to be more or less accepted, and controversy dies down. This happened, for instance, with the legalization of homosexual practices of consenting adults.

“Why, then, has it not happened with the legalization of abortion?”

That is our old friend Malcolm Muggeridge, writing in the London *Sunday Times* many years ago (we reprinted it in our third issue—Summer, 1975—this number is our fifty-ninth). Then, he was of course commenting on the situation in Britain, some eight years after Parliament’s 1967 legalization of abortion. Over here, the Supreme Court’s 1973 *Roe v. Wade* decision—in effect a legislative *fiat* that overturned anti-abortion laws in all 50 states—is now twice that old, but Muggeridge’s question remains as fresh as ever. His answer was: “Surely because the abortion issue raises questions of the very destiny and purpose of life itself”—which indeed it does.

Without doubt, the Court’s then-pro-abortion majority intended *Roe* to be the “final solution” to the abortion question. Yes, such a “drastic readjustment” of traditional morality would outrage many, but what could they do? In our day, the High Court really is supreme, the *de facto* font of sweeping social changes which seem well nigh impossible to reverse.

Thus the anti-abortionists were reduced to a single strategy: to *prevent* the acceptance of legalized abortion on demand in America. The tactics were also obvious: they had to make abortion “the issue that will not go away.” Needless to add, the model for their movement would be the successful struggle against slavery—the injection of a *moral* issue into a political system designed to achieve compromise, not drastic readjustment. If successful, the Court would, in due course, be forced to repudiate *Roe*, and return the abortion decision to the people.

As we often say, in politics perception becomes reality. And the perception

is, that on July 3 last the Supreme Court repudiated *Roe v. Wade*. It did so, in effect, by failing to re-assert (as it had done so often since 1973) *Roe*'s impregnability against state efforts to challenge its monolithic dominance of abortion laws. In fact, the Missouri statute involved was a modest challenge, and the *Webster* decision a narrow one: strictly speaking, *Roe* remains untouched, awaiting execution (or reprieve?) *via* some future decision.

Yet anti-abortionists are convinced that, at the least, *Webster* represents (as Winston Churchill once said) "the end of the beginning" of their long struggle. The symbolic point is this: the first section of the Missouri law states that "The life of each human being begins at conception"—and the Supreme Court did *not* dispute that legislative "finding," despite its direct challenge to *Roe*'s central tenet—that nobody can *say* when life begins.

As it happens, that point has been central to this journal's own efforts to reverse *Roe* which, however modest, we have pursued with tenacity for these past 15 years. We leave it to history to judge our contribution, but we think one relevant bit of history ought to be recorded here.

Way back in our Winter, 1977, issue, our old friend Prof. George Carey (of Georgetown) suggested that Congress had the power—under Section 5 of the 14th Amendment—to legislate a "Human Life Amendment." That article inspired a brilliant young lawyer, Stephen Galebach (a 1979 graduate of Harvard Law School, and an editor of its prestigious law review), to propose a "Human Life Statute," which not only first appeared in our Winter, 1981, issue, but also spawned the memorable Human Life Bill, to which the U.S. Senate gave extensive hearings and which, in the event, failed by a single vote.

But the idea did not die. Galebach's article inspired a young lawyer in St. Louis, Andrew Puzder, to adapt it for a model *state* statute; he became (*we* say) the chief architect of the Missouri law that in due course became the *Webster* case. The moral is, we trust, that ideas do indeed have consequences? Had *we* not believed that, we would never have labored over the millions of words we have published in this journal of ideas.

And we have a goodly 50,000 and more words for you in this issue, which we hope you will diligently explore: Who knows which of these articles will become another historic contribution to the great Abortion Debate? For instance: little more than a year ago, most Americans had never heard of Operation Rescue. Today, of course, "Op-R" commands headlines nationwide, in large part because of the surprisingly brutal methods often used by police to suppress this new "civil-rights" movement. But it would be incorrect to say that the media have provided *generous* coverage: its pro-abortion bias has perhaps never been more obvious than in the highly selective reporting of the rescue movement; large demonstrations that dominate the front pages of

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local newspapers often get no attention whatever from the national media. *Absent* the “police brutality” factor, Op-R would have failed to advance toward the goal it unashamedly pursues—notoriety sufficient to challenge the conscience of the nation.

Strange to say, the deliberate blackout has included so-called “pro-life” publications as well. Or perhaps it is not so strange? Operation Rescue has undoubtedly snatched the spotlight away from the anti-abortion Establishment—the “official” organizations that parallel the permanent organs (e.g., Planned Parenthood) of the opposition. It has been the small-circulation “religious press”—both Catholic and Protestant—which has regularly reported on the burgeoning rescue movement, providing support that has both sustained Op-R’s growth and (surely?) embarrassed the Major Media: it must be an uncomfortable feeling to have your un-professional prejudices exposed on a weekly basis.

This journal has not failed to report the story. In our Spring, 1988, issue, we published Mary Meehan’s “Joan Andrews and Friends,” which must surely have been the first in-depth recounting of Op-R’s origins, and the reasons why “St. Joan” became the patron saint of the rescuers. Then, Op-R was just about to launch the New York City demonstrations that first gained national headlines. Tina Bell provided an eye-witness account of that *premier* outing in our Summer, 1988, issue. In our lead article, Miss Meehan returns with a timely update, having been “On the Road” with Op-R over the past year. Always the meticulous reporter, Mary gives you plenty of the who-what-why-when-where the media ignores, but she also provides the *inside* story of what it all means, not only to the rescuers themselves, but also to the badly-shaken abortionists pinned down by Op-R’s continuous barrage which, she predicts, will grow in intensity, with no end in sight.

The question is: Can the pro-abortionists mount effective counter-attacks? They certainly made an impressive effort in Washington last April, when a reported 300,000 “choicers” marched in support of the abortion “liberty.” But what kind of message did they send? Not exactly the kind that will appeal to the hearts and minds of “ordinary” Americans, says our colleague Brian Robertson, given that the pro-abortion Radical-Feminist-Gay alliance has now abandoned its original “tragic necessity” arguments in favor of a blatant assertion that abortion is “a positive good; good for the woman, for her family, and for society” because it’s the only way women “can express freedom and independence in our oppressive, male-chauvinist culture.”

Next we have a fascinating article from *The Washington Monthly*—hardly a “pro-life” journal, any more than one of its editors, Jason DeParle, is anti-abortion. But as a “practicing liberal,” Mr. DeParle is greatly troubled by the

stridency of otherwise-liberal pro-abortionists. Allowing for the “inhumanity” of right-to-lifers, he argues that “what ought to be equally if not more disturbing to feminists, liberals, and others on the Left is the extent to which prominent pro-choice intellectuals mirror [the pro-lifers’] dishonesty and denial.” In short, DeParle provides an insider’s view from the *other* side of the hill, where “Much of the Left . . . refuses to acknowledge” the obvious moral questions. For instance, he says, just read the liberal/feminist media and “you’re likely to find more concern about the snail darter than the 1.6 million fetuses aborted each year.” We pray that his career over there will survive such scandalous honesty—which we’ll always welcome over *here*, of course.

Mr. DeParle’s article was so impressive that our John Wauck couldn’t resist a commentary on it. The original *Washington Monthly* piece carried the hefty subtitle “Why liberals and feminists don’t like to talk about the morality of abortion,” and Wauck explores that declarative statement with gusto, ranging far and wide (as is his wont) over the moral landscape. For instance, he notes that the “private choice of abortion isolates a woman from those to whom she should be closest: the child growing in her womb; the father, who has no rights with regard to his unborn child”—and asks “Is it mere coincidence that divorced and separated people are more likely than married couples to support abortion on demand?” It’s good stuff.

“Abortion is the ‘social issue’ that refuses to fade quietly away”—so begins Chapter 7 of Mr. George Weigel’s new book (*Catholicism and the Renewal of American Democracy*), which explains why we wanted to give you the full text here—it buttresses a great many arguments we have presented over the years, and expands on the theme Mr. Henry Hyde played in his article “Welcoming the Stranger” (Summer, 1987). We must seek, says Weigel, “the Hospitable Society,” which means that we must reject “a radical break” with our tradition of welcoming new-comers, of whom the pre-born surely are *primus inter pares*? If this chapter sends you out looking for the whole book, you’ll find a lot more good stuff there.

Mr. Carl Anderson then reverses the focus: we not only reject our *own* children, but promote the rejection of *other* peoples’ children, by “exporting contraception”—at our tax-payers’ expense, and against the economic interests of the recipients of such dubious *largesse*. It’s a controversial subject, true, but here you get the side you seldom see mentioned elsewhere (precisely what this journal exists to provide).

As is our custom, we then interrupt the weighty stuff with something radically different. But we’ve seldom had anything quite like Christine Allison’s story, which began the day “when our daughter Chrissie, just a few minutes old, took our family by the hand and gently led us into the world of the

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handicapped. Chrissie was born with Down Syndrome.” We need say no more here: just *begin* reading it yourself, and you’ll probably *re-read* it several times more, to ponder upon the paradoxes generated by our “advanced” society.

The final article is by our faithful contributor Frank Zepezauer, writing yet again on his favorite subject: Feminism and related wonders. Here it’s the “homosexualist family agenda”—and it’s no fantasy, as the recent passage in San Francisco of a “Domestic Partner Ordinance” shows. The goal is not only legalized “Gay Marriage” but also “gay parental rights to children” by adoption and foster parenting, not to mention artificial insemination and surrogate “motherhood.” Need we add that they expect to achieve their agenda mainly through the courts? Already, New York’s high court has paved the way for giving equal rights to unmarried “couples”—as we say, it’s no fantasy.

* * * * *

As usual, we have added a number of appendices—seven this time—all on our “single issue” of abortion, and all by writers familiar to you: Malcolm Muggeridge, Wm. F. Buckley Jr., Joseph Sobran, Francis Canavan, Alan Dershowitz, Thomas Sowell, and Ray Kerrison. As you would expect, several are commentaries on the *Webster* decision. But Mr. Muggeridge’s piece is the rest of his 1975 article from which we quoted above—we thought you would like to read it all yourself.

So much for this issue: the next one will complete our “first” 15 years of publication—but we certainly did not set out with any such goal (indeed, had your servant even imagined such a fate, he might well have faltered!). We just thought that, if we worked at it, this journal might make a difference. Dare we now say that it has?

J. P. MCFADDEN
Editor

On the Road with the Rescue Movement

Mary Meehan

OPERATION RESCUE STALWARTS, it seems, do not know how to sleep in. There they were, at six o'clock in the morning, gathering by the hundreds in a hotel parking lot near Valley Forge, Pennsylvania. It was July 5, 1988, and the activists were dressed casually for a long, hot day of sitting-in at an abortion clinic. Some sang, many prayed as they waited for marching orders.

After instructions were given, Pastor Jesse Lee prayed publicly for everyone. A soft-spoken Virginian, Lee has a knack for the right prayer at the right time: "Lord, we're here in your name, and we're here to do your work. . . . We ask you that the sin that so easily besets us on a hot day, when we get cranky, will not beset us today."¹

Lee and his comrades—men and women from all up and down the East Coast—had a good day. At the cost of a record in numbers arrested (nearly 600), they kept the abortion clinic from doing business.

At the end of 1988, they could look back on a year in which their movement had grown by leaps and bounds. In 1987, there had been fewer than 900 arrests in the U.S. for sit-ins or "rescues" at abortion clinics. In 1988, there were 12,601.²

Judging by the first months of 1989, the arrest numbers will probably exceed 50,000 this year. From January through April, 1989, there were at least 12,291 arrests—that is, almost as many as in all of last year.³ Many clinics were shut down for entire days, and sometimes this was accomplished with no arrests at all.

Rescue leaders never tire of saying that their actions are not "symbolic" and not "protests," but efforts to save actual lives. They claim that at least 250 babies' lives were saved from the time of its New York campaign in May, 1988, to May of this year.⁴ They count it a life saved whenever a woman encountered at a clinic clearly decides against abortion. But they believe the actual number saved is much higher, since the presence of hundreds of abortion opponents—willing to go to jail—probably leads other women to decide against abortion.

Mary Meehan, a frequent contributor to this journal, has covered the rescue movement closely for the *National Catholic Register*, a weekly newspaper.

Last year abortion supporters denied that there was much growth in numbers of sit-inners. Anti-abortion leaders, one charged, bussed them “from one place to the next,” so that the same people were “being recycled over and over again.”⁵ There was some truth to that charge, although many participants came on their own steam, and most on their own dollars. Many were arrested in New York in May, Philadelphia and Atlanta in July, Tallahassee in August, and so on through the year. Some were retirees; some were students or unemployed; and some reserved weekends for rescues, while holding down full-time jobs and supporting families during the week.

But there was a major change by the end of the year. While a large group still spent most of its time blocking clinics or in jail, the movement no longer depended primarily on them for public impact. Rescues were occurring in cities and towns that rarely if ever had seen them before. Never mind Philadelphia and St. Louis. How about Orlando and San Antonio, Boise and Brookline, Baton Rouge and Des Moines?

It may have looked like spontaneous combustion, but it was actually the result of hard organizing and recruiting, aided by media coverage. Many people who led local sit-ins had learned how to do it by taking part in the national Operation Rescue efforts. They also learned by sharing experiences while in jail—especially in Atlanta, where many were jailed for weeks. Jesse Lee called an Atlanta jail the “Atlanta Training Center for Christian Activism” and said he received “40 days of condensed education” there.⁶

Politically, the rescue movement helped move the abortion issue from the nation’s back burner to the front again. Its militance is noticed by politicians who in the past were able to placate and manipulate the right-to-lifers. One state anti-abortion leader, active in both rescues and lobbying, told me that his job now is to convince legislators that “the wimps are gone.”⁷

While it has made great strides in the past year, the rescue movement also faces formidable obstacles. The movement is much older and broader than Operation Rescue, the group based in Binghamton, N.Y., which has received so much attention. Operation Rescue—now often called simply “Op-R”—through incredibly effective recruiting and discipline, made breakthroughs for the whole movement; but its dominance is at times a mixed blessing. Moreover, all rescue groups face an opposition that is newly-militant and aggressive in the courts and on

the streets. There are also problems of police use of “pain compliance” and general brutality against sit-inners.

Recent rescues have highlighted these problems, but also shown the resilience of a movement whose faith might well be called “more precious than the passing splendor of fire-tried gold.”⁸ In its ranks are many of the bravest and most committed people in our country today.

The Philadelphia campaign was Operation Rescue’s second major effort of 1988. The first, in New York City in early May, resulted in over 1,600 arrests and massive publicity.⁹ Philadelphia was designed as an Independence Day effort. “Granted,” said an Operation Rescue brochure, “it is an inconvenience and a sacrifice to travel on a holiday, but with all that is at stake, sacrifice is long overdue. *This includes you.*”¹⁰ The theme of sacrifice is a major one.

At a prayer/training session in the evening of July 4th, Op-R leader Randall Terry told a large crowd that they were there: 1) to save children from being killed and women from being exploited (history will be forever different, he said, because of the lives we save); 2) as an act of repentance before God, and 3) “to help kindle social upheaval across the nation.”¹¹

Terry is an evangelical Protestant, a lay preacher, and his third goal bothers some older evangelicals outside of the rescue movement. They don’t like social upheaval, and on the issue of civil disobedience they favor Paul’s Epistle to the Romans (“Let everyone obey the authorities that are over him”)¹² over the Acts of the Apostles (“Better for us to obey God than men!”)¹³ But Terry and other young evangelicals grew up hearing about and admiring the Rev. Martin Luther King, Jr. They do not think a Christian should “obey the authorities” when the authorities uphold an evil such as segregation—or the abortion industry.

To his July 4th audience, Terry stressed that nearly every political movement—“some to the good, some to the bad”—shows that “political change is preceded by social upheaval. . . . We need tension. We’ve been too nice.” He even joked: “Some of you have always wanted a jail ministry. This is the easiest way to get one.”

The next morning, as some 600 rescuers blocked entrances to the Women’s Suburban Clinic in nearby Paoli, police read them a temporary restraining order signed by a federal judge and an injunction from a local judge. A captain warned the crowd that they must leave or be arrested, but that was like saying, “I’ll huff, and I’ll puff, and I’ll blow

your house down.” Most of the sit-inners just kept sitting. Police made arrests while the rescue folks sang “How Great Thou Art” and “Holy, Holy, Holy.”

Police were threatening misdemeanor charges, so Randall Terry told his troops to get rid of their identification and “Do not tell them who you are. Do not tell them where you live.” The local prosecutor soon agreed to give lighter “summary” charges to those who identified themselves.¹⁴ (This sort of bargaining would take place often in coming months.)

Bill Baird, a veteran—and fanatic—abortion activist, was at the Paoli clinic to counter-demonstrate and bemoan the police response. The police, he said, were “part of the problem” and were moving “slower than a turtle.” He showed up again the next day at the Northeast Women’s Center in Philadelphia, where Op-R people defied another federal injunction. There were 253 arrests—not counting young children who, a policewoman said, were “carted away with Mom” but not charged. The clinic administrator claimed that five women entered the clinic before Op-R arrived and had abortions.¹⁵

For several months, Bill Baird had been a voice crying in the wilderness, trying to warn abortionists that Operation Rescue posed a real threat to abortion clinics. Other abortion supporters have tried to downplay the threat, apparently fearing that *admitting* fear would give more media attention to their opponents. It was a difficult judgment call; it might be said that the clinics were in a no-win situation.

The National Abortion Federation (NAF), a group of abortion clinics and “providers,” issued special “media guidelines” for Philadelphia abortion providers just before Operation Rescue came to town, summarizing suggestions from a June 27th meeting of “Philadelphia-area abortion providers and supporters.” Both the meeting and the memo provide evidence that, whatever they might say publicly, the clinic people were indeed worried about the rescue movement.

The guidelines say the clinics’ media strategy should be to focus attention on “*our patients, our services, ourselves*,” thus showing that “we are the *caring, concerned, reasonable* ones . . .” Suggested comments for the press included: “We will continue to provide health care, no matter what . . . Our main concern is the safety and well-being of patients . . . We salute the courage and bravery of women patients who endure this type of harassment and invasion of privacy.”

Operation Rescue activists, when mentioned at all, were to be called “*bullies*, who try to *terrorize women patients*.” But the memo warned: “Avoid overkill words like ‘radicals,’ ‘crazies,’ ‘extremists,’ ‘fringe,’ and—probably—‘terrorists.’ Reason: they will be playing up their peaceful, Martin Luther King-like behavior and we will look reactionary.”

NAF even had an answer for the civil-rights comparison. Clinic supporters, it suggested, could “analogize patients to black citizens having to endure hazing lines of police and opponents of integration during attempts to enter schools or voting booths in the exercise of a right.”¹⁶ But do rights to education and voting mean very much unless we also have the right to life? (It apparently did not occur to NAF that rescue participants were like people who tried to prevent the *lynching* of black citizens in the oldtime South.)

Unfortunately, the black political establishment generally sided with the abortion clinics rather than the rescuers. For some reason—perhaps a combination of middle-class “assimilation” and pressures operating within the Democratic Party—black leaders have been markedly more supportive of abortion than blacks in general have been. Mayor Andrew Young of Atlanta, for example, certainly offered no encouragement to Operation Rescue when it arrived in his city for the 1988 Democratic National Convention. Later he and other civil-rights veterans would sign a statement that followed the NAF line, comparing “Operation Rescue demonstrators to the segregationists who fought desperately to block black Americans from access to their rights.”¹⁷

Atlanta police arrested 134 for blocking a clinic on July 19th. When police asked their names, most arrestees said “Baby Jane Doe” or “Baby John Doe.” This was a way of expressing their solidarity with the unborn, but it soon became more than that. Atlanta authorities refused to release the activists until the latter gave their own names and posted bond.¹⁸ This led to a long series of sit-ins and a contest of wills between Op-R and Atlanta; it was to come to a head in early October.

The “Baby Doe” tactic was to be used in many other cities and towns. Besides its obvious symbolic value, it offered several practical advantages. One was the possibility that, if held until trial without giving their real names, some sit-inners might receive lighter sentences than they would if prosecutors could trace their sit-in arrests in other

states. The tactic also made it more difficult for abortion clinics to sue individuals. Finally, it gave rescue leaders one more bargaining chip to use in negotiations with police and other authorities.

While Op-R was calling more people to Atlanta to join the Baby Does still in jail, another major effort was underway in Tallahassee. Called the “Joan Andrews Rescue Mission,” it was designed to win release from a Florida prison of a 40-year-old Tennessee native who had become the major heroine and symbol of the rescue movement. Arrested many times for sitting-in at abortion clinics, Andrews was then serving a five-year prison sentence for trying to damage an abortion suction machine in Florida. She was spending most of her time in solitary confinement because she continued her witness against abortion by declining to cooperate with prison authorities. In the tradition of political prisoners everywhere, she also helped her cause through a long series of letters to friends in the outside world. She urged her supporters to spend time at abortion clinics: “. . . let me beg you to view your presence at the killing center in your area as the place where God wants you to be. Grab your rosary, pick up your Bible, bring your devotionals, and go out to the Calvary not far from you—where Christ is being crucified today in your midst.”¹⁹

In an effort to pressure the Florida governor and his cabinet to release Andrews, hundreds of activists marched on Florida’s state capitol building on August 5th. “Guv: Give Joan Time Off for Moral Behavior,” said one sign. Another chided the national media: “Dan Would Rather Not Come.” Some marchers chanted: “Babies, yes! Abortion, no! Free Joan Andrews! Let her go!” They marched into the capitol building, singing, speechifying and lobbying there.

That afternoon they attended a long funeral service for more than 700 aborted children. At the graveside, Milwaukee activist Monica Migliorino sang “Sometimes I Feel Like a Motherless Child.” She said “this is the first kindness they’ll ever know—to be buried.” Rep. Robert Dornan (R-Calif.) said: “This is a village we are burying. It’s a reflection of everything that is sad in this great, modern, advanced country.”²⁰

The next day, a Saturday, about 165 activists marched on a Tallahassee abortion clinic. The harsh treatment given Andrews and others for their 1986 rescue in Pensacola had nearly ended direct action in Florida. The Saturday sit-in was partly an effort to get things moving

again and partly, perhaps, a way of showing state officials that their punishment of Andrews was backfiring. Activists sat and sang in a roasting sun for the many hours, blocking front and rear entrances to the clinic. There were 131 arrests—and no abortions. But a clinic spokeswoman later said that abortions were available from private doctors that day and that some women rescheduled with the clinic. “You do have our solemn vow,” said a clinic board member during the sit-in, “that this will not prevent one abortion.”²¹ Consciously or unconsciously, he was following the National Abortion Federation guidelines.

The Tallahassee effort was not sponsored by Operation Rescue, but by Florida and Texas groups who would later form a new group called Rescue America. Donald Treshman of Houston, one of the leaders, was a critic of Op-R; he thinks it placed too much stress on evangelizing, Atlanta, and large numbers of arrests.²²

There were criticisms from others as well. Many of Randall Terry’s followers think he was chosen by God for rescue work, and some observers worried that a personality cult was developing around him.²³ Terry’s sense of humor provided some protection against that. (Leading a prayer, he addressed God as one “Who uses weak and foolish things. And God, we fill the bill.”)²⁴ But he certainly does not welcome dissent.

There is occasional tension between Protestant and Catholic styles in the movement. Although Michael McMonagle (a young Navy veteran and a Catholic down to his toes) is a key deputy to Terry, and New York’s Auxiliary Bishop Austin Vaughan has taken part in Op-R rescues, the leadership is mainly Protestant. Evangelical ministers often speak at great length during rallies, and some have an emotional style that is unsettling to Catholics. Most of the hymns sung at rescues were Protestant ones. In an effort to avoid divisiveness, Op-R prohibited both public praying “in tongues” and praying of the rosary at rallies and rescues. While possibly relieved about no-praying-in-tongues, some Catholics were miffed about the no-rosary policy. (Perhaps they forgot that the Psalms, often prayed at rescues, are a far older and more official prayer of the Catholic Church than is the rosary.) Some Protestants, on the other hand, were probably put off by the Catholics’ rosaries and crucifixes.

It would be a mistake, however, to place too much stress on Catholic-Protestant differences. Tremendous solidarity has developed

between people of both faiths, especially when they were in the streets and in jail together. John Cavanaugh-O'Keefe, a veteran rescue organizer, summed it up well when he said: "The ecumenism that theorists have been talking about for years is taking place in the streets."²⁵ A young Protestant minister said that the Catholic priests in Jail "shone like the bright morning star."²⁶ And Randall Terry has many Catholic admirers who see him as a powerful speaker, a solid leader, and a man willing to take great personal risks for the cause.

Another criticism is that Operation Rescue's top leadership was exclusively male. Terry could—and did—point to women who had responsible positions; but his inner circle was male, and so are most of the on-site leadership at rescues. Terry and other leaders seemed insensitive to the fact that some local women leaders had been involved in rescues long before *they* had. They also seemed insensitive to the way men dominated the loudspeaker systems, the ranks of crowd marshals, and the crucial entrances to clinics.

One need not be a flaming feminist to object to all of this. Pro-life feminism will do quite nicely, because treating women as less than full persons is in some ways similar to viewing the unborn as non-persons. Moreover, from political and public-relations viewpoints, it is simply not very smart to have all-male phalanxes leading rescues. Abortion supporters should no longer be able to chant, as they did at one recent sit-in, "Why are all your leaders men?"²⁷ There are many women who have more than paid their dues and should be sharing national leadership. They include ChristyAnne Collins (Virginia), Darroline Firlit (Massachusetts), Doris Grady (Pennsylvania), Kathleen Kelly (Maryland), Monica Migliorino (Wisconsin), Lynn Mills (Michigan), and Ann O'Brien (Missouri).²⁸

Despite criticisms, Op-R forged ahead nationally last fall. But it put the Atlanta sit-ins on hold until early October, asking its troops to return to Atlanta in force at that time. They responded in large numbers—but so did the Atlanta police.

Sit-inners usually go limp upon arrest, so that police must drag or carry them, thus "buying time for the babies." The longer it takes police to clear an entrance, the greater the chance of keeping the clinic closed or at least convincing one more woman not to have an abortion. Police often complain of back strain from carrying limp activists. In many areas, they use stretchers or wheelchairs to move people, thus

easing their back problems and minimizing injuries to the activists. But Atlanta police weren't interested in stretchers; they were heartily tired of Op-R and either they or their superiors apparently were interested in inflicting pain.

On the morning of Oct. 4, when Op-R hit three different clinics, police responded with brutality. A front page photograph in the next day's Atlanta *Constitution* showed a clergyman grimacing in pain from a police "pressure-point maneuver."²⁹ The story reported that police had received "a refresher course in various holds in preparation for the demonstrations."³⁰

The "pain compliance" or "come-alongs" might best be described as forms of torture that force people to walk, but usually do not cause permanent damage. A favorite—and extremely painful—technique is to place thumbs behind a prisoner's jawbone and push hard. Activists moaned aloud in pain. Many clergy were arrested that day, and one witness described a priest in such pain that tears were rolling down his cheek. "Praise God for his courage and conviction," she said, "because he did not stand up and walk."³¹

Donna Johanns of Buffalo—who has Parkinson's disease, arthritis, diabetes, and a heart ailment—later reported that "they got rough with me." Johanns said she parked her wheelchair in front of a police bus because she didn't want police "to arrest my friends." Her hands were on the brakes, so police bent her fingers back, "twisted my arms and raised them up" and then wheeled her away and "told me to stay where I was."³²

Rev. Doyle Clark of Hudson, Ind., appeared to be the worst hurt of all the activists. Clark, a 48-year-old Protestant minister, first passed out from a "come-along"; he said it "felt like a knuckle right at where the jawbone attaches." Then, according to a witness, police threw him onto a bus, feet-first. His head hit some object on the way in, and he passed out again. Guards dragged him down the aisle and tried to throw him on a seat, but missed, so his head was hurt again. The witness saw Clark later in jail, where "he was just praising the Lord that he was alive."³³ He was still in poor shape when interviewed a week later, but hoped that no one would be discouraged by his story. "It's a wonderful experience," Pastor Clark said, "to know you've helped save lives."³⁴

There was plenty of media coverage of police brutality, and then a strong public reaction. Mayor Andrew Young remained silent. But City Council member Hosea Williams—another veteran of the civil-rights movement—spoke out sharply. “I think what is happening in Atlanta right now is just terribly anti-American,” Williams told the *Atlanta Constitution*. “It hurts me so bad that we who were the leaders of the movement in the ’50s, ’60s and ’70s, are now the political leaders, and we are doing the same things to demonstrators that George Wallace and Bull Connor and those did to us.” State Rep. Tyrone Brooks told the same paper: “It’s a national disgrace in my opinion. I think the city of Atlanta should back off.”³⁵

Back off they did. By the end of the week, a police major was inviting media people to climb over a police barrier so they could film arrests. “Escort her gently,” he told officers as one woman lay down when they started to arrest her.³⁶

The police and other Atlanta authorities, encouraged by people with economic and political interests in abortion, had taken a hard line against Op-R from the start. But they seemed to have hit a big tar baby, and they had trouble pulling their fist out of it.

At times, however, Atlanta also seemed to be a tar baby for Operation Rescue. Although there appeared to be increased local participation in October, there was relatively little action there after the large crowds of out-of-staters left. (This contradicted the experience of other cities, where Op-R campaigns generally spurred local action.) Writing his supporters last may, Randall Terry said that “we have been trying to work out an acceptable deal with the officials in Atlanta, in order to resolve the cases from last summer”—but that terms offered by the local prosecutor were too severe.³⁷

Whatever else it did or didn’t do, Atlanta certainly served as a training ground for activists throughout the country. They put their experience to good use last fall. The National Abortion Federation tried to be ready for them. In September NAF issued new guidelines for handling rescues. Blazoned in capital letters was this statement: “BECAUSE A MAJOR GOAL OF MANY ANTIABORTION DEMONSTRATIONS IS TO ‘SHUT DOWN’ ABORTION CLINICS, IT IS HIGHLY RECOMMENDED FOR DETERRENCE REASONS THAT CLINICS TRY TO STAY OPEN OR PROMULGATE THE APPEARANCE OF BEING OPEN DURING SUCH ANTIABORTION CAMPAIGNS.” NAF noted that “considerations of patient and staff safety can some-

times be compelling reasons to consider closing.” But it added that clinic staff in Philadelphia had arrived early in the morning, before Op-R arrived, so they were able to take press calls and to reschedule patients or send them to other clinics. “Thus, even if there are no patient procedures on a demonstration day, the presence and continued work of clinic staffers can show that a clinic is ‘open.’”

NAF urged clinic staff to educate police on “why it is important to stay open” and added; “Be firm and use political pressure if authorities are not cooperating with the decision to stay open.” Staff were supposed to make all sorts of helpful suggestions to the police, urging them to use barricades, make arrests quickly, arrest leaders first, and have enough “large paddy wagons, vans or buses” on hand.

NAF also urged attention to staff morale, suggesting that it was a good idea to pay staff for the day even if they could not enter the clinic. A staff party was suggested as a possible “post-event” activity.³⁸

Before they were exposed again to the tender mercies of police and their clinic opponents, some of the rescuers had a chance to celebrate Joan Andrews’ release from prison. Their intense pressure on Florida politicians—before, during and after the Tallahassee campaign—had finally brought results. The Florida cabinet voted clemency for Andrews, to take effect upon her sentencing in Pittsburgh for an old conviction there. When Andrews arrived at the Pittsburgh airport on October 16th, in the custody of two officers, fellow activists greeted her as though she were a presidential candidate—with signs, cheers, and red roses. “I wonder who’s on this flight?” said a passenger who disembarked ahead of the prisoner.

Two days later, after a long and tense hearing, the Pittsburgh judge gave Andrews time served and three years’ probation. A few hours later, she walked out of the local jail—still in her prison uniform of grey shirt and blue jeans, but looking like a million dollars. “The air,” she said, “the sky is just marvelous. Life is beautiful.”³⁹

In the months after her release, Andrews showed that she knew how to use her celebrity. She spoke all over the country, recruiting people for rescues and being arrested with them. At the same time, she started planning a Rescue Outreach program for exporting the sit-in approach to countries abroad. Her first post-release arrest was in Toronto; then, in May, she took part in a rescue in Spain. She and her friends are

currently recruiting Americans with foreign-language skills who can help organize rescues abroad.⁴⁰

The Toronto event was a counterpart to a U.S. “national day of rescue” on October 29, 1988. Some groups got an early start on the 28th. On the two days, there were nearly 2,400 arrests in 28 U.S. cities and towns.⁴¹ From Buffalo to Indianapolis, from New Orleans to Dallas, and from Phoenix to Sunnyvale, Calif., the activists were out in force at the clinics. Mary Ann Baney of Op-R called it “a mighty work of God.” But Alice Kirkman of the National Abortion Federation, sticking to the NAF game plan, declared: “We’re not worried. We’ve survived a lot worse than this.”⁴²

Local rescues continued through the end of the year and into 1989. Sometimes the numbers of sit-inners were so great that they closed clinics down for an entire day, and sometimes police made no arrests at all.⁴³ The more radical sit-inners used the “lock and block” technique—chaining themselves to concrete blocks, clinic doors, each other, and/or cars that blocked clinic entrances. They used specially-hardened chains, so it often took police and firemen hours to cut them loose.⁴⁴

Operation Rescue returned to New York City in January, 1989, to defy another federal injunction. The roughly 1,000 activists were also protesting a judge’s award of \$50,000 in civil damages against Op-R and Randall Terry for the sit-ins of May, 1988. Terry told his troops that abortion supporters “are determined to crush us” and that “we have got to raise the stakes.”⁴⁵

New York activist John Hinshaw once called Manhattan the “stone heart” of the abortion movement.⁴⁶ Op-R struck at that heart with a January 13th sit-in at a Planned Parenthood clinic on Second Avenue. Police arrested 275 and dragged away hundreds more without arresting them. The next morning, like a silent army marching at dawn, activists returned to the same clinic. Smaller contingents, some using the lock-and-block technique, hit five other clinics. Police arrested nearly 700.⁴⁷ Although it could not claim total success, Op-R had certainly slowed business for the abortionists and made its point that federal courts would not stop its campaigns.

On the days around January 22nd (the sixteenth anniversary of the Supreme Court’s *Roe v. Wade* decision) there were a number of rescues. Two in the Washington, D.C., area were “Rachel’s Rescues,”

led by women who had had abortions and turned strongly against the practice. They closed the first clinic, but not the second.⁴⁸

At the end of January, Officer Chet Gallagher of the Las Vegas police startled his superiors by joining a large sit-in. Police elsewhere had done the same while off-duty; but Gallagher appeared in full uniform and motorcycle helmet. Over a megaphone, he declared; "I exercise my discretion as a commissioned law enforcement officer, choosing not to arrest these rescuers but standing with them in their attempt to prevent certain death to unborn children." Gallagher himself was quickly arrested, lost his job, took part in more sit-ins, and gave a great morale boost to activists all over the country.⁴⁹

In February, there was an all-black rescue in Lansing, Mich. Although small, it provided a powerful image of black people chained together by the neck like slaves. Its organizer, former policeman Gregory Keath, later reported that people in the clinic were "stunned" by the sit-in. Keath, who said there are many similarities between slavery and abortion, is now trying to recruit more rescuers from the black community. "We're trying to get people up to speed," he remarked.⁵⁰

In May the movement received a boost from the left when Daniel Berrigan, S.J., and other peace activists sat-in at the abortion wing of a Rochester, N.Y., hospital. Father Berrigan, 68, had been arrested so many times for other protests that he has lost count. Indeed, the Rochester sit-in was linked to an anti-nuclear-weapons demonstration, a combination that Berrigan called "just my cup of tea."⁵¹ Also in May, there was an all-women rescue in Redwood City, Calif., with 132 arrests.⁵²

As its numbers continue to grow, the rescue movement is showing promising diversity. Lock-and-block, the women's rescues, the all-black sit-in, and the Berrigan action all demonstrate that Operation Rescue's way is not the only way to do things. No one has a copyright on rescues. But the movement also faces more injunctions and lawsuits, a number of "hanging judges," and police brutality.

Although most police are professional and decent, some departments seem to specialize in "pain compliance." In Pittsburgh, after activist prisoners went into "total non-cooperation" in a March bargaining effort, there were allegations of brutal kicking of one woman prisoner and sexual fondling of others by jail guards.⁵³

Participants in a March 25 rescue in Los Angeles faced severe "pain

compliance.” One said police broke his arm in two places, then dragged him by the broken arm. Others complained of broken bones, sprains, and police who inflicted intense pain on them while other police held them down. A *Village Voice* writer, clearly anti-Operation Rescue, described what she saw:

. . . . A cop is down on top of a rescuer, knee in his back, yanking his head by the hair. The prochoicers are cheering. A man is being run across the pavement pell-mell by his ears. . . . A man is down on the ground—he scrambles across the pavement . . . a cop is on him, shoving his face in the pavement, screwing it once to the right, once to the left . . .⁵⁵

In April the San Diego *Union* described a sit-in where police used the *nunchaku*, “an Okinawan martial arts weapon,” to force people to walk. The weapon is a simple—just a strap and two sticks. (It is also lethal: mere *possession* of nunchakus is illegal in California—except, evidently, for San Diego cops.) When it is

wrapped around a suspect’s wrists, a police officer can increase pain incrementally by twisting the sticks.

“When the wood hits the bone, that’s when it really starts to hurt,” one sergeant explained later. They’ll feel that for a week.” Those who didn’t respond to the martial arts weapons had their hair pulled and were poked on a pressure point below the ear.

Police inflicted more pain when they cuffed prisoners’ hands behind their backs with plastic cuffs:

Walter Van Oosbree, a San Diego County deputy sheriff, was among the anti-abortion protesters outside the building.

“They’re putting those flex-cuffs on so tight people’s hands are turning purple,” Van Oosbree said. “They’re overreacting. I’ve been doing this for 10 years and you’ve got people here putting those cuffs on too tight. That’s punishment. That’s torture.”⁵⁶

In May the Santa Cruz *Sentinel* reported on a young woman whose arm was broken when she was arrested:

Deputies applied arm-holds and twisted wrists to control those being dragged away.

One of the last to be arrested was Elizabeth Daly, 24, an electrical engineering graduate student at Stanford University.

“They were using the pain compliance hold,” Daly said. “I could feel something snap when they grabbed me.”⁵⁷

Activists in Pittsburgh have sought criminal prosecution of jail guards and the jail warden. Those in Los Angeles are demanding prosecution of police and also seeking an F.B.I. investigation. “We’re determined to stop the violence of the police,” said one of the Californians.⁵⁸

The rescue movement also faces a political opposition that has gone back to the streets—and out to the clinics—to defend legalized abortion on demand. Local chapters of the National Organization for Women (NOW) and the National Abortion Rights Action League (NARAL) have long provided volunteer escorts to hustle women through picket lines outside clinics. (In the never-ending battle of words, anti-abortionists call the volunteers “deathscorts.”) During sit-ins they generally wait for police to clear an entrance, then move clients in—sometimes in a flying wedge.

This year, clinic supporters are more militant, and they are turning out in far greater numbers. Some still do escort duty only, but others surround clinics with signs and chants. When a rescue is announced in advance, they try to find which clinic is targeted so they can arrive first and seize the best position. This gives them a public-relations advantage and also allows them to form a corridor through which police can escort clients to the entrance.

When the rescue contingents arrive first, clinic supporters still provide loud opposition as they encourage police to make fast arrests. “Load ’em up and take ’em away! Pro-choice is here to stay!” some chanted during a recent Maryland sit-in. “Let the doctor in! Let the doctor in!” they chanted as the abortionist tried to enter his clinic.⁵⁹

When clinic supporters outnumber sit-inners, the former may gain a media advantage—but at the cost of making the crowd around the clinic so large that it discourages clients from entering. Sometimes it looks as though NOW and NARAL people are helping block a clinic. But as Michael McMonagel has observed, aggressive clinic support provides a messier image of rescues.⁶⁰ Chanting and insults compete with hymn-singing and praying; onlookers may not know who is doing what.

Despite all obstacles, the numbers involved in rescues keep growing. They have done hard jail time, lost jobs, and endured harsh treatment by police, but they do not quit. Some are old, some are blind or in wheelchairs, but their disabilities do not stop them. Young or old, healthy or frail, they deep on singing—at the rallies, at the clinics, in jail, and even in court.

Their deep commitment and quiet stubbornness were typified by a woman in Tucson who was part of a lock-and-block at an abortion

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doctor's office. She alluded to the "pro-choice" rhetoric of the opposition:

"This is my choice. Babies die. It's my choice to stop it," said the woman locked to the door. Declining to give her name, she said, "Babies here don't get names either."⁶¹

As long as activists like this deep coming by the thousands, the abortion industry will have no peace.

NOTES

1. The writer's notes of July 5, 1988. Most of the quotes in this article are from my 1988-89 coverage of the rescue movement for the *National Catholic Register*. Where I was not personally present, I have relied on interviews and newspaper reports as indicated.
2. My count for 1987 arrests was 832. Both 1987 and 1988 counts were based primarily on reports in daily newspapers and/or telephone checks with police departments.
3. My count, again, was based primarily on newspaper and police reports.
4. Jim Backlin, legislative director of Operation Rescue, Memo of May 14, 1989 on "Rescues in America, Week of May 8, 1989 . . ." p. 2. This figure includes several saved in Canadian rescues. Canadian and U.S. activists in border areas have helped each other out in major actions; Canadians have been arrested in the U.S., and U.S. activists in Canada.
5. Nancy Broff, political and legislative director of the National Abortion Rights Action League, in interview of Sept. 20, 1988.
6. Interview with Rev. Jesse Lee, Sept. 20, 1988.
7. Conversation of Jan. 23, 1989, with a state leader.
8. I Peter 1:7.
9. See Tina Bell, "Operation Rescue," *Human Life Review*, vol. 14, no. 3 (Summer, 1988) for a detailed account. For a history of the rescue movement from 1975-1987, see Mary Meehan, "Joan Andrews and Friends," *Human Life Review*, vol. 14, no. 2, Spring, 1988.
10. "Operation Rescue: Philadelphia," (no page, no date, emphasis in original).
11. Notes of July 4, 1988.
12. Romans 13:1. Actually, Paul himself spent time in jail and should not be counted as unreservedly on the side of the authorities.
13. Acts 5:29.
14. Notes of July 5, 1988; and Philadelphia *Inquirer*, July 6, 1988.
15. Notes of July 6 & 12, 1988; and Philadelphia *Inquirer*, July 7, 1988.
16. Alice L. Kirkman, NAF public affairs director, *et al.*, Memo of June 28, 1988 on "Media Guidelines for Providers During 'Operation Rescue'" (emphasis in original).
17. "Statement on 'Operation Rescue' by National Civil Rights Leaders," Jan. 23, 1989, p. 2. Signers included Julian Bond, James Farmer, Dorothy Height, Jesse Jackson, and Andrew Young.
A 1985 poll of black leaders and the black public indicated that only 14 percent of the leaders wanted to ban abortion—while 43 percent of the black public wanted to ban it. For reports on the poll and black leaders' criticisms of it, see *Washington Post*, Sept. 19 & 30, 1985.
18. Atlanta *Constitution*, July 20, 25, 28 and Aug. 2, 3, 4, & 5, 1988.
19. Richard Cowden-Guido, ed., *You Reject Them, You Reject Me: The Prison Letters of Joan Andrews* (Manassas, Va., Trinity Communications, 1988), p. 219.
20. Notes of Aug. 5, 1988.
21. Notes of Aug. 6 & 8, 1988.
22. Interview with Donald Treshman, Sept. 17, 1988.
23. This concern was expressed, for example, at a Feminists for Life of America meeting in Washington, D.C., July 24, 1988. There was also much criticism of male domination of Operation Rescue. Years earlier, other feminists had voiced the same criticism about the civil rights and peace movements.
24. Notes of Jan. 12, 1989, New York, N.Y.
25. Interview with John Cavanaugh-O'Keefe, Sept. 19, 1988.
26. Interview with Rev. Pat Mahoney, Oct. 8, 1988.
27. Notes of April 29, 1989, Berwyn Heights, Md.

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28. Susan Odom (Pennsylvania) and Dawn Stover (Oregon) have provided on-site rescue leadership for Operation Rescue, although they are not part of the top leadership. In a Sept. 19, 1988, interview, Stover said that Operation Rescue "is not chauvinistic." She said she went to Atlanta "to be on the leadership team" and that "my opinions were sought out and discussed."
29. *Atlanta Constitution*, Oct. 5, 1988.
30. *Ibid.*
31. Interview with Nancy Walker, Oct. 4, 1988.
32. Interview with Donna Johanns, Oct. 5, 1988. Johanns, incidentally, is consistently against abortion. Even if a tissue transplant from an aborted child could alleviate her Parkinson's disease, she said in an Oct. 6 interview, "I'd never have it done. My conscience would never let me live with it. I would rather get worse than have something like that be done."
33. Interview with Pat Cartrette, Oct. 8, 1988. Cartrette was arrested ahead of Clark. She said she was already on the police bus and saw Clark "come flying onto the bus." She reported that his head hit either the stairs or the fire extinguisher of the bus.
34. Interview with Rev. Doyle Clark, Oct. 11, 1988.
35. *Atlanta Constitution*, Oct. 6, 1988.
36. Notes of Oct. 7, 1988.
37. Randall Terry, Letter of May 25, 1989, p. 3.
38. National Abortion Federation, "Abortion Provider Guidelines: Preparing for a Major Antiabortion Action," Sept., 1988, 6 pp. (emphasis in original).
39. Notes of Oct. 16 & 18, 1988; and interview with Joan Andrews, Oct. 18, 1988.
40. *National Catholic Register*, Jan. 29 & June 4, 1989.
41. My final count, based on checks with police departments around the country, was 2,397 arrests.
42. Interview with Mary Ann Baney, Oct. 31, 1988; and interview with Alice Kirkman, Nov. 1, 1988.
43. *New York Times*, Oct. 30, 1988; *Washington Post*, Jan. 24, 1989; Youngstown, Ohio, *Vindicator*, Jan. 29, 1989; *Los Angeles Times*, March 11 & 25, 1989.
44. *Arizona Republic*, Jan. 22, 1989; *National Catholic Register*, Jan. 29, 1989; *Newark Star-Ledger*, Jan. 29, 1989; *St. Louis Post-Dispatch*, Feb. 4, 1989; *Philadelphia Inquirer*, Feb. 9, 1989; Jackson, Miss. *Clarion-Ledger*, Feb. 19, 1989; *Las Vegas Sun*, March 18, 1989.
45. Notes of Jan. 12, 1989.
46. Notes of May 5, 1988.
47. Notes of Jan. 13, 14, & 17, 1989.
48. *Washington Post*, Jan. 24, 1989. Men participated in both events, but most of the leaders were women.
49. *Las Vegas Sun*, Jan. 29, 30 & 31, 1989; March 17 & April 29, 1989.
50. Interview with Gregory Keath, June 3, 1989.
51. *Rochester Democrat and Chronicle*, May 21, 1989; *National Catholic Register*, June 4, 1989.
52. Interview with police department spokesman, June 7, 1989.
53. Operation Rescue of Pittsburgh press release, March 14 1989; interview with Stephen Rawson, March 18, 1989; *Pittsburgh Press*, May 18, 1989.
54. "Protecting the Right to Kill," a VHS videotape produced by Finn Video, 1840 South Elena, Suite 103, Redondo Beach, Calif. 90277 (\$20 requested to cover tape, shipping and handling costs). The tape includes footage of Los Angeles police behavior that day and interviews with many arrested by police.
55. *Village Voice*, April 11, 1989.
56. *San Diego Union*, April 9, 1989.
57. Santa Cruz *Sentinel* (Calif.), May 7, 1989.
58. Interview with John Finn, June 2, 1989. See also, Scott McGuirk, Memorandum "To Whom This Should Concern," April 18, 1989.
59. Notes of April 29, 1989, Berwyn Heights, Md.
60. Interview with Michael McMonagle, May 22, 1989.
61. *Arizona Daily Star*, April 30, 1989. The doctor whose office she was helping to block was on probation because of a botched abortion. (Interview with Douglas Cerf, executive director of Arizona's state Board of Medical Examiners, May 17, 1989.)

The Chains of 'Choice'

Brian Robertson

THERE WAS SOMETHING STRIKING in the barrage of media coverage following the pro-abortion "March on Washington" in April. It wasn't merely the enormous disparity between the attention given to this gathering as compared to the virtual news blackout that follows pro-life activities (Operation Rescue is the only example I can think of where mass arrests of demonstrators have literally gone unreported). Nor was it the predictable, blatant pro-abortion bias. A new theme was being promoted, another adjustment in the rhetoric of a movement whose history is rife with examples of novel arguments that don't necessarily conform with the old ones.

In its front-page coverage the day after, the New York *Times* featured this description of the crowd—under the banner "Strength in Size and Diversity of Turnout":

The marchers, men and women alike, brought their children, after years of watching abortion opponents present themselves as the "pro-family" movement. . . . There was a woman pushing her baby in a carriage emblazoned with the sign, "Motherhood by Choice" . . . And there was Katherine T. Smith, 91 years old, with a lilac ribbon in her hair, in a wheelchair pushed by her daughter. "The most important thing in life is planning to create," said Ms. Smith, of Fairfield, Conn. "It should not be taken lightly."

Compare that to the Washington *Post's* front-page coverage of the same day:

The crowd—a mix of grandmothers, civil rights activists, college students, homemakers and religious congregations . . . far surpassed organizers' early hopes and dwarfed a few hundred counterdemonstrators.

The obvious intention of these descriptions was to reverse the clear impression given by the accompanying pictures (and television coverage) that the march was a gathering of belligerent radicals, feminists, and homosexuals. There in the front ranks you saw such Old Left standbys as Bella Abzug and Sen. Alan Cranston; loud feminist activists Molly Yard and Ellie Smeal; Hollywood radical-chic types like Jane Fonda, Glenn Close, Judy Collins, Marlo Thomas (with hubby Phil

Brian Robertson is currently the Articles Editor of this review.

Donahue in tow), and Whoopi Goldberg—in short, not a crowd that would convince anyone that the pro-abortionists enjoy widespread support among “ordinary” Americans.

Those images were too prominent to ignore. But some images could be censored. Placards reading “Dykes for Choice,” “The Pope is the Angel of Death,” and “Keep your religion out of my crotch” were seen only by those who were there. For all their pious lecturing to government officials about the “public’s right to know,” the media certainly exercise discretion in reporting information it deems unfit for public consumption.

There are rhetorical advantages that come from portraying the movement as populated by grandmothers, mothers and daughters, homemakers, and religious congregations, while playing down the militant, anti-religious, homosexual and radical contingents. But the *message* that the reporters for the *Times* and *Post* want us to glean from such descriptions is this: If you are in favor of a woman’s “right to choose” an abortion, you are really more convincingly “pro-family” (and pro-life) than those who oppose abortion, because the prospective child’s happiness and fulfillment depend on the degree to which it is “wanted.” *Genuine* compassion is shown by allowing only those children to be born who have been planned. It is unconscionable to bring a child into the world for the sake of merely existing. Unless your present circumstances are ideal for motherhood, it is immoral to give birth, because you will be consigning the child to an unhappy, worse-than-death existence. The choice itself, whether it be for or against an abortion, is by definition compassionate (a wanted child should be born, an unwanted one should not).

Consider the following, which appeared in the *Style* section of the *Washington Post* (on the same day as the march coverage) under the headline “The Family of Abortion Rights Marchers”:

I feel very strongly about this issue because I am a 28-year-old woman with an extraordinary mother who when I got pregnant at 22, with a man I was very much in love with, saw to it that I was treated the way I would be if I had a broken leg. . . . As she begins, [her mother] Marilyn’s eyes welled in surprise; tears slipped down her cheeks as Julie continued, describing how her birth control method had failed, how much it meant to her that her boyfriend, as well as her mother and father, were part of her decision and her support. “I knew that eventually, I very much wanted to have a family,” she said. “If I have a child, a daughter, I want her to experience it [the decision] in the same way I

BRIAN ROBERTSON

did. And since I have gone through it personally, I feel very committed.”

“She was 22,” said Marilyn, “right out of college. And to bring a child into the world at this point, by my child—who was herself a child.” Her voice diminished, then rallied: “But I *never* felt about it as if it were a broken leg.”

“If it had been five years later, it would have been a whole other thing,” said Julie. “She will have a baby,” her mother said. “And it will be the most loved and wanted baby possible.”

Aside from the emotional anguish that abortion advocates insist doesn’t exist, the most disturbing thing about this dialogue is the implicit idea that the dignity accorded the child should depend entirely on the mother; there is no hint of any obligation—never mind love—owed. If the baby is lucky enough to be “loved and wanted,” it is accorded a right to life; otherwise, the right (and the baby) disappear. Love is a feeling contingent on circumstance, not a moral imperative that carries with it a duty. It cannot be given except under ideal conditions of our own devising or we simply can’t be “happy.”

In real life, happiness and harmony have very little to do with planning. They are unbought graces that come most often when we are least concerned with our own difficulties, desires, and appetites—when we leave the dingy, cramped quarters of our own egos long enough to notice the needs of others. This is particularly true of the relationships within a family. There especially, a rigidity that refuses to acknowledge unforeseen circumstances, or others’ wishes, *guarantees* unhappiness. The attempt to manipulate environment until it conforms with our notion of what will make us happy or content leads invariably to frustration. Just the kind of frustration that is expressed in the plea “I’m just not ready at this point in my life for a baby.” Reality will always fall short of the Perfect Circumstances that we envision before we are really “ready.”

The way that abortion advocates use the word “choice” when they mean the evasion of duty and responsibility is simply the most extreme manifestation of the New Morality that claims the liberty of “free will” when it can be used to evade responsibility, and rejects it when it can’t. Steadily, the idea of free will in moral decisions is being eroded—that is, when it means the capacity of a person to have some control over his own destiny, or to change his behavior. This erosion has the effect of reducing our capacity for dealing with inconvenience, misfortune, or genuine tragedy. I am reminded of Whittaker Chambers’ analysis of Ayn Rand’s materialism:

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The rub is that the pursuit of happiness, as an end in itself, tends automatically, and widely, to be replaced by the pursuit of pleasure with a consequent general softening of the fibers of will, intelligence, spirit. . . . For, if man's human dignity no longer derives from God . . . then Man becomes merely the most consuming of animals, with glut as the condition of his happiness and its replenishment his foremost activity.

Unbridled indulgence of choice, says Chambers, will inevitably lead to the weakening of the powers that make choice possible. Eventually, appetites for self-gratification will demand satisfaction.

Our waning confidence in free will makes itself felt both in language and politics. We now see the word "addiction" applied to an ever-expanding universe of behavior. It is used to describe sexual behavior (even "addiction" to phone-sex lines), over-eating ("eating disorders"), gambling, and even television viewing.

At least "addiction" retains some notion of initial complicity in the behavior being discussed. "Disease" is an even more problematic term when used to describe behavior. Alcoholism is repeatedly referred to as "the No. 1 disease in America." One has no control over a disease; it might be genetically inherited, or contracted through exposure to some virus. But the word implicitly rules out any culpability: disease strikes victims indiscriminately, it isn't the result of choice.

While denying that their behavior is harmful or destructive, most homosexuals claim that they have little choice in the matter of their "sexual preference." But the same dynamic of using the rubric of "choice" to escape responsibility is at work here as well. Homosexuals vehemently object to any characterization of their behavior as perverted, unnatural, or even abnormal, on the grounds that it discriminates against a condition which they did not choose. They argue that homosexuality should not be subject to any legal or social sanction because Gays "don't choose to be Gay," they are born that way. But in other contexts, when they seek tacit moral approval of their actions by the rest of society, they speak of homosexuality in terms of an "alternate lifestyle," equally valid and entered into as freely as any other.

Such convenient terminology crops up in the abortion debate as well. Nominally committed to choice, abortion-rights groups have an aversion to it when it entails responsibility. They consistently accuse Right-to-Lifers of trying to "interfere in the most personal choice a woman can make." In last year's presidential campaign, Governor Michael Dukakis repeated the standard formulation that "it has to be the

woman in the exercise of her own conscience and religious beliefs [who] makes that decision.”

This frames the issue in terms of free choice versus compulsion. But why do the advocates of “a woman’s right to choose” only begin defending her capacity to run her own life at this late stage of the game? Obviously, there were some choices earlier on in the decision-making process that made the “choice” of abortion possible. It is not the woman’s right to choose that is being defended, but her “right” to exterminate the living results of previous choices.

This becomes apparent when feminists try to present abortion in terms of an expansion of women’s rights. On the day of the big March, the New York *Times* editorialized: “Today’s demonstrators do not proclaim abortion for abortion’s sake; they proclaim choice and freedom. They hope to preserve a hard-won liberty.” It sounds high-minded and noble, like defending Truth, Justice, and the American Way. It almost makes one forget that they’re not talking about Chinese students sacrificing themselves for political liberties in which their individual stake is largely symbolic (one vote among billions of Chinese). We are talking about a woman sacrificing her baby for a “right” that only interests her for *very* personal reasons.

And it is precisely this contrast that is most striking between the activists on the opposing sides of the abortion debate. For all the talk about how anti-abortion groups rely on emotional techniques to drive home their point—“thrusting bottled fetuses in the faces of young women,” etc.—it remains true that the pro-lifers rarely have a direct, personal stake in the debate (unless they are victims of abortion). They are defending the lives and rights of *others* (as demonstrated by their attempts to elicit sympathy for the unborn baby by showing, sometimes graphically, how it suffers). Their argument depends on an appeal to disinterestedness; to consider how a decision made for confused reasons under a lot of pressure may not seem acceptable if we take a step back and consider its implications for ourselves and for society. The emotional testimonies of Hollywood celebrities describing their own abortion experiences, the self-directed moral posturing (*you* don’t have any right to tell *me* what to do with *my* reproductive system), the scare tactics (repeal of *Roe v. Wade* will mean the return of back alley butchers and coat hangers!!!) all demonstrate the dependence of *pro-choice* rhetoric on emotion, not intellect.

Despite strained attempts to frame the debate in terms of expanding women's rights, abortion advocates depend almost entirely on appeals to self-interest. Listen to Barbara Ehrenreich on the Op-Ed page of (where else) the *New York Times*:

Almost lost in the legal tangle is that the high court is making a decision about women: their health, dignity, sexuality—even *their economic well-being*. . . . The rise of the fetus as an independent figure in our national consciousness has transformed the debate—upstaging and sometimes eclipsing women and *their* stake in the legality of abortion. . . . A woman may think of her fetus as a person or as just cells depending on whether the pregnancy is wanted or not. This does not reflect moral confusion, *but choice in action*. [my italics]

The priority of selfishness in Ehrenreich's argument is striking. Only a woman's sexual and economic desires should be considered in the decision. She obviously believes that the more the fetus is considered, the more likely people are to feel uneasy about aborting their baby. "We must think of ourselves first" is the challenge Ehrenreich presents to women, blandly using familiar "pro-choice" buzz-words to assert something truly astonishing; she is saying that the question of whether the fetus is a person or not *is indeed* relevant, but it should not be decided by available medical evidence, or moral philosophy; the answer depends entirely on the "choice" of the mother. If I say you're a person, you're a person; if I say you're a collection of cells, you're a collection of cells. Pretty sophisticated moral reasoning, no? The same type of logic applies to her reference to "women and their stake in the legality of abortion." The only women who have a stake in legal abortion are those who want abortions. But every unborn child has a stake in making abortion illegal.

Ehrenreich doesn't have a monopoly on unreasonable ethical constructs. At a meeting of the National Abortion Rights Action League, actress Joanne Woodward lashed out at President Bush's proposal that adoption should replace abortion as a means of dealing with unwanted pregnancies by citing the tragic Lisa Steinberg murder:

What did the world look like to Lisa Steinberg? . . . That's not life—that's existence . . . [The Steinberg case is] something that *cannot be allowed to happen*. I mean, we haven't solved that problem yet . . . we've still got child abuse—even though it [abortion] is legal.

I'm not pro-abortion. I am pro-life. But I'm pro-life, not pro-existence.

Baffling, isn't it? Woodward begins by clearly implying that Lisa's tortured existence could have been avoided if her mother had aborted

her instead of putting her up for adoption. But then she admits that the *status-quo* of abortion on demand has done nothing to alleviate the problem of child abuse. So what is she talking about? Does she want to *force* women to abort rather than give their child up for adoption? And note the distinction she makes between “pro-life” and “pro-existence.” I suppose it’s “life” if the baby is wanted, and “existence” when it’s not. The categories of definition are arbitrary; they don’t relate to facts but to how Woodward “chooses” to define them.

To many feminists, abortion represents the most effective way that a woman can exercise her independence in a male-dominated society that conspires for *political and economic* reasons to keep her in a state of dependence. Forcing women to bear unwanted children with arguments that depend on appeals to “biological destiny” is seen as a last desperate attempt by men in a losing battle to keep women from positions of power and influence. Linda Gordon, described as “a leading feminist historian,” makes this argument in *Harper’s*:

When women are able to be self-assertive, that to me is a step toward moral, emotional, and intellectual growth. When I had an abortion, that’s what it represented to me.

Ellen Willis makes basically the same claim in the *Village Voice*:

Without control of our fertility we can never envision ourselves as free, for our biology makes us constantly vulnerable.

Fundamentally, this kind of argument is simply an attempt to turn what has traditionally been regarded as a sign of moral weakness into a sign of moral strength. Since the sexual revolution, the old morality that regarded chastity (along with motherhood) as the embodiment of specifically feminine virtues has been turned on its head. Now the exercise of both sexual and “reproductive” independence is the moral ideal to be strived for, and, as in the philosophy of Nietzsche, the ideal is *attained* simply in acting on the choice. Here’s Kate Michelman of NARAL, talking to Jason DeParle in *The Washington Monthly*:

The ethical questions are being raised. And if [a woman] makes a decision [to have an abortion] then she’s made the right decision. To even raise the question of when it’s immoral, is to say that women can’t make moral decisions.

Why would even raising the question of abortion’s morality imply that women are incapable of making moral decisions? On the face of it, discussion of these issues would seem to carry the *opposite* implication: that women are sophisticated enough to weigh the evidence and argu-

ments for themselves and come to a conclusion. Michelman is saying in effect: "Look, we women can make moral decisions on our own. But don't confuse us with arguments about morality."

The veneration of choice itself (without relation to what is chosen or why) as an expression of will, amounts to a ready-made explanation for any decision one makes, and undermines the motivation to act with *purpose*; which is what choice is all about. In his classic *Orthodoxy*, G. K. Chesterton addressed this very ideology:

All the will-worshippers . . . are really quite empty of volition. They cannot will, they can hardly wish. And if any one wants a proof of this, it can be found quite easily. It can be found in this fact: that they always talk of will as something that expands and breaks out. But it is quite the opposite. Every act of will is an act of self-limitation. To desire action is to desire limitation. In that sense every act is an act of self-sacrifice. When you choose anything, you reject everything else. Every act is an irrevocable selection and exclusion. . . . You can free things from alien or accidental laws, but not from the laws of their own nature.

Feminists are trying to liberate women from their own nature. They talk of "liberating" women from their economic, political, and above all sexual dependence on men, and proclaim abortion as the ultimate liberating act.

Thus the new feminist party-line is that abortion is not (as they once said) a tragic necessity, but a positive good; good for the woman, for her family, and for society. It is good because it is the only really effective way women can express freedom and independence in our oppressive, male-chauvinist culture. Does this image conform with reality? From all accounts, is abortion a decision made with resolve by an independent woman brimming with assurance? Or is it, in reality, the exact opposite of choice—a distasteful act that some women feel trapped into making because circumstances (a relationship, a career, a birth control method) haven't gone according to plan? Is it a choice, or an escape from previous choices?

Beyond the Legal Right

Jason DeParle

“WE ARE GOING TO WATCH A CHILD being torn apart . . .” promises Dr. Bernard Nathanson, “by the unfeeling steel instruments of the abortionist.” But the promise isn’t really kept. What we see in *The Silent Scream*, Nathanson’s famous anti-abortion film, isn’t red dismemberment but flickering gray chaos. I stopped the video tape three times to examine the fuzzy image that Nathanson calls a child’s mouth emitting its silent scream. But what I saw looked more like a satellite photo of a Manitoba blizzard, an undifferentiated swirl.

Several years ago as the film’s influence spread—Ronald Reagan showed it at the White House—Planned Parenthood released a handsome brochure of rebuttal, entitled “The Facts Speak Louder.” Whereas *The Silent Scream* claimed the fetal head was too big for a suction tube and had to be crushed first with forceps, the brochure said the doctor could have used a larger tube. Whereas *The Silent Scream* said the invasion of the uterus raised the fetal heart throb from 140 beats per minute to 200, the brochure said a rate of 200 is normal. The lines of inquiry remained the same on the “CBS Morning News,” where dueling experts speculated on whether a 12-week-old fetus possesses enough cortex to feel pain, and what, in fact, we mean by pain—something understood or merely reflexive? “We know that the fetus spends lots of time with its mouth open,” said one Yale physician, so what looked like a scream might have been “a chance random finding.”

While these facts may, as Planned Parenthood says, speak loudly, it’s unlikely that they say what the prochoice groups hope, since they put the fetus, even a televised facsimile, on center stage, precisely where prochoice groups don’t want it. Assume the film is wrong and the Planned Parenthood brochure is right. Assume that was a fetal yawn and not a scream. None of the experts contested that it was a fetal mouth, and that it was part of a fetal head, attached to a fetal spine, and that it had arms and legs, fingers and eyes. Nathanson was certainly wrong to suggest that the 12-week-old fetus was “indistinguishable in

Jason DeParle is an editor of *The Washington Monthly* in which this article first appeared (April, 1989); it is reprinted here with permission (© by The Washington Monthly Co.).

every way from any of us”; a rather important difference, one would think, is that the rest of us aren’t enveloped in the living flesh of another human being with needs and rights of her own. But if the film’s scientific and rhetorical claims are extravagant, it nonetheless succeeded in directing all eyes toward—take your pick—the “fetus” or “unborn child.”

Writing in *Ms.* magazine, Barbara Ehrenreich argued that the film’s failure to mention the woman having the abortion, “not even as a sinner or a murderer,” was the “eerie thing” about it. “Abortions, after all, have to take place *somewhere*,” she wrote, “i.e., in the uterus of an actual human being.” Ehrenreich’s point is well-taken: much of the right-to-life movement does act as if abortions took place in an abstract neutral setting, rather than within a woman whose life may begin to unravel with an unwanted pregnancy. But I don’t think I’d call that the “eerie thing” about *The Silent Scream*; as eeriness goes, the image, clear in mind if fuzzy on screen, of tiny bits of head, shoulders, ribs, and thighs being fed to a suction tube is formidable.

It’s hard to hold these two images—the dismembered body of the fetus and the enveloping body of the mother, each begging the allegiance of our conscience—in mind at the same time. One of the biggest problems with the abortion debate is how rarely we do it, at least in public discourse. While contentious issues naturally produce one-dimensional positions, the remarkable thing about abortion is that many otherwise sensitive, nuanced thinkers hold them. To one side, visions only of women in crisis, terrified and imperilled by an invasive growth; to the other, only legions of innocent children, chased by the steely needle.

The inhumanity that issues from baronies within the right-to-life movement is well known: the craziness of a crusade against birth control; the view of women as second-class citizens; even the descent into bomb-throwing madness. The insistence that an unborn child must always be saved, no matter the cost, isn’t compassion but a compassionate mask and it obscures a face of cruelty.

But what ought to be equally if not more disturbing to feminists, liberals, and others on the Left is the extent to which prominent pro-choice intellectuals mirror that dishonesty and denial. One-and-a-half million abortions each year is not the moral equivalent of the Holocaust, precisely because of the way in which fetuses *are* distinguishable:

growing inside women, they can wreck the lives of mothers and of others, including her children, who depend upon her. But the fact that three of 10 pregnancies end in abortion poses moral questions that much of the Left, especially abortion's most vocal defenders, refuses to acknowledge. This lowering of intellectual standards offers a useful way of looking at the reflexes of liberals in general, and also reveals much about the passions—many of them just—that underpin contemporary feminism.

What the suction machine sucks

The declaration of a legal right to an abortion doesn't end the discussion of what our attitude toward it should be, it merely begins it. Ehrenreich, like many of the prochoice movement's writers and intellectuals, would have us believe that the early fetus (and 90 percent of abortions take place in the first three months) is nothing more than a dewy piece of tissue, to be excised without regret. To speak of abortion as a moral dilemma, she has written, is to use "a mealy mouthed vocabulary of evasion," to be compromised by a "strange and cabalistic question."

Yet everything we know—not just from science and religion but from experience, intuition, and compassion—suggests otherwise. A pregnant woman, even talking to her doctor, doesn't call the growth inside her an embryo or fetus. She calls it a *baby*. And she is admonished, by fellow feminists among others, to hold it in trust: Don't drink. Don't smoke. Eat well, counsels the feminist manual, *Our Bodies, Ourselves*: "think of it as eating for three—you, your baby, and the placenta . . ." Is it protoplasm that she's feeding? Or is it protoplasm only if she's feeding it to the forceps?

Grant for a moment that it is; agree that what the suction machine sucks is nothing more than tissue. Why then the feminist fuss over abortions for purposes of sex selection? If a couple wants a boy and nature hands them the makings of a girl, why not abort and start again? All that matters—no?—is "choice."

It wasn't sex selection but nuclear power that got a feminist named Juli Loesch rethinking her own contradictory views of fetuses. As an organizer attempting to stop the construction of Three Mile Island, she had schooled herself on what leaked radiation can do to prenatal development. At a meeting one day, she says, a group of women issued an unexpected challenge: "if you're so concerned about what Pluto-

nium 239 might do to the child's arm but you should go see what a suction machine does to his whole body."

In fact, we need neither *The Silent Scream* nor a degree in fetal physiology to tell us what we already know: that abortion is the eradication of human life and should be avoided whenever possible. Should it be legal? Yes, since the alternatives are worse. Is it moral? Perhaps, depending on what's at stake. Fetal life exists along a continuum; our obligations to it grow as it grows, but they must be weighed against other demands.

The number of liberals, feminists, and other defenders of abortion eager to simplify the moral questions is, at the very least, deeply ironic. One of the animating spirits of liberalism and other factions on the Left, and proudly so, is the concern for the most vulnerable. But what could be more vulnerable than the unborn? And how can liberalism hope to regain the glory of standing for humanity and morality while finding nothing inhumane or immoral in the extermination of so much life?

The problem with much prochoice thinking is suggested by the movement's chief slogan, "a woman's right to control her body," which fails to acknowledge that the great moral and biological conundrum is precisely that another body is involved. Slogans are slogans, not dissertations; but this one is revealing in that it mirrors so much of the prochoice tendency to ignore the conflict in an unwanted pregnancy between two competing interests, mother and embryo, and insist that only one is worthy of consideration. Daniel Callahan, a moral philosopher, has written of the need, upon securing the right to a legal abortion, to preserve the "moral tension" implicit in an unwanted pregnancy. This is something that too few members of the prochoice movement are willing to do.

One fine example of preserving the moral tension appeared several years ago in a *Harper's* piece by Sallie Tisdale, an abortion clinic nurse with a grudging acceptance of her work. First the mothers: "A twenty-one-year-old woman, unemployed, uneducated without family, in the fifth month of her fifth pregnancy. A forty-two-year-old mother of teenagers, shocked by her condition, refusing to tell her husband. A twenty-three-year-old mother of two having her seventh abortion, and many women in their thirties having their first. . . . Oh, the ignorance. . . . Some swear they have not had sex, many do not know what a uterus is, how sperm and egg meet, how sex makes babies. . . . They come so

young, snapping gum, sockless and sneakered, and their shakily applied eyeliner smears when they cry. . . . I cannot imagine them as mothers.”

Then the fetus: “I am speaking in a matter-of-fact voice about ‘the tissue’ and ‘the contents’ when the woman suddenly catches my eye and asks, ‘How big is the baby now?’ . . . I gauge, and sometimes lie a little, weaseling around its infantile features until its clinging power slackens. But when I look in the basin, among the curdlike blood clots, I see an elfin thorax, attenuated, its pencilline ribs all in parallel rows with tiny knobs of spine rounding upwards. A translucent arm and hand swim beside. . . . I have fetus dreams, we all do here: dreams of abortions one after the other; of buckets of blood splashed on the walls; trees full of crawling fetuses.”

It’s not surprising that the defenders of abortion don’t like pictures of fetuses; General Westmoreland didn’t like the cameras in Vietnam either. Fetuses aren’t babies, and the photos don’t end the discussion. But they make it a more sober one, as it should be. Fetuses aren’t just *their* image but our image too, anyone’s image who is going to confront abortion.

If the prochoice movement doesn’t like the way *The Silent Scream* depicts the fetus, turn to an early edition of *Our Bodies, Ourselves*. Describing an abortion at 16 weeks by means of saline injection, the feminist handbook explains: “Contractions will start some hours later. Generally they will be as strong as those of a full-term pregnancy. . . . The longest and most difficult part will be the labor. The breathing techniques taught in the childbirth section of this book might help make the contractions more bearable. After eight to fifteen hours of labor, the fetus is expelled in a bedpan in the patient’s bed.”

Heil Mary

When Suzannah Lessard wrote about abortion in *The Washington Monthly* in 1972 (“Aborting a Fetus: the Legal Right, the Personal Choice”), a year before *Roe v. Wade*, she described what she called a “reaction formation along ideological lines . . . of the new feminist movement” as it related to abortion. This was a time when Gloria Steinem was insisting that a fetus was nothing more than “mass of dependent protoplasm” and aborting it the moral equivalent of a tonsillectomy. “I think a lot of women need to go fanatically ideological for a while because they can’t in any other way overthrow the insidious sense of themselves as inferior,” Lessard wrote, “nor otherwise live with

the rage that comes to the surface when they realize how they have been psychically mauled.” This is an observation about the psychology of oppression that could be applied to any number of righteous rebellions; the path to autonomy tends to pass, by necessity perhaps, through stages of angry defiance. “But I don’t think that state of mind—hopefully temporary—is the strength of the movement,” Lessard wrote. “It has very little to do with working out a new, undamaging way of living as women.”

But to judge by much contemporary prochoice writing, the mere-protoplasm camp still thrives. Certainly, there are exceptions, Mario Cuomo’s 1984 speech at Notre Dame perhaps being the most famous: “A fetus is different from an appendix or set of tonsils. At the very least . . . the full potential of human life is indisputably there. That—to my less subtle mind—by itself should demand respect, caution indeed . . . reverence . . . [But] I have concluded that the approach of a constitutional amendment is not the best way for us to seek to deal with abortion.” And others on the Left have gone even further: Nat Hentoff, who supports a legal ban, has written a number of attacks on abortion in the *Village Voice*; Mary Meehan, a former antiwar activist, published an article in *The Progressive* that attacked the magazine’s own editorial stance in favor of legal abortion.

But these are the exceptions. Pick up the past 10 years of *The Nation*, *Mother Jones*, or *Ms.* Read liberals and feminists on the op-ed pages of *The Washington Post* or *The New York Times*—you’re likely to find more concern about the snail darter than the 1.6 million fetuses aborted each year.

Consider:

- Barbara Ehrenreich in a “Hers” column for *The New York Times*: “I cannot speak for other women, of course, but the one regret I have about my own abortions is that they cost money that might otherwise have been spent on something more pleasurable, like taking the kids to movies and theme parks.”
- The Yale University women’s center, pledged to be “a place for all women—of every race, ethnicity, age, ability, class, sexual orientation, religion . . .” barred a group called Yale Students for Life. After the prolife group applied for space, the women’s center amended its rules to specify that its members support “reproductive freedom.” Similar banishment of prolife groups from women’s studies centers has occurred on a number of college campuses.
- *Mother Jones* published a note on Catholic schools that amended the Pledge of Allegiance to read, “with liberty and justice for all, born and unborn.” The magazine headlined it, “Heil Mary.”

- Linda Gordon, a leading feminist historian, in *Harper's*: "I'm not sure, by the way, that we should spend our time debating the ethical points of abortion. . . . Abstract ethical arguments over when life begins are not very illuminating. They inevitably become moralistic—and they inevitably carry the implication that people who support abortion are less moral than other people."

"When women are able to be self-assertive, that to me is a step toward moral, emotional, and intellectual growth. When I had an abortion, that's what it represented to me."

- Ellen Willis, a senior editor at the *Village Voice*, in the same issue of *Harper's*: "I think it is a *good* thing to have an abortion rather than to have a child that you don't want. Women *should* feel good about it. . . ."

- Katha Pollitt, a poet and critic, writing in *The Nation*: "When I first heard that an antiabortion demonstrator had stationed himself outside of the building in which *The Nation* has its offices—a building that houses, among other businesses and concerns, a gynecological clinic that performs abortions—I had an immediate image of what he would look like. He would be pale and rawboned and strained, a hungry fanatic in a cheap suit, like a street-corner preacher in a Flannery O'Connor story . . ."

"I was wrong about the details. The demonstrator—perhaps harasser is a better word for what he does—wears his hair in a long ponytail and, in his blue jeans and parka, looks like a pudgy hippie. . . . I was right about the main thing though: he is a religious fanatic. . . ."

"There was a certain elation, I admit, at having my beliefs about the anti-abortion movement so neatly confirmed in a single person: that it is a reactionary religious crusade, opposed to nonprocreative sex and contraception, indifferent to the health and individual circumstances of women, bone-ignorant. . . ."

- Katha Pollitt again, this time in a "Hers" column for *The New York Times*: "Moralists, including some who are prochoice, like to say that abortion isn't or shouldn't be a method of birth control. But that's just what abortion is—a bloody, clumsy method of birth control."

- *Ms.* in 1989, naming Anne Archer, an actress and prochoice activist, Woman of the Year: "Cut to a scene at last summer's Republican National Convention. We're in that part of Schlaflyland where reproductive reactionaries who feel free to thrust bottled fetuses in your face are assured a place on the party platform. The audience . . . contains some of those elements who wouldn't mind frying Betty Ford at the stake for being a radical feminist."

Archer says: "I don't care [about the anti-choice women]. They're a minority. They're vocal, but it's not really based on intelligent thinking or caring. . . . Once you take a step back and deny women privacy and choice, you put them back in the kitchen; you put them back in an inferior position. If they cannot control their reproductive systems, they cannot control their personal destiny."

"The anti-choice, anti-privacy forces," *Ms.* says, "would seem to prefer things that way. . . ."

And when it comes to dissent, even dissent of the mildest sort?

- In 1985 *The North Carolina Independent*, a biweekly alternative paper with a

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history of support for left-liberal and feminist causes, put a fetus on the front page, labeled with the blandest caption: "Controversial, magnified images like this one . . . are credited with winning converts to the antiabortion camp."

The phone calls and letters poured in. "The enmity that it aroused was just unbelievable," said Katherine Fulton, the paper's editor. "It was perceived as antifeminist." The graphic seemed like "the other side's image. We didn't couch it enough."

© Fetuses again, this time in *The Progressive*: In 1985, the magazine ran an advertisement from a group called Feminists for Life. "This Little Girl Needs Protection . . ." it claimed, presenting an embryo at eight weeks.

The Funding Exchange, a New York philanthropy that had supported the magazine, wrote to say it was "greatly offended," was canceling its subscription, and would henceforth find it "difficult for our staff to lobby for funding for your publication."

Michael Ratner of the Center for Constitutional Rights, a civil liberties group, weighed in as well: "Happily I am not a subscriber so I needn't cancel my subscription," he wrote. "I would surely do so after seeing the antiabortion ad . . ."

Liberal precincts

The list could continue, but the point is clear: questioning abortion—not only the legal right but also the moral choice—is often viewed, even by otherwise sensitive and thoughtful activists, as a betrayal of the highest order. (Except, at times, for Catholics, whose antiabortion views are usually dismissed as a quaint if unfortunate quirk of faith.)

A great irony about this public demonstration of zeal is that there may be more ambivalence on the Left than is usually acknowledged. When *The Progressive* published Mary Meehan's prolife piece in 1980, it drew more mail than any article save the famous guide to the workings of the H-bomb. About half were predictable: "your knees buckle at the mere thought of taking a forthright stand for women's rights," "pro-life is only a code word representing the neo-fascist absolutist thinking." Etc, etc.

But the others: "I support most of the positions of the women's movement, but I part company with those who insist on abortion as a 'right of women to control their own bodies.' There's a lot more than just one body that is being controlled here." "I have no religious objection to abortion, but I do oppose it from a humanitarian point of view." "I was awfully glad to see a liberal publication printing an anti-abortion article."

Why aren't there more voices like these heard in liberal precincts? The answers come in two general sets, one pertaining to liberal and

progressive values generally and the other connected more specifically to the passions of contemporary feminism.

Right or wrong, abortion helps further values that liberals and progressives generally hold in esteem. Among them is public health. Even those with qualms about abortion tend to back the legal right, if for no other reason than to stem the mutilation that a return to back alleys would surely entail. There's also an equity-between-the-classes argument: if abortion is banned all women may experience trouble getting one, but the poor will have the most trouble of all. For others, there are always planes to Sweden.

Beyond questions of abortion's legality, the Left tends to hold values that encourage the acceptance of abortion's morality too. There's the civil liberties perspective, which argues that the state should "stay out of the bedroom." There's a population control argument; without abortion, wrote one *Progressive* reader, "there will be a more intense scramble for food and all the world's natural resources." There's a help-the-poor strand of thinking; what, liberals constantly ask, about the welfare mother who can't afford another child? And there's a fairness-in-the-marketplace argument, which maintains that without absolute control of their fertility, women cannot compete with men: if two Arnold & Porter associates conceive a child at a Christmas party tryst, bringing it into the world, whether she keeps it or not, will penalize her career much more than his.

These principles—a thirst for fairness between genders and classes, for civil liberties, for economic opportunity—are honorable ones. And they speak well of those who hold them as caring not only for life itself but also for its quality.

Careful, though. Quality-of-life arguments sometimes stop focusing on quality and start frowning on life. Concerns about population control have their place; but whether abortion is a fit means of seeking it raises questions that go well beyond environmental impact studies. One of the most troubling prochoice arguments is the what-kind-of-life-will-the-child-have line. Yes, poverty may appropriately enter the moral calculus if an additional child will truly tumble the family into chaos and despair, and those situations exist. (And there is little cruelty purer than child abuse, which afflicts unwanted children of all classes.) But liberal talk about the quality of life can quickly devolve into a form of cardboard compassion that assumes life for the poor doesn't mean

much anyway. That sentiment says to an unborn child of poverty: life is tough, so you should die. Compassionate, that.

Polyester clothes

Abortion's neat fit with other liberal concerns creates a package-politics tug. The right-to-life movement looms as the Great Beast in the mind of the Left: "Schlaflyland." "Reproductive reactionaries." (Do opponents of abortion like Nat Hentoff or the Berrigans live in Schlaflyland? Does Christopher Hitchens?) One is inclined to take Katha Pollitt very much at her word, when she confesses to "a certain elation, I admit, at having all my beliefs about the antiabortion movement so neatly confirmed." That kind of confirmation lulls us into avoiding the issues right-to-lifers pose.

Let's be clear: much of the right-to-life movement *is* antipoor and antiwoman. This tends to be particularly true of the movement's political spokesmen, like Jesse Helms. And beneath the debate on the moral status of the unborn, lies a debate on how career, family, sex, birth control, and control in general should shape our lives—all of which are important, but none of which finally answer the question of our obligations to prenatal life. Hunkering down for the great defense of other values, the defenders of abortion tend to miss the ways in which their own concerns can wend back to the womb.

Juli Loesch, the antinuclear activist at Three Mile Island, said a social discomfort with the antiabortion people she knew initially closed her mind to their arguments. "They weren't my set," she said. "They liked Lawrence Welk; I liked the Rolling Stones. They wore polyester clothes; I wore natural cotton. They were pro-inhibition; I was anti-inhibition." But in reconsidering her protests against the Vietnam war, Loesch said she found herself being "inconsistent to the point of incoherence. We were saying that killing was not an acceptable solution to conflict situations, yet when we had our own conflict situation we were willing to go straight to killing as a technical fix."

Another obvious link, made too seldom, concerns abortion and executions. If killing criminals is wrong, then what about fetuses? (At least the criminals have done something wrong.) The issues, of course, aren't synonymous; there are thoughtful arguments to be made to permit abortion and ban capital punishment, and the other way around. But one of the real ironies of contemporary politics is that the Left and Right tend to split that ticket in exactly opposite ways, and each often

invokes the word “sanctity.”

Perhaps if liberals and progressives weren’t so besieged in general, more ambivalence about abortion would bubble to the top. In my talks with Katha Pollitt and Barbara Ehrenreich, they, like others, found it particularly troubling that moral objections to abortion would be raised by someone, who, to use Ehrenreich’s phrase, “had been on the right side of the barricades.” When I asked why, she said, “that kind of thing always cuts the legitimacy of our [legal] right; it’s the kind of wedge used to threaten us.”

The Christmas party tryst

While the values of the Left in general provide one set of explanations for the contours of the abortion debate, the specific passions and experiences of feminists provide another. These concerns don’t, finally, answer the question of what our personal, as opposed to legal, obligations toward fetal life need to be. But they do underline the history of injustice that women have inherited.

In rough outline, one persuasive feminist argument for keeping abortion *legal*—an argument I accept—goes something like this: Without the option of abortion, women cannot be as free as men. Not just socially and economically but psychologically as well. And not just those with unwanted pregnancies. As Ellen Willis of the *Voice* has put it, “Criminalizing abortion doesn’t just harm individual women with unwanted pregnancies, it affects all women’s sense of themselves. Without control of our fertility we can never envision ourselves as free, for our biology makes us constantly vulnerable.” Vulnerable to failed birth control. To rape or other coercive sex. Or simply to passion. Vulnerable in a way that men are not. And in a society that rightly prizes liberty as much as ours, it’s unacceptable for one half of its members to be less free, at an essential level, than the other. Therefore the legal right.

Of course, having the legal right to do something doesn’t tell us whether it’s a desirable thing to do. Women have the legal right to smoke and drink heavily during pregnancy, but few of us would hesitate to dissuade them from doing so. Why don’t more feminists take the same view toward abortion—defending the right, but urging women to incline against it whenever possible? The feminist defenders of abortion I spoke with reacted to that proposal with a litany of past and present injustices against women—economic, social, political, and cultural, all

of them quite real. “You can sit around all day talking about what’s the morally right thing to do—rights and sacrifices and the sanctity of life and all that—but I don’t think it can be divorced from women’s lives in this society,” Pollitt said.

Leaving aside for a moment the wrenching emotional issues, one obvious burden is economics. Having a child—even one put up for adoption—costs not only trauma but time and money, and takes them from women, not men. The financial burden is one reason why poor women are more likely to have abortions than others.

But the same inequity is true among professional women. To return to the Arnold & Porter Christmas party tryst, what would happen if the female associate does the right thing by prolife standards and decides to have the child? At \$65,000 a year, she can certainly afford to do it, and her insurance is probably blue chip. But in the eyes of some senior partners, the luster of her earlier promise begins to fade. They may be reluctant to keep her on certain accounts, for fear of offending the clients. What’s more, even if the clients understand, she’ll be missing at least six to eight weeks of work—just, as fate would have it, when she’s needed in court on an important case. The long-term penalties may be overestimated—good employees are in short demand in most professions; it’s the marginal who will suffer the most—but the fears are nonetheless real. What’s more, the burden is unequally shared. Her tryst-ee suffers no such repercussions. The clients love him, he shines in court, and his future seems assured. Unfair? Yes, extremely.

These inequities are one reason why the right-to-life movement has the obligation, often shirked, to support measures that would make it easier for women of all incomes to go through pregnancy—health care, maternity leave, parental leave, day care, protections against employment discrimination. But even if all these things were provided—as they should be—it’s unlikely that the strength of feminist feeling on abortion would recede. Economic opportunity is an important facet of the abortion debate, but it’s not, finally, at its core. Of all the women I spoke with, the one I most expected to forward an economic argument was Barbara Ehrenreich—since she is co-chair of Democratic Socialists of America—but she never mentioned it. When I finally asked her about it she said that no amount of money or servants would change the essential moral equation, which centers, in her mind, on female

autonomy. “The moral issue has to do with female personhood,” she said.

Cruel choices

What surprised me in my talks with the female defenders of abortion, was how many of them seemed to view the abortion debate as some sort of referendum by which society judged women’s deepest levels of self. Words like *guilt* and *sin*, *punishment* and *shame* kept issuing forth. They did so both about abortion and about sex in general. “The whole debate is more about the value of women’s lives and the respect we have for women than it is about the act of abortion itself,” said Kate Michelman, the head of the National Abortion Rights Action League.

A few days before my scheduled meeting with Michelman, I got a phone call from her press secretary. “We hear a nasty rumor,” she said, “that you’re writing something that says abortion is immoral.” I mentioned the rumor when I sat down to speak with Michelman, who quickly told me about the very difficult circumstances surrounding her own abortion. Her first husband had walked out on her and her three small children when she was destitute, ill, and pregnant. She had to make a difficult moral judgment, she said, weighing her responsibilities to her family against those to the fetus. Then, this being 1970, she couldn’t even make the decision herself but had to obtain the consent of a panel of doctors and then, to further the pain, get her ex-husband’s signature. Call me immoral, she seemed to say, in an I-dare-you way.

But it seemed to me that Michelman’s decision, like those, certainly, of a great number of women, had involved a thoughtful handling of difficult questions—as she herself was underlining. “Sure the fetus has interests, absolutely,” she said, as do other things, like a woman’s commitments to her family and her health. It was only when I began asking why those leading the prochoice movement didn’t discuss these moral tensions more often that her reasoning turned curious and defensive.

“The ethical questions are being raised,” she said. “And if [a woman] makes a decision [to have an abortion] then she’s made the right decision.”

I asked her how she knew. With 1.6 million abortions a year, there seems to be a lot of room for error.

Merely asking the question, she said, implied that women had abortions for frivolous reasons. “To even raise the question of when it’s

immoral,” she said, “is to say that women can’t make moral decisions.”

In considering the way a legacy of injustice fuels the adamant over abortion, it is helpful to consider three generations of women: those who preceded the feminist movement of the late sixties and early seventies; those who soldiered in it; and those who inherited its gains. Each has faced the tyranny of a man’s world in a way that primes passions about abortion, but each has done so in a different way.

Women who became sexually active outside of marriage in the days of blanket abortion bans faced a world prepared to hand them the cruelest choice: the life-wrecking stigma of pregnancy out-of-wedlock or the back alley; a “ruined” life or a potentially lethal trip through a netherworld. Men, meanwhile, made the decisions that crafted that world while escaping the brunt of its cruelty. That *was* an unjust life, and the triumph over it is among feminism’s proudest achievements.

Feeling accused

The following account from a woman identified simply as Kathleen comes from *Back Rooms*, a recent collection of oral histories, and is worth quoting at length. It speaks for a tremendous number of women.

It was the first and only time I was ever sexually intimate with this man. . . . He offered me a ring. . . . But I did not want to do that. . . . I thought about going to a home for unwed mothers and I thought about how my family would deal with it, how it would affect my college career, my scholarships, my job. . . . I couldn’t even imagine telling my parents. . . . It was just unthinkable. . . . I just really couldn’t put my family through the shame. . . .

Things at that time in Cleveland were very tight . . . I finally located an abortionist in Youngstown, Ohio. It was going to cost one hundred dollars . . . This so called doctor—this man who called himself a doctor—had two businesses. He was a bookie and he was an abortionist. He was an elderly man in a ramshackle little house in a disreputable, shabby section of Youngstown. . . . I don’t recall seeing any medical certificates on the walls. I don’t think anyone who was a doctor would also be a bookie. I think there was some actual gambling going on while we were waiting. . . .

He had a room with a chair and stirrups set up. I went in and it was all very, very secretive. The money had to be in cash, in certain denominations. . . . He checked it very thoroughly to make sure it wasn’t marked. . . . He explained that he was doing a saline injection and that there should be some cramping and that abortion would happen within 24 hours. . . . I don’t know how many days passed. . . . But I do know that when I finally aborted I was alone in my room in the dormitory at school. I went through at least 12 hours of labor alone in my room. . . .

It was more terrible than I ever imagined. . . . I remember noticing that the contractions were getting more frequent and more frequent, five minutes, then

four minutes, then three minutes, and then there was a lot of blood and there was a fetus. . . . I remember taking this fetus and not knowing what else to do but flush it down the toilet. And I was terrified that it wasn't going to go down, and that it would clog up the system, that somehow, some way, I would be found out. The whole system would be clogged up. They'd have to call a plumber and then there would be this hunt to find out who did this terrible thing in the dorm, and I'd be tracked down and prosecuted. I was really in shock and just terrified.

A second generation of women share the memories of illegal abortion, but their perspective has been honed even finer by roles as activists. For these women—in their late thirties to late forties, which includes Ehrenreich, Pollitt, Gordon, Willis, and Michelman—the fight for other forms of feminist freedoms was linked to abortion not only intellectually but through political experience. “My early involvement in the women’s movement was involvement in the health movement,” says Ehrenreich. Reproductive rights, including birth control, were at the center of the feminist movement of the late sixties and early seventies, and the battles to win them were hard fought. Such experiences aren’t likely to lead to a lot of second-guessing.

Nor, for that matter, is the fact that so many women (of many different ages) have had abortions. According to the Alan Guttmacher Institute, 46 percent of American women will have an abortion before menopause, and more than a third of those will have had more than one. During my telephone conversation with Barbara Ehrenreich I asked her why she thought there wasn’t more discussion of whether abortion is an acceptable type of killing. She sounded incredulous. “That’s a when-did-you-stop-beating-your-wife question,” she said. “I’ve had two abortions—do you want to call me a murderer?”

In retrospect, I regretted my use of the word “killing.” I hadn’t meant it as an accusation, though, perhaps understandably, that’s the way she heard it. I explained that I had in mind a great difference between the word “killing,” which I regarded as neutral and descriptive, and “murder,” a legal term meant to describe killing of a very narrow and wrongful sort. This is a problem that makes all discussion of abortion so difficult. I no more think Barbara Ehrenreich or other women who’ve had abortions are murderers than I think that of people who support capital punishment—there are people I respect and admire greatly in both groups. It’s difficult to raise moral qualms about abortion, perhaps especially for a man, without a great number of women

feeling accused of something quite serious, even if accusation is not one's intent at all.

Stallions and diaphragms

Women my age—I'm 28—haven't had to worry about back rooms. To a significant extent, too, they no longer face a life-wrecking stigma from a pregnancy outside of marriage (though this still varies greatly with individual circumstance). They have inherited the gains—more economic opportunity, fewer social barriers—that earlier feminists helped secure, and while this is a very good thing there is at least one sense in which that legacy contains some ambiguity: to some extent women were the losers in the sexual revolution. This is true in at least two ways. For one, much of the culture still remains ambivalent about female sexuality, acknowledging its legitimacy while at the same time distrusting it. Secondly, while the legitimation of sex without commitment was sought by women as well as men, men pursue it more often, and women are more vulnerable to its effects.

I ran this theory past Kate Michelman, and she bought it without a blink: "Men want sex, require sex, they use sex to . . ." Her thoughts outpaced her words. "Women are less needful of actual sexual intercourse. Women are more needful of intimacy and closeness, while men drive right in there, you know. They want *sex*. I don't know how men and women ever get together you know. We're very different. But the ultimate impact really falls on women."

More evidence of the way men's sexual behavior feeds the feminist fervor on abortion comes from a Katha Pollitt piece in *Mother Jones*. Entitled [Nat] "Hentoff, Are You Listening?" it answers Hentoff's attacks in the *Voice* on women who have abortions after deciding that giving birth, in Hentoff's words, would be "just plain inconvenient."

"Rather than fulminate against women, about whose lives he seems to know little," Pollitt wrote, "would it not be more seemly for Hentoff to direct his moral fervor toward his brothers?" To help him along, Pollitt composed a sample speech for Hentoff to take on the road. It's worth listening to in detail, for the list it offers of women's legitimate gripes:

Men! Abortion is a terrible thing, and it behooves us to ensure that there are as few as possible. . . . That means no more extramarital affairs, no more sleeping with our students, no more one-night stands. Should the marriage fail, let's vow to cheerfully continue to support every child we father until that child is

21—we have a bad record there, what with three-fourths of divorced dads renegeing on court-ordered child support. . . . Now comes the hard part. . . . It goes without saying that we're mounting a major campaign to make male birth control the chief medical priority of our time. . . . vasectomies for you guys who can't live with the conditions I've outlined above, and, for the rest of us—condoms! They're messy, they diminish pleasure, but so what? How can we blame women for having 'convenience abortions' if we won't put up with a little inconvenience to prevent unwanted pregnancy? In fact, since condoms have been known to break, let's wear two at a time!

None of this will amount to anything, though, if we don't change our attitudes about sex as well. Face it men, we give women mixed messages. So from now on, let's never call a woman frigid if she won't sleep with us without commitment, or promiscuous if she takes a diaphragm with her when she goes out for a date. As for men who sleep around, let's think of them not as stallions bursting with vitality but as hit-and-run artists so irresponsible they don't even know how many fetuses they scatter about. . . .

Accepting female sexuality

One could scarcely ask for a better example of the way the male "stallion" legacy makes feminists angry about abortion. And rightly so. But what's interesting about the observations of male irresponsibility, as it relates to abortion, is that both sides cite it. Prolife feminists, like Juli Loesch, argue that the acceptance of abortion actually *encourages* exploitation. The "hit and run" artist can pony up \$200, send a woman off to a clinic, and imagine himself to have done the gallant thing. "The idea is that a man can use a woman, vacuum her out, and she's ready to be used again," Loesch says. "It's like a rent-a-car or something." (In such scenarios, Loesch argues, abortion has the same blame-the-victim effect that the Left is typically quick to condemn, with the victimized mother perpetrating the injustice through violence against the fetus.)

When I asked Katha Pollitt about this, she dismissed it with the argument that men will be just as irresponsible with or without abortion, and that the only difference will be the burden left to women. To some extent she's right: irresponsible sexual behavior—by men and women both—will no doubt continue under any imaginable scenario. Then again, it's not unreasonable to suspect that casual attitudes about abortion, particularly among men, could increase precisely the kind of "stallion" behavior that Pollitt rightly protests. And abortion can become a tool of male coercion in other ways as well. "He said that if I didn't have an abortion, the relationship would be over," a friend recently explained. Many women have experienced the same.

Of course, feminist emotion toward abortion isn't just a reaction to male sexuality but also an assertion that women's own sexual drive is equally legitimate. Feminists argue that antiabortion arguments reflect a larger cultural ambivalence, if not outright hostility, toward female sexuality. This is where words like *guilt* and *shame* and *punishment* continue to arise. I recently sat down with Katha Pollitt for a long conversation about abortion. She cited the many ways in which women (and the children antiabortionists want them to raise) are injured by society: poor health care, poor housing, economic discrimination, male abuse. We talked also about power, politics, religion, and the other forces that play into the abortion debate, like the unflagging responsibilities that come with parenthood. (She is a new, and proud, mother.) But when I asked her which, of the many justifications for abortion, she felt most deeply—what, in her mind, was the real core of the issue—her answer surprised me. “Deep down,” she said, “what I believe is that children should not be a punishment for having sex.”

Ellen Willis of the *Voice* advances a similar argument. Opposition to abortion, she's written, is cut of the same cloth as the more general “virginity fetishism, sexual guilt and panic and disgrace” foisted on women by a repressive society. The woman's fight for abortion without qualm, she says, is part of the fight for the “acceptance of the erotic impulse, and one's own erotic impulses, as fundamentally benign and necessary for human happiness.”

Pollitt agreed. “The notion of female sexuality being expressed is something people have deeply contradictory feelings about,” Pollitt said. And her example to Hentoff of diaphragms and dates—damned if you bring one, damned if you don't—shows she's right.

An unspoken assumption

Pollitt and other leading feminists are right about a lot of things—right to point to the terrible past of stigma and dirty needles; right to complain of sexual exploitation; of double standards; of economic discrimination; of a shortage of birth control; of society that places them in too many binds. Only one question remains: what about the fetus?

Do we have any moral obligations to it? What are they? What happens after the birth control fails, the egg becomes fertilized and implanted, and human life begins to unfold?

- “Maybe I'm a cold and heartless person,” said Pollitt, “but I find it hard to think of it as a moral question, the right to life of this thing the size of a

finger nail."

- "Would I feel comfortable getting rid of a fetus in the first few months of its life? Yes, indeed," said Ehrenreich. "And I have done it without qualm."

- "To say, 'I support the legal right but I'm against it morally' is still to deny women's equality," said Willis. "If you have some inherent moral bias in favor of fetuses it becomes a moral bias against the woman. There's no way you can give the fetus a claim, even a relative claim, without denying the woman's selfhood. You make the woman a vessel."

At the risk of taking these women at less than their word, I can't help but wonder if they believe this—if they truly believe the moral questions are as simple as they say.

Katha Pollitt said, "It's hard for me to imagine circumstances in which I'd have an abortion at this time in my life," with this-time-in-her-life meaning at age 39, happily married, professionally established, and prosperous. But "not for moral reasons" she said. And she quickly insisted—twice—that she "would never condemn another woman for having an abortion."

Next, she conjured a hypothetical example. Picture a friend, five months pregnant. The friend's husband, Bob, runs off with a 19-year-old flame. The friend comes to Katha Pollitt for advice.

"I would tell her to go ahead and have it, I'll help you," Pollitt said.

Surprised, I interrupted her to ask why.

"A woman in the fifth month of pregnancy is going to have strong feelings," she said.

Again—why?

She mixed up her words. "The baby . . . the fetus. . . ." Then she paused and said she would tell her friend to have the abortion if she had a heart condition and would be bedridden or endangered by the pregnancy.

And if she didn't have a heart condition?

"Just because Bob is leaving—why shouldn't she have the child?" she said. "I'd say, 'F--- you Bob, I'm going to go ahead and hire a lawyer and take you for everything you're worth.'"

When I asked her about this example a few weeks later—didn't her instinct to tell her friend to have the baby indicate the fetus had some innate worth?—Pollitt said there'd been an unspoken assumption in the scenario: "What I was saying is that if she wanted to have the baby until this rat walked out—why should he stop her?" But there seemed to be another unspoken assumption as well, that the fetus had some

interests of its own—not enough to overrule, say, the mother’s heart condition, but not to be easily ignored either. And why—if abortion is so neutral—would Katha Pollitt herself now find it hard to imagine herself ever having one?

Biology and destiny

What the argument for abortion-without-qualm comes down to is this: the fetus doesn’t exist unless we want it to. But the whole crisis over abortion is that we know precisely the opposite to be true. It’s there physically, feminists say, but not morally. But how could it be one without the other—there to nurture one day (remember, plenty of fresh vegetables, we’re eating for three: you, baby, and placenta), but free to dismember the next? Qualm-less⁴ advocates argue that all that finally matters is whether the woman, for whatever reason, desires to bring it into the world. Yet the fetus is already there, no matter what we plan or desire. Forces may conspire against a woman and leave her *unable* to bring it into the world, or unable to do so without a great deal of harm to herself and others. That is, *other* moral obligations may overrule. But it is suspicious in the extreme to argue—as the qualmlessness position does—that our moral obligations are nothing more than what we want them to be, a wish-it-away view of the world. Inconveniently fetuses exist, quite outside our fluctuating emotions and desires.

Finally, Ellen Willis’s argument that by giving fetuses any moral status at all we reduce women to vessels breaks down because women *are* vessels. They’re not *just* vessels. They’re much more than vessels. But the attempt to reconcile the just desire for full female autonomy with our moral obligations toward fetuses by insisting that we have none attempts to wish away a very real collision; it refuses to acknowledge a (so far) inalterable conflict buried in biology. Willis argues this is precisely the oppressive “biology equals destiny” argument that feminism has fought to overturn. Biology doesn’t equal destiny; but it does affect destiny, and it leaves us with the extremely difficult fact that women, for any number of reasons, get burdened with unwanted pregnancies to which there are no easy moral solutions. Something important is lost—female autonomy or fetal life—in either event.

There are two highly imperfect ways of dealing with this conflict. The first is abstinence (since birth control fails). But not much chance of that. The second is adoption—another imperfect solution. The first

argument against it is that there aren't enough parents to go around, particularly for minority and handicapped children. Ironically those quickest to point this out tend to be those for whom putting up a child for adoption really is a plausible option—white professionals. George Bush's "adoption not abortion" line brought quick ridicule by Pollitt in *The Nation* and Ehrenreich in *Mother Jones*. He's wrong to suggest it as a panacea—babies would quickly outstrip parents, as Pollitt insists—but right to encourage its wider use. The real challenge for liberals and progressives would be to turn the thought back toward Bush, and demand the governmental support, in health care and other ways, needed to get through pregnancy, and needed to raise a child.

The second argument against adoption focuses not on demand but supply: nine months of illness culminating in a "physiological crisis which is occasionally fatal and almost always excruciatingly painful," as Ehrenreich has written. And other worries follow; think of Lisa Steinberg. "It's almost unimaginable to me to think about giving up the baby," said Ehrenreich. "Talk about misery. Talk about 20 years of grief and ambivalence." The grief is real—particularly for people of conscience, like Ehrenreich. (And people of conscience are the targets of moral suasion in the first place.) But where does that argument lead? That in order to spare a child the risks of an adoptive life, we offer the kindness of a suction machine?

"A very scary time"

A few years ago, I was sharing an apartment with a friend who became pregnant just before breaking up with her fiancé. Like many men—like the hypothetical Bob—he just walked away, dealing with the dilemma through denial. My friend dealt with it with a lot of courage. I called her recently to see how the experience seemed in retrospect, and perhaps she should provide the coda, since her view complicates both Ehrenreich's position and my own. Though she said that putting her child up for adoption was "the right thing," she said she "would never, ever, pressure someone to go through the same thing."

It surprised me to hear her say that abortion "crossed my mind several thousand times," since that was the one option she had seemed to rule out from the start. When she realized she was pregnant, she said, she went riding her bicycle into potholes "trying to jar something loose. It was very, very easy for me to think of the sperm and the egg as having just joined. It was like a piece of mucous to me." She decided

against abortion after about a week, “a very lonely, very scary time.”

“At some point, I realized I was old enough, and mature enough, that I could do it [have the baby],” she said, but she emphasized that this calculus could have been altered easily by any number of factors—including less support from family and friends, a less understanding employer, or the lack of medical care. She spent months in counseling trying to decide whether to raise the child or put it up for adoption, and the decision to give the baby away “was the most difficult thing I’ve ever had to do.” Since the baby was healthy and white the adoption market was on her side—“I could have dictated that I wanted two Finnish socialists,” she said—and her certainty that the new parents would not only love the child but pass on certain shared values was an essential thing to know.

“When I think about her,” she said, “just the miracle of being able to have brought her into this life, even if she’s not here with me right now, she’s with people who love her. It’s a miracle.”

““When she left to go to her adoptive parents, it was the most devastating and wonderful thing,” she said. “I kept thinking this is my child, and I love her.

“It always kept coming back to that—I love her.”

Abortion and ‘Moral Tension’

John Wauck

The HOMUNCULUS, Sir, in however low and ludicrous a light he may appear, in this age of levity, to the eye of folly or prejudice:—to the eye of reason in scientific research, he stands confessed—a BEING guarded and circumscribed with rights: . . . and, in all sense of the word, as much and as truly our fellow-creature as my Lord Chancellor of England.—He may be benefitted, he may be injured,—he may obtain redress;—in a word, he has all the claims and rights of humanity . . .

—*Tristram Shandy*, by Laurence Sterne

THERE IS no shortage of ex-abortionists, and there are entire organizations for women who’ve had abortions but now wish they hadn’t. But I have never met anyone who said: “I used to fight against abortion, but now I think it’s a good thing.” Defection from the anti-abortion ranks is an occupation-specific disease striking only candidates for the Democratic nomination for the Presidency. While the rest of the “converts” move toward the anti-abortion camp, only the likes of Jesse Jackson and Richard Gephardt head the other way.

The Supreme Court’s decision to hear an abortion case early this year brought abortion into the media spotlight, and the attention was a boon for anti-abortion forces, because the more seriously people think about abortion, the less they seem to like it. As the Los Angeles *Times* reporter George Skelton noted, in his commentary on a poll (one of the largest and most substantive ever conducted) by the *Times*: “People who favor abortion tend to be much less certain of their views than those who oppose it.” Many other polls were taken, and countless articles were written—not a few by advocates of legal abortion who are very uncomfortable with abortion.

The most damning was an article by Jason DeParle in *The Washington Monthly* entitled “Beyond the Legal Right: Why liberals and feminists don’t like to talk about the morality of abortion.” Because people who change their minds about abortion usually turn against it, advocates of legal abortion try to squelch all discussion of the issue. Know-

John Wauck is a Contributing Editor of this review.

ing it's an argument they can't win, their response to the ethical controversy is simple: Let's not talk about it. DeParle quotes the feminist historian Linda Gordon saying: "I'm not sure, by the way, that we should spend our time debating the ethical points of abortion . . . Abstract ethical arguments over when life begins are not very illuminating. They inevitably become moralistic—and they inevitably [!] carry the implication that people who support abortion are less moral than other people." Right or wrong? Don't ask.

Not surprisingly, pro-abortionists seem allergic to pictures of fetuses. DeParle notes that when the liberal paper *The North Carolina Independent* put a picture of a fetus on its front-page, it was deluged with irate letters and phone calls. The editor concluded that the simple photograph was perceived as "antifeminist."

Advocates of legal abortion don't want to face what actually happens when you abort a human fetus. Kate Michelman, head of the National Abortion Rights Action League, tells DeParle: "The whole debate is more about the value of women's lives and the respect we have for women than it is about the act of abortion itself"—small wonder when the act, looked at squarely and honestly, is indefensible. The New York *Times* reports that the inventor of the French pill RU 486, Dr. Etienne-Emile Baulieu, objects to his invention being called an "abortion pill" because "the word abortion is automatically negative and guilt-inducing." Why, I wonder, is this simple word "automatically guilt-inducing"? It wasn't a guilt-inducing word until many people starting doing it deliberately; "abortion" was tragic rather than guilt-inducing when its primary meaning was synonymous with "miscarriage." The pro-choicers seem to think they have a fool-proof strategy for keeping abortion legal: don't talk about "abortion," don't look at fetuses, and above all, don't ask if abortion is right or wrong.

DeParle argues that, even if abortion should be legal, more should be done to preserve the "moral tension"—we shouldn't white-wash abortion. He has a good point. Instinctively, most people *do* react negatively to abortion. Ignore for the time being whether abortion should be legal; focus only on its moral desirability. Can a woman love her unborn child? We all know women who do—those who yearn to see the human being growing within them, those who mourn a miscarriage. An emotional bond can exist before birth. But *should* a woman love her unborn child? It would be hard to say "No, she should *not*." Surely

there is nothing wrong with it; ideally she should. And then we must ask, "Can a woman kill what we would hope to see her love?" We know that it is legally possible, but *should* she? Is it a right we want to see exercised?

The liberal consensus seems to be "no." The adamantly pro-choice New York *Times* recently editorialized: "No one 'likes' abortion, especially not the woman who must make so painful a decision." The pro-choice columnist Ellen Goodman speaks of her "hope that abortion would never be needed." All politicians seem to be "personally opposed" to abortion. Yet no one is eager to explain why. No one wants to face the exact nature of abortion's wrongness. Is their discomfort and personal opposition mere caprice? Why *doesn't* the *Times* or anyone else like abortion?

Christopher Hitchens, the left-wing pundit of *The Nation*, thinks he knows why:

I put the question like this. You see a woman kicked in the stomach. Your instinct is properly one of revulsion. You learn that the woman is pregnant. Who will reply that this discovery does not multiply their revulsion? And who will say that this is only because it makes it worse for the woman? I don't think this is just an instinctive or emotional reaction (not that we should always distrust our instincts and emotions either). We are stuck with a basic reverence for life.

But about this fetal life our society speaks with a severely forked tongue. We encourage and support programs for pre-natal care. Doctors tell pregnant women to watch what they eat and drink. Researchers struggle to find ways to care for children within the womb, to protect these fetal human beings. And yet, we speak of abortion not only as a legal, but also a fundamental, constitutional right that is essential to the dignity of women. We enjoy a *positive* freedom to kill fetal human beings. But, as might be expected, when we have both a duty to protect and a freedom to kill, we really have neither: no genuine duty, and a "freedom" we cannot embrace. How can we be enthusiastic about a license to kill what we should not harm?

Though his article is critical of feminists and liberals who defend abortion, DeParle does pay lip-service to some pro-choice pieties. Explaining the relentlessly *ad hominem* character of feminist attacks on anti-abortionists, he affects a concession: "Let's be clear: much of the right-to-life movement *is* antipoor and antiwoman." Well, perhaps DeParle was writing before the polls taken by the Los Angeles *Times*

and the Boston *Globe* made such a concession to myth laughable. Otherwise he would have said, "Much of the right-to-life movement is poor and female." As Christopher Hitchens has observed: "Nobody on the left can avoid noticing that the so-called 'prolife' forces are overwhelmingly female and from income groups that traditionally voted Democratic." Indeed, polls show that those who favor abortion split evenly between Democrats and Republicans, and the more money people make the more likely they are to favor abortion—"Rockefeller Republicans" being a notable example.

If we could construct from statistics the person most likely to be in favor of abortion, he would be a college-educated, single white male between 18 and 29. Being young, he would not have any meaningful recollections—as Jason DeParle does not—of the days of "back-alley" abortions; he'd only have read horror stories in the pro-choice media. (Oddly enough, those who *do* remember those "dark days" are more likely to oppose abortion.) He would likely be a WASP or a Jew who doesn't take his religion very seriously, and he would earn more than \$30,000 a year (\$50,000 if he lives in New York). He would be, in short, the stereotypical yuppie who reads and believes whatever the New York *Times* prints. Our model anti-abortionist would be a married Catholic woman, a Hispanic or a Black, who earns less than \$20,000 a year. Does anyone seriously believe that wealthy, single, white males are more sensitive than poor married women to the troubles, rights, and needs of pregnant women?

Those who support legal abortion often cast themselves as defenders of poor minority women, but in fact, women who have abortions tend to have above-average incomes and educational backgrounds: 35% earn more than \$40,000, and 42% attended college. These women are not in can't-afford-another-child situations; most of them are also childless. And recent polls show that the interests of poor minority women and the abortion-rights advocates are in open conflict. After the ballyhooed Pro-Choice March in Washington, the New York *Times* noted that Loretta Ross, director of NOW's Women of Color Program, said the march was ninety-five percent white. In attempting to account for this embarrassing statistic, many reasons were offered, but the one reason that *wasn't* was the most obvious one of all: blacks are the ethnic group most likely to support prohibition of abortion. Although only 19% of the general population wants an all-out ban on abortion, 48% of black

Americans want it. This does not mark a big change in black opinion. It wasn't long ago that Jesse Jackson was speaking out against abortion, likening it to slavery. In 1978, Jackson was still eager to defend "human life in its most defenseless state, in its unborn condition, where it is so inhumanly exploited by abortion." That was before he decided he wanted to be President. Now he's comparing Norma McCorvey (the Jane Roe of *Roe v. Wade*) to Rosa Parks.

It's hard to listen to Jesse these days without recalling that powerful speech in Lorraine Hansberry's 1958 play *A Raisin in the Sun* in which Mama pleads with her son Walter to resist the abortion his wife is contemplating, an abortion that Mama considers tantamount to racial despair:

Well—son, I'm waiting to hear you say something . . . I'm waiting to hear how you be your father's son. Be the man he was . . . (*Pause*) Your wife say she going to destroy your child. And I'm waiting to hear you talk like him and say we a people who give children life, not who destroys them—(*She rises*) I'm waiting to see you stand up and look like your daddy and say we done give up one baby to poverty and that we ain't going to give up nary another one . . . I'm waiting . . .

If you a son of mine, tell her! (WALTER turns, looks at her and can say nothing. She continues, bitterly) You . . . you are a disgrace to your father's memory.

And it's hard to see Jesse Jackson and Faye Wattleton (the black spokeswoman for Planned Parenthood) marching at the head of that lily-white March for Choice, without thinking of Planned Parenthood's founder Margaret Sanger, and the favorable review that her magazine *The Birth Control Review* gave to Lothrop Stoddard's 1920 book *The Rising Tide of Color Against White World-Supremacy*, or Sanger's own birth-control plan for blacks, which would involve "three or four colored ministers, preferably with social-service backgrounds and with engaging personalities." In 1939, Sanger wrote: "The most successful educational approach to the Negro is through a religious appeal. We do not want the word to go out that we want to exterminate the Negro population, and the minister is the man who can straighten out that idea if it ever occurs to any of their more rebellious members." Fifty years later, the Rev. Jesse Jackson is such a minister, and Faye Wattleton is busy "helping" the black community by making it smaller.

DeParle admits that abortion is the "eradication of human life," but says it should be legal because the alternatives—gender inequality and

back-alley mutilations—are worse. Is this an accurate picture of the alternatives? The vast majority of abortions in the years before *Roe* were performed by licensed doctors. They didn't use coat-hangers and they weren't in back-alleys. Prominent among the supporters of legal abortion were doctors who were already performing abortions, but were tired of inventing phony "therapeutic" justifications or hiding from the law. The numbers of deaths from illegal abortion often reported—up to 10,000 deaths per year—are pure fiction. After a peak of 350 deaths in 1940, the widespread use of penicillin made the numbers plummet. In 1972 the Centers for Disease Control reported 39 deaths from illegal abortion, and the late Christopher Tietze, head of the pro-abortion Alan Guttmacher Institute, said the margin of error due to under-reporting was no more than 10%. True, the percentage of deaths per abortion is now substantially lower, but the enormous increase in the frequency of abortion has more than made up for the lower mortality rate. The recorded deaths from abortion—legal and illegal—are about the same now as in 1972, but the Centers for Disease Control notes that deaths from legal—not illegal—abortion are "selectively underreported." The evidence suggests that abortion kills *more* women now than it did when it was illegal.

Gender equality—equal opportunity and freedom for men and women—can only justify abortion if you ignore the question of whether abortion is right or wrong, precisely the fault DeParle finds with the standard feminist arguments. Perhaps he believes that ends justify means. But if abortion is wrong, the justifications might sound something like this: in the interest of gender fairness, I hereby kill another human person; or—if fetal personhood is in doubt—I hereby risk murder in the interest of gender equality.

DeParle ignores an even trickier objection to the gender-equality argument: sex-selective abortions, almost all of which are performed to kill female fetuses. It's strange to kill female fetuses in the name of women's rights. The practice is most common in India, where the economic and social burden of a girl makes the abortion of females particularly tempting. In one study in Bombay, of 8,000 abortions only *one* was of a male child. On a smaller scale, the same thing goes on here, with increasing acceptance from the medical community. Twenty percent of the geneticists in the U.S. approve of the practice—up from one percent in 1973.

When the right to abortion is based not on social benefit but upon privacy, it is difficult to find pro-choice arguments against sex-selective abortion. There seem to be three possible responses to the practice. The first is simple: a woman can have an abortion for any reason she pleases, so it is perfectly fine for her to abort her child because it is a girl. The second is more complex: sex-selective abortions are wrong and undesirable, but we should not use the law to prohibit them. The third is also simple: we should outlaw sex-selective abortion because it is blatantly unjust.

Responses two and three have in common the premise that sex-selective abortion is wrong and worth discouraging. There are two reasons for objecting to sex-selective abortion. You may object to it because of what the fetus *is*: an unborn girl with rights that society should protect. This is not an argument you will hear from the pro-choice side, because the obvious corollary is that male fetuses are unborn boys with rights too; in other words, fetuses have rights—an unacceptable conclusion for advocates of legal abortion. You may, however, object not because of what the fetus is, but because of what it *will* be: a girl. But here too, the pro-abortionist is ill at ease, for if it is wrong to kill what will be a girl (a “potential girl”) then isn’t it wrong to kill a potential boy, and more generally, isn’t it wrong to kill potential persons? It won’t do to claim that girls are worth more than persons since the rights of women are based precisely on the fact that women are persons. If not wanting a girl is insufficient cause for killing a female fetus, then not wanting a person should be insufficient cause for killing any fetus.

The argument might be made that the crime is not in the killing but in the discriminatory motive behind sex-selective abortion. Fetal life, the argument goes, can be taken on an equal-opportunity, sex-blind basis; it is fine to reject new human life generically, but you can not do it *simply* because it’s female. The problem with this argument is that when you speak of discrimination, you must be speaking of someone against whom it is possible to discriminate; one can’t discriminate against something without personal rights like, say, a female salamander. To give a fetal human being a right against discrimination yet no right against being killed is putting the cart way before the horse. Unless you are committing some sort of “thought-crime,” discriminat-

ing against femaleness generally, you are discriminating against a particular female. And even if sex-selective abortion were a crime against “femaleness,” generic abortion would then be a “crime against humanity.”

Ultimately, any objection to sex-selective abortion implies that abortion may be just or unjust depending on the motive. But once the possibility of unjust motives is granted, the unavoidable question arises: Is sexism the *only* unacceptable motive for abortion? One girl explained the motive for her abortion to the pro-choice psychologist Magda Denes:

I wanted to keep it but then I really got to thinking about it and I just decided I didn't want to raise a child . . . 'cause things don't seem to be getting any better. You don't know if they would marry in their own race. Maybe by the time they grew up he wouldn't know any better than just to marry a Negro. That's coming to pass in this day and time. It's just disgusting to me to think that a white girl would do that, or even a Negro would want to marry a white girl, but it's happening.

Is racism a justification where sexism is not? And what about the selfishness or cowardice of a boyfriend?

Even if it weren't immoral, and leaving aside sex-selective abortions, it isn't clear that abortion serves gender equality. Why is it that women are more likely than men to oppose abortion? Does DeParle think that pro-life women are unwittingly opposed to female dignity and equality? Certainly legal abortion, which has coincided with rising female poverty and an explosion of divorce, has not brought about a paradise of female dignity. One third of the women who have had abortions now think of themselves as having committed, in their own words, “murder.” What sort of dignity is that? Though the media, which are overwhelmingly pro-choice (witness all the reporters who both covered and marched in the March for Choice), bombard them with pro-choice rhetoric, most women still feel guilty about having had abortions. Abortion was supposed to save women from misery, but it seems to be a quick fix rather than true and lasting help. Nearly half of the abortions in the U.S. are repeats. Is there any indication that women, as a class, are happier now than they were in 1972? Is there less or more female poverty, desertion, rape, and child abuse? It seems obvious that either abortions don't solve women's problems or 4,000 a day are not enough.

An unwanted pregnancy does present tragic alternatives. On one

hand, it is sad to see a woman expecting a child which—for whatever reasons, emotional or financial—she is not prepared to raise. The father may be threatening to leave; perhaps he has already left. When the child is born, there will probably be hardships for both mother and child—though, in all honesty, I’ve never met a family ruined by the birth of a child. Perhaps the woman will make the difficult decision to give the child up for adoption. On the other hand, it is sad to see a woman who feels forced by circumstances to do something that most women would rather not do: abort her child. Abortion may sound inspiring and ennobling when described as “control of your own body,” but everyone knows that abortion is at best, in the words of Katha Pollitt, “a bloody, clumsy method of birth control”—a reminder of our lack of control, the “best escape” from a trap.

Those who see abortions regularly testify to its tragic character. Magda Denes interviewed a counselor in a clinic that performs saline abortions, in which the amniotic fluid is pumped out of the uterus and replaced with a salt solution which kills the fetus. When all goes “well,” the woman gives birth to a dead child within hours. The counselor compared a normal birth with a saline abortion:

I saw this movie of a live birth recently and it just was so terrifically painful to me, to see and feel the difference between what a live birth is and what a saline abortion is. You could just feel all the joy and excitement of seeing this live baby come out. A whole different color, like white and light and alive and moving, crying, and doing all these things, and you know, having seen a considerable number of fetuses being all dark and red and blue and dead . . .

Sometimes, however, the salinated fetus does not die before it is delivered:

There was one week when there were two live births in the same week. And just, you know, there’s this baby crying on this floor while all these women are in the process of trying to deal with their feelings about aborting their babies. One survived for a while . . . The mother delivered when there was no one there and there was some period when the mother was holding the baby. And it was grabbing onto her.

Our current solution to the dilemma of the two tragedies is to pretend that one of them, the second, is not so horrible after all—as long as it goes on in the presence of doctors, and without physical danger to the mother. We ignore an enormous difference between them: while we choose one, the other we neither want nor choose; we do not choose poverty, desertion, and unexpected pregnancies, but we do choose

abortions. Which raises the question of whether it is better to suffer wrongs or to commit them, to undergo severe misfortune or commit what you think is murder. Only thirty-nine percent of women who have actually had abortions believe that abortion is “morally right,” and one-third believe that abortion is actually “murder.”

The abortion decision is not one that women are eager to face, and some evidently don’t make up their minds before it’s time for the abortion. Recently, the *New York Times* ran a series of profiles of women seeking abortion called “Seven Trails of Conflict and Pain.” In a Los Angeles abortion clinic, the reporter asks a Scottish nanny waiting for an abortion what she thinks of it: “‘I’m still wrestling with whether this is murder or not,’ she said, ‘I haven’t come to grips with it, but I have to do what I have to do.’” Like so many other women seeking abortions, she is not “pro-choice”; she feels she has *no* choice. A girl interviewed in *New York Newsday* says: “I was always totally against abortion, until the day I finally decided to do it, and even then I was saying maybe this isn’t right.” Back at the Los Angeles clinic, one girl’s boyfriend “stroked her head and cleaned up when she vomited.” There is one more girl, who is having her fourth abortion: “‘Maybe they should have a limit on how many abortions one person can have,’ she said, ducking her head in shame.” I think of those women when I see the advertisement on the New York subway for an abortion clinic. It’s for “VIP Medical—Where today women go with confidence to ensure their well-being.” I imagine an advertisement that has something to do with reality: “VIP Medical—Where sad, desperate women go to *pay* for their mistakes.”

Reading the stories and looking at the polls, it is difficult to fathom Surgeon General C. Everett Koop’s statement that there is no conclusive evidence about abortion’s negative emotional effects. Magda Denes quotes one social worker at a New York abortion clinic:

A lot of people say they’re killing their baby. You get a lot of that. Some people afterwards get very upset and say “I killed my baby.” Or even before, they say “My circumstances are such that I can’t keep it, but I’m killing my baby.”

DeParle quotes a nurse at an abortion clinic saying: “I have fetus dreams, we all do here: dreams of abortions one after the other; of buckets of blood splashed on the walls; trees full of crawling fetuses.” Dr. Koop, are you listening?

The Surgeon General might have come up with a different conclu-

sion if he had taken the trouble, in the course of his year-long “study” to speak with Dr. Julius Fogel, who works just down the street in Washington, D.C. Dr. Fogel is one of the few abortionists in the U.S. who is also a psychiatrist. He has performed approximately 20,000 abortions; he is in a position to know about their psychological effects. Back in 1971, before abortion-on-demand was legalized, but while Fogel was performing “therapeutic abortions,” he told columnist Colman McCarthy:

. . . a psychological price is paid. I can't say exactly what. It may be alienation, it may be a pushing away from human warmth, perhaps a hardening of the maternal instinct. Something happens on the deeper levels of a woman's consciousness when she destroys a pregnancy. I know that as a psychiatrist.

Eighteen years and many thousands of abortions later, he stills says the same thing:

There is no question about the emotional grief and mourning following an abortion. It shows up in various forms. I've had patients who had abortions a year or two ago—women who did the best thing at the time for themselves—but it still bothers them. Many come in—some are just mute, some hostile. Some burst out crying . . . There is no question in my mind that we are disturbing a life process.

I'm a man, so I will never be in a position to have an abortion; I don't have to see abortions; I don't even have to know about them. I can look the other way and say “It's a woman's right,” maybe even kick in some money for an abortion—big of me, eh? How convenient it is to push this “free choice” (Is it murder I'm committing? Am I killing my baby?) onto the shoulders of women. It's her choice; pregnancy and child-bearing are her concern alone; it's her business—in short, her problem, and a legal solution is ready and waiting. It's her body, her time, her money, her conscience, her psyche. What business is it of mine? The primary victim is in no position to make a fuss.

One of the most ludicrous features of Justice Blackmun's opinion in *Roe v. Wade* is his portrayal of the “doctor-patient” relationship in abortion clinics. He was concerned about the integrity of the “medical decision.” The New York *Times* perpetuates this fantasy, speaking of abortion as a “decision left up to a woman and her doctor”—a phrase warmly similar and strikingly analogous to “a boy and his dog.”

But off the *Times* editorial page and in real life, the abortionist's contact with the “patient” prior to the abortion is virtually nil, and the

doctor does not make a medical decision to perform the abortion; he acquiesces to a demand accompanied by payment. He is a technocrat who asks no questions, just does his job. As one abortionist interviewed by Magda Denes puts it:

Gynecologist[s] should *not* sit back and say 'Now let's see what are your reasons for having this abortion.' I don't think that should be *our* decision.

We'll just have to face it, that somebody has to do it. And, unfortunately, we are the executioners in this instance.

In my view it would be unfair to say "Well, I enjoy taking out fibroids but I just abhor doing abortions." That's not fair. Whether this is a rationalization on my part or not, I'm not sure . . .

If medicine or certain specialties were not a monopoly, which they are, then it would be easy to say "I don't do this, I don't do that, I only do certain things, the more pleasant aspects of it and somebody should do the garbage." . . . this is part of our profession, and I think we should face up to it.

In a sense he's right. A gynecologist has no business asking about a woman's reasons for abortion; he can be almost certain they are not medical, for the decision to have an abortion is (except in extremely rare cases) not a medical decision, and a woman really is alone with it.

The loneliness of radical individualism is apparent throughout the pro-choice rhetoric. Advocates of abortion portray rights within families as a zero-sum game: to recognize the rights of one individual is to deprive someone else of theirs. Ellen Willis of the *Village Voice* tells DeParle: "There's no way you can give the fetus a claim, even a relative claim, without denying the woman's selfhood." To deny a woman the right to kill her child, she says, is to make the woman less important than the fetus, a non-person, even though the woman enjoys the same right not to be killed, and many more rights besides.

Willis invents paranoid fantasies about the totalitarian control of women that will follow recognition of fetal rights. The state, she raves, will have to monitor everything that the mother eats, drinks, smokes, and injects; how much she sleeps; how she exercises. Any bad habit will become a crime. Willis doesn't take the time to reflect that, while we recognize the right-to-life of new-born infants, we do not have wildly intrusive laws about post-natal care. The mother is assumed—perhaps less safely now in the days of *Roe*—to have the best interests of her child at heart, unless there is overwhelming evidence, like violent abuse or total neglect, to the contrary.

The private choice of abortion isolates a woman from those to whom she should be closest: the child growing in her womb; the father, who

has no rights with regard to his unborn child. It is no longer safe to assume that mother and father and child form a community of common interest. Abortion pits mother against child, perhaps father against mother, and—quite frequently—father against child, when the father coerces the mother to abort. The lack of community is at the heart of the abortion mentality. Is it mere coincidence that divorced and separated people are more likely than married couples to support abortion-on-demand?

The ultimate source of this breakdown in community is an individualistic sexuality. Abortion is the fruit of fornication. Katha Pollitt wasn't kidding when she drew up her plan to stop abortion: "Abortion is a terrible thing, and it behooves us to ensure that there are as few as possible. . . . That means no more extramarital affairs, no more sleeping with our students, no more one-night stands." She was talking to the single, white males who favor abortion so strongly. Separated from marriage and from children, sex no longer binds a man and a woman and their possible children into a community with a common fate and common interests—a new social unit. Today's lonely sex is not a gift of oneself that creates a permanent community of interests. You can engage in it and still remain an isolated and autonomous being—as long, that is, as you have a right to privacy, and a right to abortion when your contraceptive method is less reliable than your contraceptive mentality.

The Abortion Debate and the Hospitable Society

George Weigel

ABORTION IS THE “social issue” that refuses to fade quietly away: which is, one suspects, to the vast discomfort of politicians, the prestige press, organized feminism, the Federal judiciary, the medical profession, and not a few Christian ecclesiastics of various denominations. That the abortion issue refuses to die tells us something about abortion itself, and about these United States.

In the first instance, it tells us that abortion, contrary to the public claims of its more vocal and politicized exponents, is not one medical procedure among others, and of no more moral account than a tonsillectomy or root canal. The evidence on this point is increasingly provided, and often in the most poignant terms, by women who have had abortions. Psychologists, psychiatrists, and social workers now speculate freely and publicly on the long-term impacts, on our culture, society, and health-care system, of the fact of millions of women who have aborted their offspring.

But the evidence that something deeply troubling is afoot is not of recent vintage. The standard reference point here is Linda Bird Francke’s 1978 book, *The Ambivalence of Abortion*.¹ There is a bitter irony to Francke’s study. The author herself is pro-abortion. But as Stanley Hauerwas has written, “the primary thrust of Francke’s book is to dispel the . . . claim that abortion has become a matter that women now take lightly and as a matter of course. . . . Few of the women Francke describes claim they are doing a good thing by having an abortion. Rather they say they are acting out of ‘necessity.’ Strange as it may seem, they seldom claim to have aborted a fetus—they abort a ‘child’ or a ‘baby.’ . . . Abortion is often defended as the necessary condition for the freedom of women from male oppression. Yet if we are to believe the testimony of Francke’s witnesses, abortion is often the

George Weigel is the President of the Madison Foundation in Washington; this article is the complete text of Chapter 7 from his new book *Catholicism and the Renewal of American Democracy*, published by Paulist Press, and is reprinted here with permission (©1989 by George Weigel).

coercive method men use to free themselves from responsibility to women. But even more ironic, for many women, rather than a declaration of independence, abortion is a subtle vote of no-confidence in their ability to determine their destiny.”² We can safely assume that the currents of ambivalence Linda Bird Francke identified in the late 1970s remain part of the landscape today.

The persistence of the abortion issue also tells us something about these United States. For while it is tragically true that the annual U.S. abortion rate remains, at some 1.5 million abortions per annum, extremely high among modern industrialized nations, it is also true that the Right-to-Life movement is a continuing and vigorous actor in our public life—and this despite both the opprobrium heaped on it by the prestige press and, truth to tell, the sometimes fratricidal arguments among anti-abortion forces. It has not (yet) prevailed, but the Right-to-Life movement has survived. This is a testimony to the tenacity of the movement’s leadership, to be sure. But it is also a signal that American political culture has not become utterly tone-deaf to the themes being advanced by those who wear the red rose.

“Utterly,” of course, is an important qualifier. For there has surely been a coarsening of the American spirit on abortion, and on related issues of reproductive technology, in the fifteen years since *Roe v. Wade*.³ Those who oppose *Roe*’s abortion liberty are regularly accused of falling victim to the logical fallacy of the slippery slope. But in a situation in which various “quality of life” criteria drawn from classic (indeed, in some instances, Nazi) eugenics are now openly bruited by eminently respectable physicians and “medical ethicists”;⁴ when there is open discussion of “harvesting” fetal tissue for therapeutic purposes in treating Parkinson’s disease, Alzheimer’s disease, and other crippling maladies; when the *New York Times* reports, with little sense of either moral or political urgency, that multiple-fetus pregnancies resulting from fertility drugs or *in vitro* fertilization are being thinned out by selective abortions: well, it does seem that, in this case at least, the question is not whether there is a slippery slope, but how far down it we have careened, and whether there is any way to apply the brakes.

These things cannot be pinned down with mathematical precision. But there is a case to be made that the fundamental legal push down the slope was supplied by *Roe v. Wade* and the radically individualistic logic of “rights” on which Mr. Justice Blackmun rested his argument.

And since, as has been understood since the Greeks and Romans, the law is an educator, *Roe v. Wade*'s impact on American life has been at least as important in cultural terms as in legal theorizing and deciding.

The intellectual and leadership elites of Catholicism in the United States have proven largely ineffective in challenging this cultural drift.⁵ This failure is most immediately visible in Congress, where prominent Catholics such as Daniel Patrick Moynihan and Thomas Foley have lain extremely low in the argument (while supporting *Roe*'s abortion liberty with their votes) or, as in the case of Edward Kennedy, have become champions of the pro-abortion lobby. What does it say about the supposed "coming of age" of American Catholicism that, in the traditional party of Catholics, the Democratic Party, it is inconceivable that one could be nominated for President while holding anti-abortion views? (Those who would deny that this is the case need only reflect briefly on the headstands performed by Richard Gephardt and Jesse Jackson, two early supporters of the Right-to-Life movement, who rearranged their thinking when the presidential bug began to bite. One could also reflect on the self-definition of former Arizona governor Bruce Babbitt as a "pro-choice Catholic.")

American Catholicism has been ineffective at changing the electoral politics of abortion because it has failed to alter the cultural politics of the abortion debate. Before votes are changed, ideas must change. It is no indictment of the dedication and fervor of the Right-to-Life movement to suggest that it has lost, is losing, and seems likely to continue to lose that more fundamental debate—even if, as might reasonably be expected, there is some degree of roll-back from *Roe v. Wade* on the Supreme Court. What might Catholic intellectuals and religious leaders do to recast the cultural debate such that, were the Court to return the question of abortion to the states, a wiser argument, leading to a genuine change at the level of cultural understandings (and thence to public policy practices), might form?

Apocalyptic rhetoric is all too common in American Catholic social thought these days. But the urgency of reconceiving the abortion debate should not be minimized. The abortion liberty as defined by *Roe v. Wade* is a basic test of the American experiment. Like the Dred Scott decision in 1857, *Roe v. Wade* and the practices that have flowed therefrom tell us, beyond the questions of individual "rights" involved, just what kind of a people we are. The abortion liberty forces us to con-

front, and to accept or reject, two central propositions of our continuing experiment in ordered liberty: that all men are created equal, and that all men are endowed, by “nature and nature’s God,” with the right to life. Are these propositions still part of that “ensemble of elementary affirmations,” as Murray would say, on which the American experiment rests, and by which it chooses to be judged? I believe that, for the majority of Americans, they still are. But bringing them to bear on the abortion debate means recasting the terms of the argument.

Challenging the Disinformation Campaign

As on the question of church-and-state, reconceiving the abortion debate requires, in the first instance, clearing out the luxuriant underbrush of disinformation that has befogged the issue.

The first order of business is a new clarity on *Roe v. Wade* itself.

Few if any modern Supreme Court decisions have been as systematically criticized for their sloppiness in constitutional reasoning as *Roe v. Wade*. Moreover, some of the most biting critiques have come from legal scholars (such as, for example, that pre-eminent liberal constitutional theorist, Archibald Cox) who are themselves personally sympathetic to the abortion liberty.⁶ One suspects, on the evidence of the Senate Judiciary Committee’s 1987 hearings on the nomination of Judge Robert H. Bork to the Supreme Court, that pro-abortion advocates recognize (if they stalwartly refuse to admit) the thinness of the constitutional reasoning on which their libertarian case rests—thus their politically (because culturally) effective tactic of encoding the abortion liberty in the assertion of a generalized (if semantically unspecified) “right to privacy” in the Constitution.

But the point to be made here is that *Roe* is not, as its defenders would have it, a universally-admired piece of jurisprudential reasoning. The more accurate statement is that its logic is widely-deplored among constitutional scholars across the range of opinion on the morality of abortion itself.

Clarifying this point ought to be of some assistance in getting the argument straight on a related matter. It is often said that *Roe* “liberalized” abortion law. The truth of the matter, as John T. Noonan, Jr. and many others have argued, is that *Roe abolished* abortion law.⁷ Under the prevailing jurisprudence of the Supreme Court as I write (in early 1988), the unborn child in America has less legal protection than an endangered species of bird, or a tree in a national park. To note this

fact is not to engage in rhetorical excess, but to acknowledge a simple fact. It is a fact which contradicts the claim, still encountered in the abortion debate, that *Roe*'s permissiveness only extends to first-trimester abortions. This is simply not true. The logic of *Roe* extends the abortion liberty throughout the term of pregnancy, a point which has been clarified beyond all cavil by post-*Roe* judicial decisions. That truth must be insisted upon, civilly, when the abortion debate is engaged.

The second persistent bit of disinformation in the abortion argument revolves around the question of maternal health. Reversing the abortion liberty as defined by *Roe v. Wade* would, it is often claimed, be an unjust threat to those large numbers of women who opt for abortion because their pregnancies threaten their health. This is alleged to be a special problem for poor women. But the data do not support this claim. As James T. Burtchaell writes,

"Cutoffs of tax-subsidized abortion through the Hyde Amendment which did permit Medicaid payments for abortion when there was serious threat to maternal health or life (as well as when the pregnancy resulted from felonious intercourse or the offspring was handicapped), caused a reported 99 percent reduction in Medicaid abortions. One may infer that few of those abortions had serious clinical grounds. No studies are conclusive, but the evidence suggests that perhaps 1 percent, or perhaps slightly less, of the abortions presently performed in America are prescribed by a physician because pregnancy is threatening the mother's physical health."⁸

The facts similarly challenge another "medical" argument for the abortion liberty, viz. that a repeal of the liberty as defined by *Roe v. Wade* would result in a high incidence of maternal deaths due to "back-alley" or "coathanger" abortionists—an argument used, for example, by Senator Kennedy in his polemic against Judge Bork. But, again, the evidence to support this claim is simply not there. Burtchaell again:

"The most significant reduction in abortion-related maternal mortality is due, not to legalized abortion, but to the development of the sulfa drugs and later antibiotics. The most dramatic declines occur in the 1940s. By 1967, the year the [New York] *Times* was declaring 4,000 women dead annually from abortion, there were 133 such deaths on

record. The *Times* had allowed itself an editorial adjustment of slightly more than 3,000 percent.”⁹

Burtchaell’s sense that somebody was cooking the numbers here was confirmed by the testimony of Dr. Bernard Nathanson, once a principal advocate of the abortion liberty and a practicing abortionist, who, after his change of mind, wrote as follows:

“How many deaths were we talking about when abortion was illegal? In N.A.R.A.L. [the National Association for the Repeal of Abortion Laws, later the National Abortion Rights Action League] we generally emphasized the drama of the individual case, not the mass statistics, but when we spoke of the latter it was always ‘5,000 to 10,000 deaths a year.’ I confess that I knew the figures were totally false, and I suppose the others did too if they stopped to think of it. But in the ‘morality’ of our revolution, it was a *useful* figure, widely accepted, so why go out of our way to correct it with honest statistics? The overriding concern was to get the laws eliminated, and anything within reason that had to be done was permissible.”¹⁰

Thus the so-called “medical” case for an unrestricted abortion liberty fails. As Burtchaell concludes,

“Abortion is undeniably a surgical procedure. But the Supreme Court speaks in blurred meanings when grounding it upon ‘clinical judgment’ and clothing it in the immunities which the people wish doctors to enjoy in their professional ministry to their patients’ health. Abortion, legal or criminal, serves no one’s health, and is no medical matter—unless those words be stretched beyond their ordinary meanings. In perhaps 99 percent of present cases it is medical only in virtue of being performed by a physician. It is no more medical than is the implantation of silicone in a hopeful lady’s bosom.”¹¹

Which brings us directly to the third point of disinformation. The statistical evidence suggests that the overwhelming majority of abortions in America are not a matter of maternal health, but of what is assumed to be convenience. Aborting an unwanted pregnancy is a way to solve a problem—with oneself, one’s career, one’s sexual partner, one’s husband. And this, interestingly enough, is the ground for legal abortion that is most consistently rejected by the majority of American citizens.

The abortion debate has, for twenty years, been bedeviled by statistical cannonading from both sides of the barricades. One ought to be

cautious in placing too much weight on any one set of numbers in so complexly controverted an argument. But some conclusions can be drawn. It is incontestably true, for example, that "the overwhelming majority of Americans believe that abortion should be legal in at least some circumstances." But it is equally true, and has been over time, that "a slim majority opposes legal abortion in most of the circumstances where it takes place today. . . . Since 1975, Gallup has found that approximately 55 percent of Americans think abortion should be available only under some circumstances." A 1984 National Opinion Research Center study shows, for example, that 54 percent "would not allow abortion 'if the family has a very low income and cannot afford any more children.' Fifty-six percent would not allow abortion 'if [the woman] is not married and does not want to marry the man.' And an identical percentage would not allow abortion 'if [the woman] is married and does not want any more children.' This last circumstance has never received majority approval. Family financial difficulty, however, has moved back and forth between majority approval and majority disapproval three times since 1972."¹² Summing up this picture, public opinion analyst William Schneider concludes that, at a minimum, most Americans refuse to "endorse abortion as a form of birth control."¹³

Finally, it is often complained that anti-abortion activists are religious sectarians, intent on imposing a confessionally-based morality on others. Three points in rebuttal should be raised.

First, *Roe v. Wade* invalidated fifty states' laws regulating or proscribing abortion, and it is impossible to argue that those laws were the expression of narrow, sectarian interests. One should also note that such laws were in force before the dramatic emergence of evangelicals and fundamentalists into the public policy arena.¹⁴

Second, and specifically to the charge that abortion is a "Catholic issue," the survey research indicates that "there is no longer any significant difference between Catholic and Protestant responses" on various questions posed about the abortion liberty.¹⁵ This tells us much, and much that is discouraging, about the educational failures of Catholicism in the United States on the abortion issue. But it just as surely falsifies the notion that opinion on the morality and legality of abortion divides along confessional lines, such that those forces gathered against the unrestricted abortion liberty can be dismissed as disaffected Catholic sectarians.

Third, it should be noted that distinguished scholars from across the spectrum of American religion have been in the forefront of the moral critique of the abortion liberty. Methodists (Paul Ramsey, Stanley Hauerwas, and Albert Outler), Lutherans (Richard Neuhaus and John Strietelmeir), Congregationalists (Harold O.J. Brown), and Jews (Hadley Arkes, David Bleich, Baruch Brody, and David Novak) have been significant figures in the theological and moral-philosophical challenge to the abortion liberty. When one adds to their number such secularist critics of abortion as Nat Hentoff and Christopher Hitchens (affiliated with, respectively, such dubiously religious-sectarian redoubts as *The Village Voice* and *The Nation*), the argument that those who oppose the abortion liberty as defined by *Roe v. Wade* are bent on imposing a confessionally-driven morality on the American people becomes, empirically, unsustainable.

In sum, then, *Roe v. Wade* is not a universally-admired piece of jurisprudence; the overwhelming majority of abortions in the U.S. are not due to threats to maternal health; the majority of the American people have not, and do not, support abortions of convenience on demand (by far the most frequent ground for abortion in the U.S.); and the intellectual forces gathered in challenge to the moral and policy logic of *Roe v. Wade* are not narrowly sectarian in character. These are not debating points. They are matters of empirical fact.

And yet, facts though they be, they have made very little difference in the public debate over the abortion liberty. If facts were the issue, the argument over abortion would have long been settled—perhaps not to the complete satisfaction of the Right-to-Life movement, and surely not to a point where public policy was completely in line with Catholic moral understandings—but settled in the sense that the open season for abortion created by *Roe v. Wade* would have been declared at an end.

That this has not happened suggests that “the facts,” important as they are, do not constitute the gravamen of the debate. “What is heard is heard according to the mode of the hearer” (*Quidquid recipitur ad modum recipientis recipitur*), taught Thomas Aquinas: which, for our purposes, means that the cultural context in which facts are “received” has a great deal to do with the way in which those facts come to bear on the public discourse. In this sense, the failure of both Catholic leadership and the Right-to-Life movement lies in that bishops, theologians,

and activists have not been able to create the cultural circumstances in which the facts—which are persuasively on the side of the anti-*Roe* forces—can be heard and acted upon in ways which our people believe are congruent with the fundamental impulses of the American experiment.

Thus the abortion argument has to be pursued at several levels. Certainly, the careful marshaling and exposition of survey data and medical evidence is important. Nonviolent direct-action protests can help demonstrate that the abortion liberty is taken with great moral seriousness by activists from across the religious, political, and economic spectra of American life. But there is another, more fundamental, task. The case against abortion on demand must be mounted in terms that speak to most Americans' intuitive understandings of the kind of people our public tradition calls us to be. How that might be done, intellectually, is the business of the balance of this chapter.¹⁶

Themes for a Reconceived Debate

1. *Whose Liberalism?*

Viewed through the prism of legal history alone, and as noted above, *Roe v. Wade* did not “liberalize” abortion law; it abolished abortion law. Yet the “liberal” moniker has stuck to *Roe*. Whatever its possible deficiencies as a constitutional argument, it is typically argued that *Roe*'s results are in line with American compassion, American tolerance, American . . . well, American liberalism, which our high culture believes, and teaches, has been and continues to be the agent of positive social change in these United States.

This claim, that the abortion liberty is a “liberal” accomplishment, must be challenged, and indeed inverted.

Without going into the argument over the ideological sources of social change in American history, it can, and should, be argued that the story of America is the story of the expansion of the community of the commonly protected—the communities for which we claim, as Americans, a common responsibility. The Framers ended religious tests for public office, and thus opened political participation in the American experiment to Catholics, Jews, and evangelical Protestants. A Civil War was fought, among other reasons, to bring black slaves into the American commons. Women were enfranchised, social security and welfare schemes adopted, civil rights and voting rights legislation enacted, and public spaces made accessible to the handicapped—all in

the name of expanding the community of common protection and mutual responsibility.

And then there was *Roe v. Wade*: a fundamental break with this pattern of expanded protection. As Archbishop J. Francis Stafford of Denver put it in his 1987 pastoral letter, “This Home of Freedom”:

“Suddenly, by judicial fiat, an entire class of human beings—the unborn—was ruled outside the boundaries of our common concern. *Roe v. Wade* was thus a profoundly reactionary decision, not a liberal one. Unless, that is, one confuses true freedom with license. And thus the confusion over the very terms of the abortion debate illustrates our profound civic need for a revived public moral discourse aimed at nurturing true freedom: a freedom that will seek to enlarge, once again, the community of the commonly protected.”¹⁷

The defenders of the rights of the unborn are the true inheritors of the American liberal tradition in its quest to draw more widely the boundaries of the American commons. Those who would defend *Roe v. Wade* are those who have broken this central pattern of American social history. Thus the pro-life cause can and should be positioned, not just as one item on the checklist of “conservative social issues,” but as a cause transcending the ideological barricades. Here, the liberty trajectory of the American experiment, in the truest sense of the term “liberal,” is being contested.

2. *Creating the Hospitable Society*

It is a truism, bordering on a triteness, to assert that America is a “nation of immigrants.” But the fact remains that most Americans are citizens of this country because their parents, grandparents, or great-grandparents were welcomed to these shores by a nation which had committed itself to a hospitable policy on immigration. There is no need to romanticize this, or to forget the “NINA [‘No Irish Need Apply’]” signs, the prejudice against southern and eastern European immigrants, or the sundry battles over assimilation which are an undeniable part of American ethnic history. But, granting all of that difficulty, the central fact remains that the United States is a country grounded on a tradition of hospitality (even rough hospitality) to the stranger.

That tradition ought to be brought to bear in the abortion debate.

Jewish and Christian religious stories and themes can be of help in reconceiving the abortion debate in the civil public square, for hospital-

ity to the stranger is a leitmotif in Biblical theology and ethics. In the Old Testament, Abraham's hospitality to strangers is part of that foundational and miraculous story in which the great, surprising gift of a son, Isaac, is given. In Luke's Gospel, two disciples, cast into despair on the road to Emmaus after the crucifixion of Jesus, discover God's saving act in raising Jesus from the dead through their hospitality to Him whom they first knew only as a stranger. The Rule of St. Benedict, that fountain of Western monasticism, binds the community to welcome the stranger as one would welcome Christ—a theme in Christian spirituality that lives today in such ecumenical settings as the monastery at Taizé, in France.

That hospitality to the stranger is a public virtue, as well as a Jewish and Christian imperative, has long been understood in the American civil religion, which itself draws largely on Judeo-Christian themes. As sociologist Robert Bellah (hardly a conservative figure) has written, "... the liberal utilitarian model was not the fundamental religious and moral conception of America, open as the latter was to the development of that model. That original conception, which has never ceased to be operative, was based on an imaginative religious and moral conception of life that took account of a much broader range of social, ethical, aesthetic, and religious needs than the utilitarian model can deal with."¹⁸

At the popular (indeed, hymnological) level of American civil religion, the American public virtue of hospitality to the stranger is aptly summarized in Emma Lazarus' poem, so frequently cited during the rededication of the Statue of Liberty: "Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore: Send these, the lonely, tempest-tossed to me. I lift my lamp beside the golden door." Is this simply what they call, on the street, "Goo-goo"? One would be hard put to make that argument to newly-arrived Vietnamese and Cambodian refugees. Whatever its literary flaws, and however vulgarized its sentiments have become through gimcrack, the Lazarus poem, and the civil religious icon it celebrates, are a more accurate rendering of the American experience, and a more truthful definition of the basic impulse of the American experiment, than the cold, unwelcoming, inhospitable jurisprudence of the Supreme Court in *Roe v. Wade*.

Thus it can, and ought to, be argued that the abortion liberty is at fundamental cross-purposes with America's founding instincts—instincts which once created a welcoming and hospitable culture. We are not that, now, on this matter of the unborn. We could be, again, if it were successfully argued that *Roe v. Wade* violates our public tradition of hospitality to the stranger. What we are doing to the unborn is deeply unworthy of us as a people. Had the immigrant been treated in the 19th and early 20th centuries as the unborn child is today, most of those contesting the abortion issue would not be in a position to do so: for they would not be Americans.

Framing the abortion debate in terms of the public virtue of hospitality to the stranger thus holds open the prospect of relating the cause of the unborn to some of the deepest impulses in the American character: impulses dulled, but not extinguished, by the logic of *Roe v. Wade*; impulses which are, in part, historically rooted in the great stories of the Biblical tradition.

3. Recognize, and act on, the fact that unwanted pregnancy is a major social problem.

Recreating a hospitable society that welcomes the stranger is more than a matter of reversing the abortion liberty, however. Those who would stand for the cause of the unborn have a parallel obligation to provide alternatives to abortion for those who do not wish to care for their children, for personal or financial reasons.

Right-to-Life advocates are often charged with being a “single-issue constituency.” That charge can be reversed if it is made clear, and not merely by assertions but by actions, that those who stand for the rights of the unborn are just as committed to providing care for women caught in the dilemma of unwanted pregnancy, and for their children. Here, for example, is an opportunity for parish-based action on Right-to-Life issues that transcends legislative petitioning.

4. Avoid all-or-nothing absolutism in framing the immediate public policy question.

Given the survey research cited above, it seems extremely unlikely that American public policy will mirror classic Catholic understandings on the morality of abortion in the foreseeable future. There is, in short, no publicly actionable consensus on an absolute proscription of abortion, and the chances for developing one seem slim.

Which does not mean, of course, that the public moral argument

over the ethical meaning of the abortion liberty should cease. It does mean, however, that one can be firmly committed to the teaching of the Church's magisterium on the morality of abortion while concurrently acknowledging that a situation in which there are 50,000 abortions per year is morally preferable to a situation in which there are 1.5 million unborn children terminated every twelve months. Firmness of principle is not *necessarily* jeopardized by a measure of pragmatism in public policy practice.

Some in the Right-to-Life movement argue that tacit "acceptance" of abortion in cases of rape, incest, or clearly demonstrated threat to maternal health, even as an interim public policy step, weakens the entire case against the abortion liberty. But it can, and ought to, be argued that public policy approaches focused on ending the practice of convenience abortion-on-demand as the first order of political business can, and ought to, be supported on three grounds: first, because they reduce the carnage; second, because this does *not* necessarily involve accommodation at the level of principled moral argument; and third, because limitations on the abortion liberty could help recreate the cultural climate of public hospitality in which arguments against the "hard case" resort to abortion can be more effectively mounted.

The argument for the right-to-life of the unborn must be contested in and out of political season. Were the Supreme Court to reverse its decision in *Roe v. Wade*, there would be fifty arguments to conduct in the states. Some of them might be quickly won. Others seem unlikely of success, at least in the short or medium term. Moreover, should pharmaceutical means of abortion replace surgical procedures, as seems likely in the next decade, the legal argument may well abate because of technological change: one finds it hard to conceive of enforceable laws which will prevent pharmaceutically-induced abortions in the privacy of the home. (Should such drugs be legally banned in the United States, itself a doubtful prospect, they would be readily available from foreign sources.)

And so, this time under the pressure of technological change, the question of recreating a hospitable and truly liberal society in which the formation of personal conscience in defense of the rights of the unborn is culturally affirmed and celebrated comes, again, to the fore. The radical nature of the abortion liberty as defined by *Roe v. Wade* should be reversed: on constitutional and moral grounds. That reversal will not,

ipso facto, bring public policy into full conformity with classic Jewish and Christian ethics—but such a reversal, should it come about, would be no merely Pyrrhic victory. It could, on the contrary, help create cultural conditions for the possibility of sustaining the moral argument for the right-to-life in the long, twilight struggle that seems inevitable, given both public opinion and medical technology.

5. *Grasp the central insight of the “seamless garment” metaphor.*

The “seamless garment” or “consistent ethic of life” approach to the ethics of public policy issues has not, to put it mildly, been favorably received by many leaders of the anti-abortion cause. Some have even suggested that the metaphor of the “seamless garment,” which links opposition to abortion to opposition to capital punishment and support for nuclear arms control in a “consistent ethic of life,” was popularized by Cardinal Joseph Bernardin of Chicago and others as a tool by which some so-called “pro-choice” Catholic politicians could demonstrate that they, too, were “pro-life” by, as it were, batting two-for-three. Such attacks on Cardinal Bernardin’s motives do little to advance the argument over the right-to-life, and over the Church’s proper role in the public policy arena.¹⁹

There are, to be sure, troubles with the metaphor, as with any popularization of moral theology. If the “consistent ethic” argument is used to buttress the view that the entire Right-to-Life movement is an example of that bogeyman, the “single-issue constituency,” then it damages both the cause of the unborn and the Church’s legitimate claim to a voice in the civil public square.²⁰

Moreover, the moral reasoning applicable to, say, nuclear force modernizations, the Strategic Defense Initiative, and the ethics of deterrence is rather different from the moral reasoning to be applied to the abortion liberty as defined by *Roe v. Wade*. Both arguments appeal to the sacredness of human life; but the moral calculus involved in addressing these two sets of public policy issues is not identical. One does not argue against the abortion liberty through the canons of just-war theory. Nor is there such consistent opposition to capital punishment in Catholic moral doctrine as there is to abortion.

Finally, it is said, with considerable justification, that abortion is taking 1.5 million lives annually in the United States, while no one has been killed by a nuclear weapon since August 9, 1945. The urgency of the case for the right-to-life of the unborn, it is argued, should not be

blunted by blurring the present danger posed by the abortion liberty.

The "seamless garment" metaphor is not, then, an all-purpose solution to problems at the intersection of Catholic moral teaching and American public policy.

On the other hand, and taken out of the hyper-ventilated political context of the 1984 presidential election campaign, during which it was first enunciated (and in which it has tended to remain lodged), the "seamless garment" metaphor can be seen to contain an important truth: namely that the debate over the right-to-life of the unborn has to be located, culturally, within the more general Catholic moral obligation to build a public moral culture capable of sustaining the hospitable society. The right-to-life of the unborn will be secured and safeguarded over the long term only in an America that has become a true community of public virtue.

Self-governance requires, in Stanley Hauerwas' happy formulation, a community of character. The abortion liberty has been defined, and culturally affirmed, in America. That fact cannot be avoided. Something is deeply wrong with the public ethic of a society in which the most helpless among us are without legal protection. That the unborn stand, legally, naked before their enemies, and that the enemies in question are their parents and physicians, ought to rend the conscience of the nation. We have not yet built here a true City, a hospitable society which welcomes the stranger and offers him or her the protection of the commons. We are not yet a community of character. And the implications of that failure of public virtue touch more than the bitterly-foreshortened lives of the unborn (whom we believe to rest in the care of God).

If the consistent ethic of life or the "seamless garment" metaphor serves to draw our attention to the cultural struggle that lies at the root of the legal and political battle over the abortion liberty, it will serve a useful purpose. There are many possible interpretations of the "seamless garment." And it behooves those who, correctly in my view, insist on the radical urgency of the task of protecting the lives of the unborn to advance their own understanding of the cultural renewal to which the "seamless garment" points us, however incompletely.

Staying the Course

Addressing the National Right to Life Convention in New Orleans in June 1987, Congressman Henry Hyde offered this counsel to the foot

soldiers in the cause of the unborn:

"Never forget that we are not playing to the galleries. We are witnesses to the truth. We are playing to the angels, and to Him who made the angels. If this movement was reduced, as another movement once was, to a dozen frightened people in a dark room, the cause would still be right, and the cause would go on. The truth of what we do is not measured by the numbers we gather on these and other occasions."²¹

Which is certainly true. On the other hand, one would like to have the numbers. Some in our culture will, like the guests repeatedly invited to the Biblical wedding feast, refuse to budge on the matter of the abortion liberty; "the numbers" will never be unanimous. But the premise of this chapter is that those numbers can be gathered, and to a critical mass sufficient to sustain a hospitable society in which convenience abortions-on-demand are culturally as well as legally proscribed: *if* the abortion debate is located in a context which explicitly relates the right-to-life of the unborn to foundational themes in the American experiment. That those founding themes are drawn, in significant part, from the Biblical tradition should put the Church in a distinctive position to broker a reconceived abortion debate. That the abortion liberty represents a radical break with the community-expanding trajectory of American liberalism suggests important possibilities for reversing the terms of the cultural indictment in this contest.

Yes, in the final analysis, we are playing to the angels here. But the public policy game isn't over by any manner of means. A reconceived debate over the abortion liberty holds out the prospect of contributing to an even broader renewal of American culture and society. There is time for neither exhaustion nor despair. There is time, and need, to reformulate the argument on ground more likely to result in both cultural and legal protection for the right-to-life of the unborn—and indeed, of all Americans, for as John Noonan has written,

"No 'discrete and insular minority' can feel secure when its constitutional existence may be affected by the exercise of . . . raw [judicial] power. And we are all members of discrete and insular minorities, depending on the criterion employed to set up the categories. The population may be divided a thousand ways to suit the preferences of the judges, who have power to define who is a person, who have even power to declare who is alive. If it becomes settled that it is the

Supreme Court's will that confers personhood and existence, no one is safe."²²

Nor, it hardly needs be added, is the American experiment in ordered liberty.

NOTES

1. New York: Random House, 1978.

2. Stanley Hauerwas, *A Community of Character* (Notre Dame: University of Notre Dame Press, 1981), pp. 199, 201.

3. Perhaps the most blatantly unembarrassed example of this coarsening was Barbara Ehrenreich's "Hers" column in the February 7, 1985 *New York Times*. Wrote Ehrenreich (a prominent feminist and democratic socialist): "Quite apart from blowing up clinics and terrorizing patients, the antiabortion movement can take credit for a more subtle and lasting kind of damage: It has succeeded in getting even pro-choice people to think of abortion as a 'moral dilemma,' an 'agonizing decision' and related code phrases for something murky and compromising. . . . In liberal circles, it has become unstylish to discuss abortion without using words like 'complex,' 'painful,' and the rest of the mealy-mouthed vocabulary of evasion. Regrets are also fashionable, and one otherwise feminist author wrote recently of mourning, each year following her abortion, the putative birthday of her discarded fetus.

"I cannot speak for other women, of course, but the one regret I have about my own abortions is that they cost money that might otherwise have been spent on something more pleasurable, like taking the kids to movies and theme parks. . . .

"From the point of view of a fetus, pregnancy is no doubt a good deal. But consider it for a moment from the point of view of the pregnant person (if 'woman' is too incendiary and feminist a term) and without reference to its potential issue. We are talking about a nine-month bout of symptoms of varying severity, often including nausea, skin discolorations, extreme bloating and swelling, insomnia, narcolepsy, hair loss, varicose veins, hemorrhoids, indigestion and irreversible weight gain, and culminating in a physiological crisis which is occasionally fatal and almost always excruciatingly painful. If men were equally at risk for this condition—if they knew that their bellies might swell as if they were suffering from end-stage cirrhosis, that they would have to go for nearly a year without a stiff drink, a cigarette or even an aspirin, that they would be subject to fainting spells and unable to fight their way onto commuter trains—then I am sure pregnancy would be classified as a sexually transmitted disease and abortions would be no more controversial than emergency appendectomies."

4. Cf. Richard John Neuhaus, "The New Eugenics," *Commentary*, April 1988.

5. This may well have been due in part to the tendency of American Catholic medical ethicists to focus their primary attention on the morality of the act of abortion itself, or, in the most radical cases, to locate the abortion liberty within the feminist agenda. Daniel Maguire, for example, argues that describing abortions as "butchery and murder . . . makes forty to fifty million women butchers and murderers every year. That is a sweeping judgment of a huge part of humanity, the feminine part, and the implications of that judgment . . . are sexist." Similarly, Maguire argues that, among the primary causes of unwanted pregnancy, are "sexism" and "the cult of romantic love." Maguire hopes that his position will help "to get this abortion bone out of the Catholic throat so that we can get on to more important pro-life issues." Cf. "The Catholic Legacy & Abortion: A Debate," *Commonweal*, November 20, 1987, pp. 671, 661, 657.

6. For a review of the critiques, cf. John T. Noonan, Jr., *A Private Choice: Abortion in America in the Seventies* (New York: The Free Press, 1979), pp. 29-31. Writes Noonan, "Critics did exist who condemned *The Abortion Cases* by asserting that the Court could not add to the written Constitution. Critics did exist who were as outraged by what the Court had done to the unborn as by what it had done to the Constitution. [Alexander] Bickel, [Archibald] Cox, [John Hart] Ely, [Richard] Epstein, and [Harry] Wellington, however, were five critics who were neither fundamentalists in constitutional theory nor champions of the cause of the unborn. They accepted constitutional development by judicial interpretation as necessary. . . . They showed no special commitment to the anti-abortion side. In their cool professional judgment, *The Abortion Cases* were indefensible because they had a basis neither in the Constitution nor in a principled interpretation of the Constitution. . . . The balance of expert opinion viewed the liberty as a disaster. . . .

"[And] the judgment was remarkably harsh: without principle, a failure; a refusal of the Court's own discipline, a transgression of all limits, something that will not do; naked political preference, comprehensive legislation, invisible standards . . . an advertising agent's view of doctors, Pickwickian, beyond the outer limit of legitimate authority. . . .

"Scholarly authority judged the liberty to lack constitutional basis. Its establishment, as Justice [Byron] White had said, was an act of raw judicial power."

7. Cf. *ibid.*, pp. 10-12. Noonan's summary: "The restriction on the liberty [in *Roe v. Wade*] appeared to be

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illusory. For the nine months of life within the womb the child was at the gravida's [i.e. mother's] disposal—with two restrictions: She must find a licensed clinic after month three; and after her child was viable, she must find an abortionist who believed she needed an abortion. When the full dimensions of the liberty were realized, the liberty was little short of unlimited."

8. James T. Burtchaell, *Rachel Weeping: The Case Against Abortion* (San Francisco: Harper & Row, 1984), p. 62.

9. *Ibid.*, p. 65. Burtchaell's study also addresses the question of whether figures on maternal mortality due to illegal abortion might be affected by doctors' unwillingness to ascribe death to an illegal procedure, and cites an authoritative Minnesota survey which "found that during twenty-four years criminal abortions accounted for a total of twenty-eight deaths in Minnesota: an average of 1.2 deaths per year. This would equal about 1 percent of the death rate from illegal abortion then being claimed by abortion advocates" (*ibid.*).

10. Bernard Nathanson, with Richard Ostling, *Aborting America* (Garden City: Doubleday, 1979), p. 193.

11. Burtchaell, *op. cit.*, p. 68.

12. "Split Verdict: What Americans Think About Abortion," *Policy Review*, Spring 1985, p. 18.

13. Cited in *ibid.* Two other related points may be of interest. According to *Policy Review*, "This most divisive of issues causes fewer rifts between different population groups than one might suspect. Abortion is considered a 'woman's issue,' but men and women divide nearly identically on most questions, and on those occasions where they differ, women are usually less approving of abortion than men. One explanation of this discrepancy is that woman are more religious than men, as measured, for example, by their church attendance—an influence that makes a difference in other groups as well. Church attendance probably explains why a greater percentage of non-whites than whites want abortion illegal in all circumstances—26 percent vs. 15 percent in 1983" (p. 19).

That notable discrepancy between men's and women's attitudes toward abortion may also reveal something else—namely, a pattern of male exploitation and lack of moral responsibility that runs against the claims by militant feminists that the abortion liberty is a *sine qua non* for establishing women's equality in society. In fact, legalizing the abortion liberty may well have culturally validated a pattern of discrimination in sexual relationships in precisely the opposite terms to those anticipated by ideological feminism.

14. Writes John T. Noonan, and in reference to the debate over abortion law at the state level in the late 1960s and early 1970s, "No one aware of these struggles for the public mind between 1967 and 1973 could have said that the abortion laws in force were the result of apathetic acquiescence in the values of an earlier age. No one aware of the changes made and the changes rejected [in state abortion statutes] could have termed the laws archaic. They were either freshly minted, carrying the seal of approval of the American Law Institute on their alterations, or freshly affirmed, carrying either the seal of newly elected legislatures composed of men and women or the stamp of the people voting as a body directly on the issue" (Noonan, *A Private Choice*, p. 34).

15. *Ibid.*

16. In taking the following tack, I realize (with some trepidation) that I am proceeding against the counsel of two of the finest theologians who have turned their talents to the case against abortion: Stanley Hauerwas and James T. Burtchaell.

Hauerwas argues that "Christian opposition to abortion on demand has failed because, by attempting to meet the moral challenge within the limits of public polity, we have failed to exhibit our deepest convictions that make our rejection of abortion intelligible. We have failed then in our first political task because we accepted uncritically an account of 'the moral question of abortion' determined by a politics foreign to the polity appropriate to Christian convictions. We have not understood, as Christians, how easily we have presumed that the presuppositions of our 'liberal' cultural ethos are 'Christian.' As a result, our temptation has been to blame the intractability of the abortion controversy on what appears to us as the moral blindness or immorality of pro-abortionists. We fail to see how much of the problem lies in the way we share with the pro-abortion advocates the moral presumptions of our culture." ("Abortion: Why the Arguments Fail," in *A Community of Character*, pp. 212-213).

Burtchaell took a parallel course in his celebrated 1987 debate at Notre Dame with pro-abortion theologian Daniel Maguire, arguing that it was our putting-on, as it were, of the story of Jesus and our acceptance of the "radical, prophetic imperatives that the new Christian faith put before those who would live in the Spirit and fire of Christ," which created the ground on which Catholics could make the moral case against abortion intelligible—to themselves as a faith community, and to others. (Cf. "The Catholic Legacy & Abortion: A Debate," pp. 657-680.)

Both Hauerwas and Burtchaell may well be right—I rather suspect they are—that gathering a religious will to oppose the abortion liberty requires, in the first instance and within the Catholic Church, a connection of this issue with one's ongoing experience of conversion to Christ. The central Catholic answer to the question "Why not abortion?" is, as Hauerwas and Burtchaell insist, "Because of who we are as Christians," rather than "Because the Church teaches that abortion is wrong." Putting on Christ means saying no

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to abortion (and to many other things as well), because “. . . we see in the fetus nothing less than God’s continuing creation that is destined in hope to be another citizen of his Kingdom” (Hauerwas, “Abortion: Why the Arguments Fail,” pp. 227-228). All this is agreed.

Where I would break with Hauerwas is on his insistence that American culture is primarily “liberal” (i.e. primarily concerned with individual “rights” largely devoid of a sense of concomitant responsibilities) in its founding ideas and current ethos. As the argument in the first chapter suggests, there were, and are, other currents in play. They can, and ought to, be exploited in the public argument against the abortion liberty.

On the question of the importance of the “public” character of the argument sketched below, the reader is referred to the previous chapter, and its claims for the necessity of a “mediating” language in the civil public square.

17. J. Francis Stafford, “This Home of Freedom: A Pastoral letter to the Archdiocese of Denver,” May 28, 1987, reprinted in *This World* 18 (Summer 1987), p. 100, #66.

18. Robert Bellah, *The Broken Covenant: American Civil Religion in Time of Trial* (New York: Seabury Press, 1975), p. xiv.

19. On the other hand, Cardinal Bernardin did little to blunt criticism of the “consistent ethic” when he told diocesan social action directors and staff in February 1988 that “the Consistent Ethic provides a grid for assessing party platforms and the records of candidates for public office.”

20. The “single-issue” charge also ignores the fact that the abortion liberty as defined by *Roe v. Wade* has implications for a host of other public concerns. In John Noonan’s view, *Roe*’s abortion liberty is also a profound threat to the structure of the family, oppressive to the poor, a violation of the classic canons of the medical profession, and damaging to the interests of women; it has encouraged the coercion of conscience by the state and by private institutions dependent in part on state funds; it has damaged the federal structure of our governance; it has debased our language in a dangerously Orwellian fashion; it has coarsened our moral sensibilities in this age of Auschwitz—all in addition to its drastic toll in human life (*A Private Choice*, pp. 190-192). Thus it can and should be argued that the abortion liberty is the centerpiece of a complex of issues, and thus cannot and should not be dismissed as a “single-issue.”

21. Henry J. Hyde, “Welcoming the Stranger: A Bicentennial Reflection,” *Human Life Review* 13:3 (Summer 1987), pp. 10-11.

22. Noonan, *A Private Choice*, p. 189.

Exporting Contraception

Carl A. Anderson

THE KNIGHTS OF COLUMBUS is a family-oriented Catholic fraternal organization of over 1.4 million members, mostly in the United States but also with substantial membership in Canada, Mexico, the Philippines, the Dominican Republic, Panama, Puerto Rico, Guam, Guatemala, and the Virgin Islands. Since its founding over a century ago, the Knights have been dedicated to the proposition that Catholic faith and American citizenship can go hand in hand.

In keeping with that founding proposition, the Knights have always believed that while no church can impose its theology on other members of our pluralistic society, nonetheless, the Catholic ethical tradition contains insights which can be of benefit to our fellow citizens, both at home and around the globe. Accordingly, the Knights have never hesitated to provide their fellow Americans with sound advice capable of appealing to all persons of good will.

It is in this capacity that we look at the question of American aid to overseas programs of population control. We see outright abuses of human rights in the programs that the United States once funded and is now considering funding again. I would like to stress that it is not solely because of our Catholic faith that we detect these abuses. I am speaking not of violations of Catholic teachings, but of violations of human rights.

I begin with the fundamental premise of all population control programs—that overpopulation is a real and grave threat, that it exists independently of other variables, and that it must be attacked directly and quickly, by whatever means necessary. As a scientific thesis, this view is now under intense attack, to such an extent that it no longer deserves to dominate American foreign aid policy as it has in the past.

Since the peak of the overpopulation scare in the late 60s, many scientists have reexamined the evidence and concluded that the first wave of dire demographic predictions was grossly misleading. Economists and demographers such as Julian Simon of the University of

Carl A. Anderson, Esq., is Vice President for Public Policy for the Knights of Columbus. This article is adapted from his testimony before the Subcommittee on Foreign Operations of the U.S. House of Representatives on April 24, 1989.

Maryland, Jacqueline Kasun of Humboldt State University in California, Ben Wattenberg of the American Enterprise Institute, Pierre Chaunu of France, Basil Yamey and Lord Peter Bauer of Great Britain, Colin Clarke of Australia, and others, have examined this issue and concluded that the assumptions and predictions of the overpopulation school of thought were for the most part erroneous.

Notwithstanding this barrage of criticism, the overpopulationist viewpoint continues to dominate elitist policy-making circles far beyond its scientific merit. I suggest that it does so because it seems to offer a simple and governmentally administrable approach to problems that in fact require economic and political reforms of a sort that governments tend to resist.

As the critics of the overpopulationists have pointed out, local symptoms of overpopulation occur because of misguided governmental policies in developing countries. These governments are often seduced by a presumed need for rapid industrialization at the expense of agriculture; they also recognize a pragmatic need to shore up their support in their capital cities at the expense of the countryside. Thus, industry is subsidized at the expense of agriculture, and prices of agricultural products are kept artificially low so as to curry favor with the citizens of the capital. These policies depress agricultural production, and provoke people to leave the countryside and flock into the cities.

As a result of these and other policies, the cities become overcrowded, and food production lags. Fundamental reforms of resource allocation could solve the problem. But the international organizations—with support from the United States up until five years ago—give these governments the opportunity to run for cover behind the smokescreen of “overpopulation.” They put the blame on human reproduction, instead of on government policies that promote agricultural underproduction. While they can and should grow more food, the international organizations tell them instead to grow fewer people.

In fact, the new school of demographic economics has shown that the entire population of the world right now could fit into the state of Texas, with elbow room. People are not the problem.

Not only are people not the problem—they are part of the solution. Human beings are producers as well as consumers. They work, they build, and they invent. Industry and agriculture do more than merely process a fixed quantity of resources. They also invent and discover

new resources, and turn previously useless materials into valuable resources. In the early nineteenth century, there was a trend in fashionable opinion that had it that the world would soon end because it was running out of coal. In fact, not only have better methods of extracting coal been developed, but also, and more importantly, other sources of energy were discovered.

Similarly, there was a scare over the supposed shortage of copper in the 1950s and 60s. Today there is a copper glut. What happened was that human ingenuity found alternatives to copper for use in electronics and telecommunications.

As for the core question of food, for the years 1950 to 1977, the United Nations reports a 28 percent rise in food production; the U.S. Department of Agriculture says it's 37 percent. Both sources report that since 1977, food production has continued to outpace population trends. Unfortunately, both food and population have been outpaced by the production of propaganda claiming we are producing more people than we can feed.

Certainly more can and should be done to increase world food levels. Professor Colin Clark estimates that merely using up-to-date farming techniques could provide an American-level diet for 35 *billion* people, or a Japanese-level diet for 105 *billion* people. The world's people need farming assistance, not population control.

They also need economic development—but that is a truism. What too often passes for economic development in the Third World is merely a state-directed economy. In those Third World countries that have boot-strapped themselves up to prosperity, accommodating large population increases in the process, the success factor is always the same: an economy that allows for private initiative. This, and not birth control, is what we should try to export if we are truly concerned about the well-being of Third World peoples.

In short, the population control movement treats an epiphenomenon as if it were the core problem. It ignores the disease in order to cure one symptom. It rests on too shaky a scientific ground to furnish a basis for the expenditure of millions of American tax dollars.

In addition to problems in the theory of population control, there are grave problems as well in its execution. Most grave among these is the problem of coercion.

In 1984, an American graduate student doing research among peas-

ants in China was thrown out of that country for revealing something that the Chinese government had been trying to keep secret: that, in pursuit of population control goals, the Chinese government carries out a horrific program of forced abortion. The student, Steven Mosher, talked with many women who told of interminable harangues by population control cadres, followed by the dragging of nine-months-pregnant women screaming into abortion tents.

At this stage, of course, the child is indistinguishable from a newborn. The typical abortion methods are the "poison shot" given to the mother, which causes a stillbirth, or the injection of poison directly into the brain of the infant.

China's population control program has received both money and awards from the United Nations Fund for Population Activity. Up until 1985, UNFPA received funds from the United States.

Since 1985, the Chinese embassy has been pushing two lines: that such coercion was the work of over-zealous local cadres, and that the government has moderated its coercive policies. Many American policy makers and opinion makers have accepted these lines in a remarkably uncritical fashion. Few if any such persons would accept similar disclaimers and exculpations if they came from, for instance, the embassy of South Africa.

A different story emerges from directives intended for consumption within China. Many of these have been collected by John Aird, former Senior Research Specialist on China at the U.S. Bureau of the Census. I will quote from his research.

For a brief period in late 1984 and early 1985, directly following Dr. Mosher's revelations and the cut-off of American support for forced abortion programs, Chinese government directives called for moderation of "coercion and commandism." But the change was short-lived.

The language used in official population directives—the orders that go from Beijing to local cadres—soon changed, so that the cadres were being told to "take action" on population control, and to do so "strictly," "resolutely," "firmly," and so forth. During the 1984-85 lull in coercive measures, the cadres relied instead on verbal propaganda in favor of one-child families. But the later directives specifically condemned verbal propaganda as "empty talk." In March of 1987 the province of Guangxi told its family planning cadres to "guard against empty talk and do more practical work."

In January of 1988 a Beijing official made a speech to a conference of sub-directors of family planning commissions. The speech was monitored by FBIS and said in part: "To solve these problems we cannot rely on slogans alone. We must have a great deal of determination, a resolute attitude, and solid performance."

Just two months ago Dr. Blake Kerr, a physician who recently worked in Tibet, published an article in the *Washington Post* giving grisly details of China's birth control policy as an instrument of oppression against Tibetans. Dr. Kerr spoke with three women whose healthy newborns were killed by lethal injections in the soft spot on their foreheads. A pair of refugee Buddhist monks told him of seeing women nine months pregnant being forced into abortion tents and getting their babies ripped out without even ordinary medical care.

In the words of the monks: "We saw many girls crying, heard their screams as they waited for their turn to go into the tent, and saw the pile of fetuses build outside the tent, which smelled horrible."

The monks also added this: "The birth-control teams were instituted in 1982, but since 1987 there has been a tremendous increase in the number and frequency of the teams that move from town to town, and to nomad areas."

So much for China's claim to be tapering off its coercive habits.

Dr. Kerr adds that he does not wish the Tibetans' woes to be exploited as part of an American policy debate. We agree with him that the Tibetans' problems go beyond the genocidal treatment that he has reported, and that China's human rights violations should be addressed in their totality. But surely a good place to start would be to avoid dipping our hands in the Tibetans' blood, as we would be doing if we resume funding their oppressors through UNFPA. Such crimes against women and humanity should stiffen our resolve never to permit U.S. funds or other assistance to support or endorse in any way this type of national or international population control program.

Coercive abortion and sterilization programs such as we find in China are the worst abuse in the world of population control, but they are not the only abuses. Even when direct brutality is absent, deception often takes its place. Despite the claims of population control organizations to be serving a desperate need among Third World women, there is evidence that Third World women are being deceived into accepting "services" that they do not fully understand and that are not being

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adequately explained to them. This deception is being carried out by several international population control organizations, in conjunction with Third World governments, using First World money.

For instance, women are often not told of the abortifacient effects of the devices and chemicals they are being given. People of a wide variety of views on abortion should be able to agree that women who are being given abortifacients have the right to be informed of this fact. Likewise their husbands have the right to know whether they are being tricked into collaborating in aborting their own children.

The World Health Organization administers an "antifertility vaccine" about which a W.H.O. internal publication had this to say: "The active principle of this vaccine is a peptide immunogen that was specifically designed to elicit immunization against the hormone human chorionic gonadotrophin (hCG) . . . which plays a crucial role in the establishment *and maintenance* of early pregnancy." (*Progress*, bulletin of the World Health Organization Special Program of Research Development and Research Training in Human Reproduction, no. 1, p. 5; emphasis added.)

The technical language must not be allowed to obscure the difference between preventing the establishment of a pregnancy, and preventing the maintenance of one. It is the difference between a mere "antifertility vaccine"—as the drug is called when it is administered to Third World women—and an abortifacient.

The research and development priorities of the W.H.O. show no regard at all for the prophylactic/abortifacient distinction. Given that even supporters of legal abortion in this country are often critical of the use of abortion as a back-up contraceptive, American policy should make funding for international population control organizations strictly conditional on evidence of greater sensitivity by those organizations on this and similar points.

If such organizations choose to reject the human right of life in this manner, they should at least respect the right of Third World families to make their choices with full knowledge, rather than deceiving them into committing abortion. Until the United States has assurances that such abuses no longer occur, and will not recur, such groups do not deserve American funds.

Even when abortifacients are not directly at issue, important questions of deception remain. The population control organizations do not

always display the regard for the health of Third World women that they claim as their primary motivation. Many devices and chemicals that they use have serious side effects. The population control organizations, to say the least, have not been zealous in detecting and eliminating these dangers.

The W.H.O. promotes the intra-uterine device, which, in addition to being an abortifacient, has been the subject of successful litigation in this country because of the severe physical harm it has done to women who have used it.

The IUD has frequently been linked to pelvic inflammatory disease. And the May 1983 edition of the *Journal of Reproductive Medicine* reported that 49 percent of women using IUDs suffered inflammation of the fallopian tubes, while only one percent of non-users had this affliction.

International Planned Parenthood continues to make use of Depo-Provera, an abortifacient drug that has never been approved for use in the United States. One must ask why one set of safety standards is being applied to the women of the United States, and another one—a lower one—to the women of the Third World. We believe this double standard opens the U.S. to charges of racism—as does much of the practice and rhetoric of the population control organizations. This double standard does not deserve American financial support.

Another manifestation of the unwillingness of the population control groups to deal candidly or humanely with the people they are supposedly helping is the fact that some of the devices and chemicals used have long-term sterilizing effects, of which Third World families are not informed.

In 1972, an editorial in the *British Medical Journal* noted: "A disquieting feature of treatment with oral contraceptives is receiving increasing attention among gynecologists. This is that some women, on discontinuing the use of oral contraceptives, do not experience a normal return to menses but may remain amenorrheic for years."

The technology of oral contraceptives has improved since 1972, but not so as to solve the problem of the atrophying of the ovaries from prolonged artificial suppression.

Women in industrialized nations can get this information if they want it. Third World women by and large cannot, and the population control organizations are not anxious to give it to them.

Even those who believe it necessary for Third World women to be encouraged to limit their fertility should balk at measures that may end up sterilizing them for good, especially when they are not even warned of this possibility.

We are also concerned that an entire field of family planning options—the natural methods—have been given cavalier treatment by international population control organizations.

The old reason for this—frequently trotted out as though it were new—is that natural family planning means nothing more than the “rhythm” method, which is unreliable. The organizations have studiously avoided taking account of new advances in natural methods, for instance, how the Billings method and the symptothermal system have given natural methods an effectiveness rate equalling or surpassing that of the barrier and chemical methods.

Now that these improvements have taken place, the continued systematic ignoring of the natural methods stands exposed as resting on something other than a scientific basis. One factor may be institutional hostility towards the Catholic Church, which actively promotes natural methods for those cases where postponement of childbearing is desirable. Also, one cannot ignore the fact that the natural methods, by definition, use no manufactured chemicals or devices, and therefore hold out no prospects of profits for giant pharmaceutical companies or their agents.

When assessing “effectiveness,” we must ask: effective for what, and for whom? A contraceptive that permanently destroys the fertility of a woman who only wanted to postpone childbirth may be “effective” from the standpoint of lowering overall human fertility, but it is not “effective” in any human sense of the term. Third World women are not laboratory animals; yet groups that press abortifacients and contraceptives on them, while keeping them in the dark as to possible side effects, treat them as though they were.

Natural family planning, by contrast, always leaves open the possibility of future fertility. It is free of abortifacient or sterilizing side effects. It teaches women more about their own bodies.

Equally important is the effectiveness of natural methods on the attitudes of husbands. It causes husbands to respect their wives’ natural feminine functions, as opposed to treating them as perpetually available sex objects. It encourages husbands to behave as partners in the regula-

tion of fertility, and it frequently promotes dialogue, respect, and genuine equality between marriage partners. It thus achieves many of the goals that feminists rightly desire for women.

Furthermore, natural methods are ideally suited for people in poorer countries, because they do not depend on expensive hardware or chemical preparations.

All these features would seem to make natural family planning an important component of international family planning efforts, perhaps even the preeminently favored method. But as I have mentioned, natural methods have been virtually frozen out. The W.H.O. funds some research into natural methods, but they are at the bottom of W.H.O.'s funding priorities.

The W.H.O. sponsored a workshop in Warsaw in 1986 on "Natural Methods of Family Planning in a Non-Religious Context." The Knights of Columbus have no objection to advancing natural family planning on a non-religious basis, since we believe the secular arguments in favor of it are more than adequate. But it turned out at this conference that the word "natural" was being used to include artificial barrier methods. Furthermore, the term "non-religious" turned out to be nothing more than a device for eliminating any method that involves periodic abstinence.

At this conference, any method involving periodic abstinence was dismissed as "culture-bound." The conferees were blind to the cultural bias on their own side. Funding for the W.H.O.'s population activities comes mainly from the United Kingdom, Sweden, Norway, and Denmark—all nations where contraception has become woven into the fabric of culture. It would seem that the governments of those countries are trying to impose their culture on the Third World, while rejecting alternative voices as "culture-bound."

While some of the population control organizations have begun to open up to natural methods, they often do so with restrictions that negate this opening. For instance, they require that those that they fund to give counselling in natural methods also counsel for artificial ones and even for abortion. This is something that the vast majority of natural-method organizations cannot do for reasons of conscience, so they are debarred from receiving grants from the major international organizations.

To sum up, the Knights of Columbus believe that international popu-

lation control programs are an unfair imposition of a pseudo-scientific ideology on the developing world, and often an unjust collaboration with totalitarian or authoritarian regimes in the Third World.

- Such programs rest on a shallow scientific footing, far below what the U.S. Congress ought to require as a prerequisite for funding;

- They sometimes involve violent coercion, contrary to the most elemental notions of human rights;

- They allow Third World governments to ignore needed economic and political reforms while concentrating on a transitory epiphenomenon;

- They ignore the human rights of women and men in the Third World by failing to disclose possible side effects of the drugs and devices being used;

- They ignore safe natural methods in favor of the often dangerous methods in which multi-national pharmaceutical companies have a stake.

Indeed, the population control organizations are engaged in what can fairly be called worldwide missionary work on behalf of their worldview. That is their right, but there is no reason for American taxpayers to support this missionary work.

In passing H.R. 3100 in 1987 to authorize international security and development assistance programs for fiscal year 1988 and 1989, the House strongly condemned the continued violation of human rights by the People's Republic of China through its one-child-per-family policy, and called upon the President and the Department of State to urge the government of China "to cease immediately this repressive policy." We urge the Congress to take this laudable action again.

We strongly urge the Congress to maintain its bi-partisan support of the "Mexico City Policy" adopted by the United States Government in preparation for the International Conference on Population that took place in Mexico City in 1984.

We continue to support the cut-off of U.S. tax dollars to organizations overseas that promote or perform abortions, or that support or assist governmental population programs that include forced abortion or sterilization.

And we urge the United States to take all necessary steps—including the cut-off of assistance to organizations such as the World Health Organization and the United Nations Fund for Population Activities—

to restrain the promotion, testing, and distribution of abortion-producing drugs such as RU-486.

Finally, we hope that such funds and other assistance would be re-directed toward programs consistent with their basic human rights and the needs of women and children in the Third World, such as natural family planning and prenatal and neonatal health care. In these ways, the United States would continue to implement the principle approved by the 1984 Mexico City International Conference of Population: that abortion is not an acceptable means of family planning, whether or not it is imposed on families by governments.

As an alternative to the pseudo-scientific ideology that lies behind the population control movements, the Knights of Columbus propose a vision that the great Protestant moral theologian Paul Ramsey called "fundamental in the edifice of Western law and morals." That vision is, again in Professor Ramsey's words: "the notion that an individual human life is absolutely unique, inviolable, irreplaceable, non-interchangeable, not substitutable, and not meldable with other lives. . . ."

Population goals and policies must not be considered as ends in themselves, but rather as elements of economic and social strategies which themselves are in the service of men and women. As such, they must always be kept consistent with basic human rights, and serve to support the integrity of the human person, the autonomy of the marital couple, and the right of self-determination of the family.

Any proposal for international economic development that ignores this view of the human person is a blueprint for tyranny. The Knights of Columbus believe that international population control programs—especially those that feature coerced abortion and deceptive promotion of abortifacient drugs—constitute just such a tyrannical blueprint, and we urge that the United States have nothing to do with funding them.

A Child to Lead Us

Christine Allison

WE HAVE LEARNED A LOT since that afternoon in March, a year ago, when our daughter Chrissie, just a few minutes old, took our family by the hand and gently led us into the world of the handicapped. Chrissie was born with Down Syndrome. A mysterious bit of chromosomal protein created her almond-shaped eyes, squared-off ears, tiny nose, and low muscle tone. It created some mental and physical retardation, but we don't yet know how much. It also caused a complex heart defect called Tetralogy of Fallot, which will require heart surgery. The odds are good, about twenty to one, that she will survive the surgery and will be restored to a practically normal existence.

Chrissie has it harder than most kids, and she will spend much of her life getting to a place that, for most people, is Square One. But because of great medical and scientific developments, she will get there. And though it will never be easy for her, none of the hurdles in Chrissie's future are even remotely more threatening than what she has already survived. Four out of five Down Syndrome babies die in miscarriage during the first trimester. Those miraculous few who are not miscarried must then face the considerably-worse odds of surviving "prenatal testing." The world of prenatal testing is without doubt the most perilous of all: a place where a child may find an adversary even in his own mother.

It is a terrible irony that the world which has given Chrissie the penultimate—a chance to live a normal life—is the same world that may well extinguish the last person of her kind. But these are the terms of the new medicine. Over the past two decades, while one branch of the medical sciences has sought with extraordinary success to eradicate the worst effects of retardation in Down Syndrome people, another branch has sought simply to eradicate people with Down Syndrome. The forces of the latter have just introduced a new prenatal test, easily administered and predicted to cut the Down Syndrome newborn population by ninety percent in the United States. The next time you see a

Christine Allison is the author of *I'll Tell You a Story, I'll Sing You a Song*; she is currently working on a new book for parents on morals and spiritual growth for children.

Down Syndrome person sweeping a McDonald's or bagging groceries or riding in a yellow school bus with "normal" children, look hard. You are looking at a dying species.

Prenatal testing, just a few years ago, seemed a peripheral matter, an option unevenly offered to women of educational or financial privilege. I had always thought those tests were for the kind of people who get prenuptial agreements, as if love—or life—ought to come with a receipt. This is no longer the case: prenatal testing is now the medical rule, rather than an idle option. Amniocentesis for pregnant women who are 35 or older is now recommended just as surely as milk-drinking is. But amniocentesis is an abortion sentence for any child discovered in utero to be "flawed." I recall how the conversation came to a screeching halt when I casually announced to my obstetrician that I was not going to take any of "the tests." It was a major breach of patient's etiquette, to be sure, and what followed was a form of intimidation that an unresolved mother might not have survived. Surely, a Down Syndrome fetus would not have survived.

Of course, while we were assuaging our respective consciences, neither my doctor nor I knew that deep within my womb an extra chromosome was informing each cell in Chrissie's body as to who she was and who she would be. As I have learned since her birth, Chrissie is not a normal person who was twisted by genetic mishap. Every cell in her body is different from every cell in yours and mine. This is not to say she is inhuman. She is, quite simply, another biological version of the human species. Certainly a slower version, and certainly a gentler one. In that sense, she is perfectly who she is.

But there is more to know about Chrissie and those like her. And mothers, especially those over 35, know little but their own fears on the subject. For the 35-plus mother, Down Syndrome is different from the other genetic and neurological errors that might befall their newborn; most mothers understand very clearly that the chances of having a Down child relate directly to age and that the odds get significantly worse each year.

The chances of bearing a Down Syndrome child at 35 are one in 370; at 38, one in 173; at 40, one in 106. The syndrome is not hereditary; that is, it does not "run" in families. It is a disorder that has escaped all scientific explanation, except for the fact that it occurs more frequently with older mothers and fathers.

However top-of-mind Down Syndrome is for the pregnant 35-plus mother, most (through no fault of their own) have little understanding of what it means to have the Syndrome today. It is this basic ignorance that makes the climate ripe for the quiet genocide that is taking place. Indeed, so much has changed in the past twenty years that books and tracts on the subject published before 1980 are considered utterly unreliable. (In 1970, the Encyclopedia Britannica included a Down Syndrome child under the heading "monster.") Many people still believe such babies are routinely sent to institutions at birth. The truth is that one would be hard pressed to find an institution that would accept a Down Syndrome baby today.

To understand the revolution that has taken place in the world of Down Syndrome, one must go back to the late 1960s, when the fashionable "nature versus nurture" arguments were being waged in college classrooms and manifested in social programs like "Headstart." Parents and child-development specialists and therapists started working with "at-risk" children in "early intervention" programs. Early intervention for Down children consisted of targeted sensory bombardment: intense mental, physical and emotional stimulation designed to escort the children through normal development stages and to reduce unnecessary delays. Speech therapy began in the first week. Physical therapy from birth modified the impact of low muscle tone and lax ligaments. Occupational therapy and special education developed self-help and cognitive skills. It was a far cry from the desolate state-institution walls most lived their lives within, and the children responded. They began to read and write. And sometimes they were writing poetry.

Chrissie, at age 14 months, has already spent a year attending the New York League for Early Learning at Teachers College, Columbia University. At twelve months, she tested developmentally at ten months. She understands most of what is said to her, obeys commands and is just starting to use her sign language. Her prognosis for continued education in a "regular" school is excellent but neither she nor the kind of attention she is receiving is unusual.

All Down Syndrome children, regardless of their parents' backgrounds or financial circumstances, receive from state-financed programs the benefits of early intervention. There is no such thing as not

being able to “afford” a Down Syndrome child: every bit of therapy and special education is paid for by the state. The education is there, it is available for all—and it works. Indeed, the first generation of Down Syndrome people to have experienced this extraordinary brand of preparation are causing medical books to be rewritten, and then rewritten again.

Of course, none of this changes the fact that Down Syndrome is still the leading cause of mental retardation in this country, or the even more difficult fact that many serious physical complications often accompany it. What *has* changed is the medical community’s ability to repair the distressed organs and stave off the kind of diseases that only a few years ago would have brought about an early demise for the Down Syndrome person. Unquestionably, these children spend more time in the hospital than normal children. But these days, they are attaining an average life expectancy of 55 years. The hard part is Getting Born.

Up to a few months ago, a pregnant woman over 35 had three basic tests to choose from: the alpha fetoprotein test, the chorionic villus sampling, and amniocentesis. For all pregnant women, regardless of age, doctors already routinely obtain alpha fetoprotein samples in the 16th week to test for neural tube defects; this is done by screening blood samples from the mother and in no way does it endanger the fetus. The chorionic villus test involves the risk of miscarriage for the fetus. It is performed in the seven-to-ten-week period, and involves snipping fetal cells from the developing placenta for genetic analysis. Amniocentesis also presents the risk of miscarriage; it requires a needle sample of the amniotic fluid and is usually done at 16 to 18 weeks.

The risk of miscarriage has always put a damper on fetal testing—I remember the heartbreak of a neighbor who after years of “trying to get pregnant” had amniocentesis and lost her child—and this is why the chorionic villus sampling and amniocentesis are generally recommended only to women over 35, for whom the risk of miscarriage is, at that point, less than the risk of carrying a Down Syndrome baby. The newer chorionic villus test was regarded as having the major advantage of time: early diagnosis of Down Syndrome or other defects could result in an earlier abortion, with less physical and emotional “difficulty.”

The result of all this has been life for Down Syndrome babies: at present, 80 per cent of all these babies are born to women *under* 35.

But now, with the work of Dr. Nicholas J. Wald of the Medical College of St. Bartholomew's Hospital in London and his colleagues, including Dr. James B. Haddow in Scarborough, Maine, and Dr. Jacob A. Canick of Brown University in Rhode Island, the chances of a Down Syndrome child making it to birth may be somewhere this side of impossible.

Dr. Wald and his associates have developed a prenatal testing procedure which examines the presence of three basic proteins in the pregnant mother's blood. Through an easy, "non-invasive" sampling, analysts can determine whether there is a strong likelihood of a Down Syndrome baby because, in the 16th week, they produce abnormally large amounts of human chorionic gonadotropin, and disproportionately smaller amounts of two fetal proteins (estriol and alpha fetoprotein). By measuring the protein levels in all pregnant women in the 16th week, doctors can determine whether the more conclusive amniocentesis test should be recommended. The risk of having an "unnecessary" amniocentesis is avoided and everyone—over and under 35—can be easily tested. The test, Dr. Wald anticipates, will be "pretty widespread" within two years.

As the *New York Times* reported last fall, most women who choose to be tested will also choose to abort the baby if the test is positive. Some studies say the figure is ninety percent. There are now approximately 250,000 Down Syndrome people living in the United States. Each year, four to five thousand Down babies are born. If the testing procedures and the consequential abortions become standard, that number would be reduced to 400 to 500 each year. To muddy matters even more, the women who test are more often than not the mothers of "wanted" babies. That is, I want you if you are the baby I want.

The idea that a mother might ever choose to have or not have her child based on knowing something about that child—his I.Q., what he will look like, his emotional demeanor—defies all logic of the heart. But this is an age where even the risk of accepting one's own progeny, for better or worse, has become too much to contemplate. It is the end of romance if a mother will not unconditionally bear her own child. But it is something worse: an awful, mechanical fastidiousness fed by that school of medical science which forgets that its mandate is to heal. If prenatal testing suggests that a human being might not be more than

the sum of his imperfect parts, it tells *us* that only certain of us might qualify for life.

In one of the most poignant, fierce, and determined battles to live deeply and well, Down Syndrome people are breaking through the walls of their own retardation and grasping their world. Yet as a species they appear to be doomed. Unlike those who would abort them, these Down people have accepted the dare of life, which is to live it. In California, an eleven-year-old Down Syndrome girl writes her first line on a computer. She painstakingly taps out "I like God's finest whispers." In Brooklyn, a Down fifth-grader dashes off the bus to his mother with a report card from his Yeshiva: he has earned average grades in all of his classes, and speaks and writes in three different languages.

And then there's our Chrissie, who last week crawled seven paces for the saltine cracker her dad held outstretched to her. She had been battling for that saltine for two months.

An unexpected gift, a gift out of season and for no reason, carries a special weight. When Chrissie was born, she was that unexpected gift. In the weeks that followed her arrival, we were bombarded with messages from friends and acquaintances about the majesty of a Down Syndrome child; the words of our friends affirmed what was in our hearts. Chrissie is a blessing in a way a normal child is not. It is in describing her that the word "special" rises from banality and comes grippingly alive. That she may now be a member of the last generation of her kind, a group silently and methodically targeted for extinction, alarms my heart. Especially now, knowing as I do that when she is older, Chrissie will be able to read—and understand—what I have written.

Lesbian Sabotage

Frank S. Zepezauer

IN THE SAN FRANCISCO AREA, the closet world of ambitious homosexuality has opened wide enough to send an ominous warning. San Francisco's Board of Supervisors passed a "Domestic Partner Ordinance" which would have given the co-habitors of city workers—many of them homosexual lovers—the same status as husbands and wives. Across the bay, in Oakland, the Feminist Women's Health Center opened a no-questions-asked sperm bank. It was soon receiving fifty calls a day, a third from lesbians. By 1985 only 28 per cent of the sperm shoppers were married women. In the same year Spinsters Ink Press of San Francisco announced publication of a book by Cheri Pies, *Considering Parenthood: A Workbook for Lesbians*.¹

The three events reveal the homosexualist family agenda. What it is, how they plan to implement it, and what it will mean to family traditionalists can be discovered in the manual Ms. Pies wrote for her lesbian sisters. It's a chatty book, full of folk lore and handy tips and quilting-bee woman talk, as homespun as the cloth knitted by Madame Defarge. And like Dickens' fictional revolutionary, Mama Pies plans to kill an institution.

How? By showing women how to have "revolutionary" babies, and how to justify their defiant choice. Both objectives appear in each step of the values-clarification procedure Pies lays out for the maternalist lesbian. Her book thus leads us into the inner workings of the lesbian mentality—the collective experience and attitudes that get systematized into radical feminist ideology. As George Gilder pointed out long ago, hard-core feminism aims to politicize our closest relationships: with the people who share our bed and homes and lives, with the way we connect with each other as men and women, with the way we integrate our lives with our ancestors and our progeny. Making babies is making families, and Cheri Pies is here to tell us that there is an old way and a new way, and that the old way no longer applies as the exclusive model for our basic social unit.

Frank Zepezauer, a frequent contributor to this review, often writes on aspects of feminism (see his "Masks of Feminism" in our Fall, 1988, issue).

But old or new, any woman considering motherhood must work her way through a tangle of critical decisions. If she elects to follow the old way, however, most of these choices are subsumed under her primary choice of a lifetime spouse. That may be tough enough, but she can at least expect guidance from custom and law and cultural wisdom, enough to turn a wheel without having to invent it. But if she elects the new lesbian way—which an increasing number of non-lesbians are also following—she must consciously deliberate her every move and step.

Yet for all the introspective exploration that Pies urges upon her readers, she doesn't bother to confront them with a fundamental traditionalist question: whether it is morally right to deliberately set up a fatherless family. She doesn't have to. The question was long ago settled by the triumph of the "choice" ethic, and revolutionary women can operate on its now-unexamined assumptions as their own form of "culture." Thus a lesbian knows without asking that she may have an out-of-wedlock child if she wants to. Her willingness is all that counts. All remaining questions concern matters of technique: how to discover what in fact the Will is telling her. It has a reliable answer but appears reluctant to yield its secret. It has to be teased out by tests and exercises. Like a Puritan fretfully searching for signs of election, the lesbian must therefore plunge into the mysterious recesses of the Self. How will she finally know she has found what she is looking for? Cheri Pies promises an eventual moment of intuitive revelation, a feeling as certain as a pain in the belly. If the lesbian heeds it, she knows thereafter that all moral questions have received an infallible answer: "There are no right or wrong answers—only your answers, your thoughts, your experiences."

But if moral questions can be resolved by private feeling, the lesbian must nevertheless wrestle with quirky matters of expediency. For example, how does one educate outsiders still caught in the superstition that "the way you raise children is with a mother and a father?" The most stubborn ignorance quite often appears in the "family of origin." Ms. Pies cautions her readers that the folks back home might not be "as supportive and excited by your thoughts and decisions as you would want them to be." She quotes one lesbian who complains that if she had been "heterosexual and in a relationship with a man," her family would have encouraged her plans "for being a parent and having a child." You can try several strategies to combat such attitudes. One is to use this opportunity to finally come "out" to your parents. The pros-

pect of a grandchild, an almost abandoned hope, might offset their quibbles about your life-style. On the other hand, your baby might protect your disguise. Your odd behavior did not mean a rejection of men or motherhood, just a rejection of marriage, and lots of women are doing that, straight and gay. That's not much, but parents are willing to take what they can get nowadays.

Surprisingly, these women must anticipate prejudice not only from their families but also from the lesbian community itself. The sisterhood is by no means agreed on the issues, not out of any lingering deference to traditional morality, but rather out of concern for effective strategy. A pregnant lesbian might signal capitulation to the patriarchal myth of biological need. It will add one more squalling infant to the thickening mass of human pollution. And it might tempt you into trafficking with men to get sperm. Cheri Pies warns that "there has always been some hostility in the lesbian community towards women who choose to become pregnant in this way." You might also upset your support group, who fear that "having a child will take you away from your relationship with them." Or worse, from your commitment to the cause, thus depleting "the ranks of lesbians who are politically active." Once you nestle a child in your arms, you may lose your hard radical edge, slide backwards into domesticity, and identify with "breeders," going brain dead amidst the chatter of doting mommies. On the other hand, the cause must carry over into the future and your child might help finish the task of building a world "in which people can be different."

If you nevertheless feel the command to get pregnant, you must then ask how, when, where, and with whom? Each question opens up multiple considerations. Take, for example, "with whom?" For a lesbian that is a two-part question: with whom do you get pregnant and with whom do you and your child live? The second question yields a lengthy list: just you and your child alone; or you and your child and your lover who may, or may not, choose to act as "co-mother"; or your new twosome with another lesbian twosome making your children siblings of a sort; or you and your child and any number or combination of other people, male or female, gay or straight, with you in the house or as part of a neighborhood—anything, it seems, but one man with one woman who at some time collected his sperm. Cheri Pies, however,

does not mention the method by which many lesbians do in fact acquire children, which is to enter an often-stormy heterosexual marriage. That is decidedly risky because acknowledged lesbians can lose their children in even-stormier custody battles, one reason for the fierce emotions now heating up the nationwide child-custody issue. In fact, the ferocity of feeling that erupts in many debates on "women's issues" can often be traced to the volatile lesbian faction that has generated a disproportionate share of feminism's angry energy.

The question "with whom" must still include a party Pies refers to as the "sperm donor," an important consideration because "the sperm is the essential ingredient in becoming pregnant, not necessarily the man supplying it." But the supply of this commodity does not always conform to demand; a good sperm donor is hard to find. Thus, for the lesbian, utilitarian questions continue to crowd into her busy deliberations. Mr. Right, for example, must first of all accommodate to the complicated logistics of lesbian procreation, ready to donate on call, willing to stick around if needed for the next fertility cycle, ready to disappear once conception is achieved. He must first of all be willing to undertake the bizarre business to begin with. Some men, strangely, "become very possessive of their sperm when approached by lesbians planning pregnancy." If some man nevertheless consents, he must agree to a bloodless sharing of his personality, ready to disclose his biomedical and genetic history, his drug and alcohol habits, and his ancestral record "going back two or three generations." Usually the only kind of men willing to go along with this bureaucratic courtship are male homosexuals, the preferred choice until the AIDS epidemic. The lesbian must now take extra precautions, checking for contaminated sperm without letting her fear "of being exposed to AIDS in general" be taken as a "condemnation of the sexual choices of gay men."

So many thorny possibilities connect to the inescapable negotiations with a "known donor" that a lesbian might prefer an attractive alternative: buying sperm from a stud farm which calls itself a "sperm bank." A few, such as the Sperm Bank of Northern California, are "women-controlled." Some others are sufficiently progressive, or mercenary, to override superstitious objections to "elective single parenting." They will broker a blessed event for just about any woman, straight or gay, married or single. Cheri Pies refers to this source of sperm as the "unknown" donor, but just like Auden's "Unknown Citizen," every-

thing about him is known except the complex living fact of his humanity. The bank has efficiently solicited for prospective customers all the relevant information "back to three generations." It's all stored on micro-chips and published in catalogues, each donor listed with a picture, waiting for the moment of choice.

Among lesbians there may still appear some scruples about this procedure. One is, after all, a radical linked as often as not with passionate environmentalists who worship a warm pantheistic nature, and radicals—women especially—detest the geometrical hardware of ubiquitous technology and the depersonalizing chill of the cash nexus. But there is, after all the convenience, the secure anonymity and the partial realization of the lesbian dream, so far postponed until the coming dawn of parthenogenesis, which will ultimately separate the essential ingredient from the man supplying it.

A lesbian can, however, find cheaper ways to get sperm from an unknown donor; for example, through an intermediary who can locate a co-operative friend. Some men are indeed jealous of their sperm, still given to a patriarchal fantasy that if *it* matters, they matter. But some others are willing to enter into such insemination schemes. Thus some man might agree to a grotesque blind date. In an unidentified house he will enter a room with a sterile baby-food jar while the intermediary waits outside. He then activates his fantasies, perhaps with the help of pornography (a staple item, incidentally, in sperm banks), handing the result to an intermediary who wraps the jar in flannel to keep it warm, almost as if she were holding a tiny infant, then hurries down the street to deliver it to a woman lying in bed with a turkey baster. The two women might at this point find some need to flavor the moment with romance, perhaps some guitar music on the stereo and white Zinfandel and some womanly hugs and giggles as the essential sperm makes its way to the uterus. In the meantime, back at the other house, the man has long ago departed. He may, if permitted, see the child at age eighteen, just in case he's curious about the way things turned out.

The romance may also soften the hard-edged doubts that rub against their radical nerves: about a future bio-technology dominated by family-alienated males who will muscle out competitors in the sperm-distribution racket; about a state that can today separate the father from the mother, and which tomorrow can separate the mother from the

child. Some lesbian feminists, however, applaud the possibility. It would bury the lie that biology is destiny and would finally liberate all women from motherhood. They therefore counsel their maternalist sisters to resist possessivist tendencies, to prepare for the day when a child will not be “yours” but “ours,” and all will pay homage to the prophetic power of Aldous Huxley. Other lesbians cauterize their doubts with the flame of revolutionary zeal, believing that the ultimate state that will effeciently arrange the union of sperm and ovum must be a queendom, where the “hive” will no longer be a metaphor. One looked forward to this culmination of history by celebrating the marriage “of feminism and new age technology”—it’s “awesome,” she said bravely of the new world.

But those outside the revolutionary sisterhood are lost to this vision and in their ignorance make light of lesbian baby-making. A sensitive point is the drollery provoked by the insemination instrument, the turkey baster. It is, after all, not based on fact. One may use a syringe, for example, or a needle-free injector, or any squeezable, insertable toy one can improvise. Yet the mockery persists, and Cheri Pies warns about the jocular connotations summoned up by the turkey baster: “an unfortunate association (which has been) the source of a great deal of anger in the lesbian community.” But the best answer to mockery is counter-mockery, as illustrated by one lesbian who turned the object of heterosexual ridicule into a revolutionary symbol. “Some women,” she explained, “have especially loved using the turkey baster as a means of redefining a female cooking tool, changing it from a tool of ‘keep her in the kitchen and pregnant’ to one of ‘woman controlled conception.’ As Mao said, ‘Everything becomes its opposite.’ Isn’t it fun!”

Her frolicsome impudence suggests not only the lesbian but the New Left attitude toward inherited morality: a defiant need to spit into the traditionalist chalice, trashing every symbol that built the old consciousness. But into this leftist nihilism radical lesbians infuse a virulent misandry which eventually reaches even the most sympathetic male. Referring to themselves as “women-loving-women,” they could just as accurately call themselves “women-hating-men.” Cheri Pies attempts to minimize this hostility as a “heteromyth.” Her effort is part of the image-polishing needed to “educate” the public about the fact of lesbian parenting and the policy adaptations now being arranged for its consequences. Even so, she and her sisters will have to find a way to

conceal another result of two decades of radical-feminist rhetoric—the still-gushing torrent of male bashing which reveals the degree to which many of these women detest men, masculinity, male culture, and the whole tangle of custom, law, and mystique coiled into the satanic word “patriarchy.”

Misandric feeling, for example, frequently shows through in Cheri Pies’ book. It appears first of all in the concept of lesbian “parenting” itself, in the belief that a man is not needed: “A woman needs a man like a fish needs a bicycle.” It also appears in the fretful speculation about having to touch a man to “acquire sperm.” For all their industrious efforts to find alternative methods, some nevertheless find themselves compelled to submit to that ordeal. Sperm banks charge for their services, and if you don’t connect in your first fertility cycle, you have to keep going back, hooked into a costly procedure. Getting sperm through intermediaries increases the risk. There are too many players in the game and even the most docile donor might some day give in to a “fatherhood attack.” Patriarchal law still connects sperm to sperm donor, and gives him legal parental rights. And, all things considered—in a book where everything is considered—there remains some merit in the old procedure. Sexual intercourse with a man is, after all, both cheap and remarkably efficient, delivering the sperm, you might say, directly to the door. But the cost to radical sensibilities is severe. Going to bed with a man, even with the procreational intent worthy of a devout Catholic, subjects you to the sweat and smell of male sexual heat, the living metaphor of the heavy masculine presence you joined the lesbian nation to escape. At the radical heart of an ideology that proclaims that the personal is political, any act of intercourse is a form of rape.

Ambivalence towards men, if not open hostility, also appears in the misgivings these lesbians have about having a male child. One admitted she had to reinforce “good feelings about having a boy” in a lesbian community which can be such a “hostile place to have boy children.” Another noted that “girls are treated better.” A third was forced to persuade her sisters that her son was “not a future rapist.” Even more revealing are the reports of “separatists” who have completely isolated themselves from male contact, a ban that includes little boys. One mother reported drying her son’s tears the day they were kicked out of

a lesbian music festival. In spite of her impatience with this supposed homophobic myth, Cheri Pies advises lesbians on how they can increase the chances of conceiving a girl (by changing the acidity of the uterus). Even so, a few boys will sneak through, to pit mother love against ideology.

This pervasive suspicion of all things male pre-determines the answer to still another question Pies offers for consideration: whether their children shall ever know, or see, or live with their "biological fathers." For all her preaching about the equality of multiple options, she never seriously discusses the traditional option. She already knows that among the many family forms that lesbians improvise, none will include a "biological father" as a necessary co-parent who equally shares in the child's upbringing. Necessary, that is, by any code the lesbian feels bound to respect. His access may, however, be optional—and the option should remain strictly with the mother: *if* the father shall see the child, when, where, how long, and on what terms. The operative term throughout Pies' book is "woman controlled": in conception, pregnancy, family structure and (if the goddess smiles on their struggle) in the entire society. This blunt rejection of paternal rights should clarify the definition of "patriarch." To career-minded feminists, it most likely means nothing more than institutional prejudice against women in the workplace. To radical lesbian/feminists, it means any social system which *requires* a mother to share parental rights with a father.

Their feeling about sperm donors who presume a consequent fatherhood exposes a root lesbian/feminist conviction. You hear it spelled out by Adrienne Rich (in *Of Woman Born, Motherhood as Experience and Institution*); she says that future society will build on a basic unit formed not by the father/mother partnership but by the mother/child bond. A prize-winning poet and a politicized lesbian, Rich is the god-mother of the lesbian nation and the prophet of its "god the mother." Such homosexual women are indifferent to traditionalist fears about the waning of the "legitimacy principle," which expresses the right of a child to two parents, to both maternal and paternal lines of ancestry, to both male and female styles of personality, to in-family models of male/female bonding, to a loving relationship with a same-sex parent who can show the way to relationships with sexual opposites. For all practical purposes the legitimacy principle is moribund, a death which is being hastened by deliberate assaults from both the gay and women's

rights movements.

Yet even though they've banished fathers from their households by laughing away the idea of "legitimacy," they still must occasionally admit a little package of "male energy" and find themselves stuck with questions that won't go away. What to tell him? How to tell him that a home is a woman's place where mothers are essential and fathers are optional? The stock rationalizations they supply for answers reveal a generalized cause now being assembled in defense of the mother-only family. The most common is some elaboration on androgyny which declares the fungibility of role-models. You don't need a man; you need a father-role and a woman can play it as well as a man. One lesbian wondered about who would teach her son to fish and repair cars and toss the old football around. She decided she handled these tasks as well as any man she knew and then stopped worrying. Another decided that her lover and co-mother to be, a construction worker who came home wearing dirty denims and a hard hat, would make a fine daddy for her son.

Others preach the blessings of diversity, a common theme in New Left ideology, where the best society is a rainbow coalition. What matters, then, is not having a designated male in the house but immersing children in a carnival of pluralism. "There are plenty of men around," one speaker tells lesbian groups, "but we live in a world made up of so many kinds of people. Exposure to people with different backgrounds and values seems infinitely more important to me." Another advises her sisters to "validate that all families are different." More significant to the outside public has been the effort of academic feminists to discredit the growing literature on the woeful effects of father-absence. The basic strategy is to control for "socio-economic factors" and then to assert that the remaining evidence shows no correlation between troubled children and absent fathers. One critic of this technique said that this scam is "like saying that pygmies are no shorter than other people with whom they have been matched for height."² Whatever the merits of the feminist analysis, their conclusions now frame the basic rebuttal to increasing demands that fathers be restored to families. The demands are loudest in the black community where young males are falling fifty per cent behind their female counterparts in academic and professional achievement. In the ghetto, matriarchy rules in the house-

hold, and anarchy rules on the streets. But to all of this, radical lesbian/feminists and their liberal fellow travelers have one answer: "These households don't need a male. They need a male income."

Thus, in spite of their radical sensitivity, the cash nexus surfaces once again. It has in fact been central to the modern woman's movement since its inception. It began with the noisy demand for economic gender equality as the primary means to liberate women. Translated to family policy, such demands have determined an on-going feminist priority: not that children have fathers, but that mothers have money. Translated to socio-economic policy, it means a further push toward the Swedish system where capitalism makes the money and socialism distributes it. Thus we can predict where lesbian/feminist initiatives are taking us. Fewer children will have fathers, and fewer mothers will have children, in a society where the *state* will grow but the population will wither away.

In the meantime, Cheri Pies and her friends have more immediate objectives, an agenda now coming into focus. It includes full legal recognition of homosexual partnerships, not only extending dependency benefits to cohabitators but also admitting them to the institution of marriage. (This, incidentally, out of the New Left mentality that just a decade ago sneered at a marriage certificate as a silly piece of paper.) Both initiatives are now on the table in San Francisco, the city that believes that "far out" is far ahead. The "live-in-lover" plan introduced in 1982 was vetoed by then-mayor Diane Feinstein under pressure from aroused traditionalists, still strong enough in that liberal city to make their presence felt. But she vetoed not on moral but rather technical grounds, leaving the door open for a new proposal now making its way through the Board of Supervisors. It is heading toward the desk of a liberal mayor who owes his election to the gay community. So far, traditionalists in the Bay Area have been relatively silent, even though church groups, such as the San Francisco Archdiocese, have again gone on record in opposition. In the city by the Golden Gate, the church is inescapably the church militant.

More radical still has been a February, 1989 proposal by the Bar Association of San Francisco that both the city and state legislatures open up marriage to homosexuals. Their action is one more sign that the liberal coalition is now lining up behind legalized gay marriage. Their legislative strategy can be inferred from an earlier American Civil

Liberties Union position paper declaring the two-parent heterosexual family a sectarian religious preference with no claim to normative status. Cultural radicals will therefore once again use the First Amendment to ram through one more secular initiative. You can already hear talk-show hosts in San Francisco drawing a distinction between “religious” and “state” marriages which, like all dogmatic divisions between church and state, should now be examined separately. Everyone predicts tough going for these new homosexual initiatives, usually the fate of most gay-rights proposals once they leave San Francisco or New York. Put them to a referendum, as was the case in liberal Santa Clara County or in Oregon, and they go down to resounding defeats. That’s no problem however for liberal activists who follow the ACLU lead by ignoring “participatory democracy” in favor of litigation.

What then follows will be legal recognition of gay parental rights to children through adoption, foster parenting, and post-divorce custody as well as artificial insemination or surrogate motherhood. After all, if two lesbians can hire a sperm donor, two gay men can hire a commercial uterus. Equally obvious will be the demand of lesbian mothers to all tax supported child care facilities. On this issue lesbian/feminists are now raising their voices to the pitch of the early-seventies revolution, demanding rights not as homosexuals but as mothers. Cheri Pies puts it bluntly: “Choice lacks any real meaning until access to resources is equitable for all women.” Will that also mean equal access to sperm banks? Why not? Today only rich women can afford the pricy specimens available in deep-freeze lockers. Thus, as was the case with abortion, radical women will sneak their agenda past us by marching behind poor women.

We thus know better what both radical feminists and radical lesbians want—who, it turns out, are usually the same people. They want total control of the family. They want total state support of their *ad hoc* households. Will they get it? Look at what they have already achieved. Cheri Pies is pretty smug about it: “Now thanks to our own cunning and know-how we can have children as we choose—as lesbians, on our own, with our lovers and/or extended families, with or without a man.” She and her sisters have had plenty of help: a Behavioral Science establishment which long ago turned against the traditional two-parent family; an academic community dedicated to cultural radicalism; a lib-

eral media prepared to offer sympathetic publicity; and a Democratic Party still guided on family policy by anti-traditional McGovernites.

Aware of the damage that this sometimes-reluctant endorsement has brought to their party, moderate liberals like Gov. Mario Cuomo have been using “family” rhetoric to bring back cultural conservatives—still the majority of Americans. But “family” men like Cuomo continue to hide behind the smoke spewed up by the opportunistic slogan “family pluralism.” It now includes not only “broken” or “blended” families but families deliberately set up to exclude a father. Cuomo has often used his eloquence to speak back to the Republicans. But he has yet to find the voice to speak back to Cheri Pies.

NOTES

1. All quotes used hereafter will have been taken from *Considering Parenthood* or from *Politics of the Heart, A Lesbian Parenting Anthology* edited by Sandra Pollack and Jeanne Vaughn, Firebrand Books, Ithaca, New York, 1987.

2. Daniel Amneus, “Father Absence Harmful” in *The Liberator* Feb., 1989. Amneus cites at least five scholarly articles written by feminists who argue against a correlation of father-absence with psychopathology in children. On a more popular level of debate, the technique is to wrest from an opponent the concession that not all two-parent families produce model citizens nor do all single mother families produce criminals. That exploits the general knowledge that sociological generalizations can seldom be used to make predictions in individual cases. To this observation Amneus asserts one more analogy: that one can not infallibly predict that a drunken driver will have an accident, but legal policy and police strategy are both governed by an established correlation between drunken driving and automobile accidents. Feminists are definitely on the defensive on the father-absence issue, but they’re getting plenty of help from liberals who emphasize economic deprivation as the cause of all pathologies.

APPENDIX A

[The following article first appeared in the London Sunday Times, and was reprinted (slightly abridged) in our Summer, 1975, issue, with permission of the author, who needs no introduction to our readers.]

What the Abortion Argument Is About

Malcolm Muggeridge

Generally, when some drastic readjustment of accepted moral values, such as is involved by legalized abortion, is under consideration, once the decisive legislative step is taken the consequent change in *mores* soon comes to be more or less accepted, and controversy dies down. This happened, for instance, with the legalization of homosexual practices of consenting adults.

Why, then, has it not happened with the legalization of abortion? Surely because the abortion issue raises questions of the very destiny and purpose of life itself; of whether our human society is to be seen in Christian terms as a family with a loving father who is God, or as a factory-farm whose primary consideration must be the physical well-being of the livestock and the material well-being of the collectivity.

This explains why individuals with no very emphatic conscious feelings about abortion one way or the other, react very strongly to particular aspects of it. Thus, nurses who are not anti-abortion zealots cannot bring themselves to participate in abortion operations, though perfectly prepared to take their part in what are ostensibly more gruesome medical experiences.

Again, the practice of using for experiment live fetuses removed from a womb in abortion arouses a sense of horror in nearly everyone quite irrespective of their views of abortion as such.

Why is this, if the fetus is just a lump of jelly, as the pro-abortionists have claimed, and not to be considered a human child until it emerges from its mother's womb? What does it matter what happens to a lump of jelly? What, for that matter, is the objection to using discarded fetuses in the manufacture of cosmetics—a practice that the most ardent abortionist is liable to find distasteful? We use animal fats for the purpose. Then why not a fetus's which would otherwise just be thrown away with the rest of the contents of a surgical bucket?

It is on the assumption that a fetus does not become a child until it is actually delivered that the whole case for legalized abortion rests. To destroy a developing fetus in the womb, sometimes as late as seven months after conception, is considered by the pro-abortionists an act of compassion. To destroy the same fetus two months later when it has been born, is, in law,

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murder—*vide* Lord Hailsham's contention that "an embryo which is delivered alive is a human being, and is protected by the law of murder . . . any experiments on it are covered by the law of assault affecting criminal assault on human beings."

Can it be seriously contended that the mere circumstance of being delivered transforms a developing embryo from a lump of jelly with no rights of any kind, and deserving of no consideration of any kind, into a human being with all the legal rights that go therewith? In the case of a pregnant woman injured in a motor accident, damages can be claimed on behalf of the child in her womb. Similarly, in the UN Declaration of Rights of the Child, special mention is made of its entitlement to pre- as well as post-natal care. It is a strange sort of pre-natal care which permits the removal of the child from its mother's womb, to be tossed into an incinerator, or used for "research," or rendered down for cosmetics.

Our Western way of life has come to a parting of the ways; time's takeover bid for eternity has reached the point at which irrevocable decisions have to be taken. Either we go on with the process of shaping our own destiny without reference to any higher being than Man, deciding ourselves how many children shall be born, when and in what varieties, which lives are worth continuing and which should be put out, from whom spare-parts—kidneys, hearts, genitals, brainboxes even—shall be taken and to whom allotted.

Or we draw back, seeking to understand and fall in with our Creator's purpose for us rather than to pursue our own; in true humility praying, as the founder of our religion and our civilization taught us: Thy will be done.

This is what the abortion controversy is about, and what the euthanasia controversy will be about when, as must inevitably happen soon, it arises. The logical sequel to the destruction of what are called "unwanted children" will be the elimination of what will be called "unwanted lives"—a legislative measure which so far in all human history only the Nazi Government has ventured to enact.

In this sense the abortion controversy is the most vital and relevant of all. For we can survive energy crises, inflation, wars, revolutions and insurrections, as they have been survived in the past; but if we transgress against the very basis of our mortal existence, becoming our own gods in our own universe, then we shall surely and deservedly perish from the earth.

APPENDIX B

[The following syndicated column was released July 5, 1989, and is reprinted here with permission (© 1989 by the Universal Press Syndicate).]

The Confusion of Justice Blackmun

William F. Buckley, Jr.

It is instructive to read Supreme Court justices writing about each other. They can make the John Birch Society sound like a bunch of courtiers. In the recent decision on the abortion case, Justice Harry Blackmun writes as though his colleagues were engaged in a conspiracy to destroy the Bill of Rights, the Statue of Liberty, and the Lincoln Memorial.

Granted, Mr. Blackmun feels an author's pride in the discovery (a) of a constitutional right of privacy; and (b) of a corollary right of the mother to destroy the unborn child.

If he had discovered the right to a minimum wage, he'd have reacted to a Congress that repealed or modified such a right as da Vinci to someone who set out to touch up the Mona Lisa.

Given that the fight over abortion is at one level a political fight (whether a citizen has a right or doesn't have it to do anything at all is a political decision *de facto*, even if one pleads the authority of the City of God, e.g., to the freedom of religion), the temptation to exaggerate, even at the risk of contradiction, is very strong.

Mr. Blackmun begins by saying that the Court hasn't in fact made "a single, even incremental change in the law of abortion" two paragraphs before intoning that "with feigned restraint, the plurality announces that its analysis leaves *Roe* 'undisturbed,' albeit 'modif(ied) and narrow(ed).' But this disclaimer is totally meaningless."

Then he fires his Big Berthas: "I fear for the future. I fear for the liberty and equality of the millions of women who have lived and come of age in the 16 years since *Roe* was decided. I fear for the integrity of, and public esteem for, this Court."

There are those of us who fear for Mr. Blackmun's power to reason.

It is not really complacent to insist that the United States was hospitable to liberty and equality before January 1973, when Mr. Blackmun and the majority discovered that developing human beings became legitimate objects of state concern only in the third trimester of their gestation.

Since 1973, two developments have run parallel courses, egging each other on. The first is deep scientific inquiries into the viability of the fetus.

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It is established now, much more clearly than 16 years ago, that the fetus by any measurement is a developing human being, and as such a plausible contender for the right to protection, even as an infant, who is a developing child, and a child, who is a developing adult, are all entitled to protections of various kinds—graduating protections, to be sure, culminating in the right to buy whiskey, which comes in most states after the right to drive a car, to enlist in the army, to vote and to marry.

If a fetus were nurtured in a test-tube, it would be difficult to marshal arguments giving anyone the right to interrupt the flow of nutriment to that fetus. Given that in such a condition it assumes a particularity as a developing human being entitled to protection, the contention that although the vehicle of the development of the human being is the mother's womb not the test tube, and therefore the fetus is no more the concern of protective legislation than a tomato, is difficult persuasively to contend.

Mr. Blackmun (and many of those who follow him) talks about the woman's sovereignty in controlling the "quintessentially intimate, personal, and life direction decision whether to carry a fetus to term."

It is instructive to remember that exactly such thought was relied upon one hundred and fifty years ago in asserting the rights of the slavemaster. Somewhere along the way, the thinking moral population discovered that black men and women were also human beings.

Given the scientific movement, social resistance hardened. An evolution in moral perception is happening in America. The fetus is being gradually discovered as a developing human being. Twice as many people now disapprove of abortion as approve of it, though the majority is ambivalent on what exactly should be done to protect the developing human being.

Justice Blackmun restricts his moral vision by suggesting that the right of the mother over the fetus is "quintessentially intimate." Does he mean unique? How can it be distinctively intimate if the other figure is in any sense human?

The law is generally best kept out of the bedroom, true: but not always.

A policeman is welcome to interfere with a father sodomizing his daughter or brutalizing his wife.

That abortion clinics do their job as neatly as crematoriums doesn't affect the moral nature of the transaction.

APPENDIX C

[The following syndicated column was released July 4, 1989, and is reprinted here with permission (©1989 by Universal Press Syndicate).]

Cutting the Court Down to Size

Joseph Sobran

In upholding a Missouri law restricting abortion, but without reversing its own 1973 ruling in *Roe v. Wade*, the Supreme Court has essentially acted to preserve its own prerogatives. It returned a measure of freedom to the states without actually restoring states' rights. This amounted to freeing some slaves while maintaining the institution of slavery.

Under the Constitution, the regulation of abortion is clearly a matter for the states to decide individually. The federal government has no say in the matter.

This is radical talk, but then the Bill of Rights has become a radical document. It wasn't always that way. The framers drafted the Bill of Rights as a conservative measure—to reassure states reluctant to ratify the Constitution unless they had some guarantee that adopting it wouldn't mean giving the new national government carte blanche to expand its power indefinitely.

Liberals who talk about the Bill of Rights rarely get past the First Amendment, into which they read hallucinatory meanings. But the cornerstone of the Bill of Rights is the 10th Amendment, not the first—and the 10th reserves to the states and the people all the powers not given to the federal government, which powers, if you actually read the Constitution, are specific and few.

Under a dubious interpretation of the 14th Amendment, the Supreme Court has for half a century used the Bill of Rights selectively to strike down hundreds of state laws. So instead of restricting the federal government, as it was supposed to do, the Bill of Rights has become a tool of federal aggrandizement. This has meant ignoring the plain meaning of much of the Constitution, especially the crucial 10th Amendment.

Before the latest abortion ruling was handed down, the nation spent a long weekend waiting for the court to tell us on Monday morning what our fundamental law meant. The absurdity of bragging about our 200-year-old Constitution, while remaining in perpetual suspense as to what it signifies, seemed not to occur to anyone. If a law is "fundamental," it should be settled and, in all but a few marginal cases, clear.

But as things now stand, any five cranks on the court can suddenly change our way of life. There is no day-to-day check, such as a veto, on their despotic discretion. Only drastic and cumbersome remedies are available: amending the Constitution; impeaching the justices; or replacing the current personnel,

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as they retire, with others of different jurisprudential tastes.

Whether or not you like the court's rulings, the fact remains that the Supreme Court has the kind of irresponsible power the authors of the Constitution were trying to prevent. The justices don't face elections and can serve until they drop. This is an amazing anomaly in a system of self-government.

Actually, there is an available remedy. A mere act of Congress can limit (or suspend, if Congress really wanted to get tough) the court's "appellate" jurisdiction, under which the court usually inflicts judicial review. Contrary to liberal mythology, judicial review is not an inalienable right of the court; the Constitution never uses the phrase "judicial review" or any equivalent term.

Why doesn't Congress use its power to curb the court? Partly out of exaggerated respect for the court's prerogatives; partly because liberals in Congress approve of the court's recent history of imposing the unpopular items of the liberal agenda by fiat; but mostly because the court rarely strikes down an act of Congress itself. For the most part, the court attacks state legislation, and the states, unlike Congress, have no means of checking the court's usurpations of power. *Roe v. Wade* illustrates the point vividly.

The idea of states' rights got an undeservedly bad name when it was invoked by segregationists during the civil rights movement. The court has taken advantage of this by bullying the states ever since, invalidating a long series of state laws by announcing unheard-of constitutional "rights."

But the court has finally used up its credit—not so much in the abortion controversy as in the flag-burning case. A large and passionate majority of the American people is finally refusing to accept the court's opinion as the last word, or even as a sensible word. As epic scandals have demystified the other two branches of the federal government, judicial excess has demystified the Supreme Court.

The court has roused public opinion against itself. Now it's up to the American people to cut the court down to its proper constitutional size.

APPENDIX D

[The following was written for the newsletter catholic eye, to which Father Canavan is a regular contributor, as he is to this journal. It is reprinted here with permission.]

Morality and the Court

Francis Canavan, S.J.

It is a common American delusion that if a law or public policy is wrong, it must be unconstitutional. Conversely, if a person has a right to do something, that right must be guaranteed by the Constitution and be enforceable by the courts. This fond belief is well illustrated by the pro-abortion outcry against the Supreme Court's decision in the Missouri abortion-law case, *Webster v. Reproductive Health Services*.

A woman feels strongly that she has a moral right to terminate a pregnancy she doesn't want to carry to term. Therefore she should have a legal right to and abortion. If the legislature won't give it to her, the Supreme Court should declare that the Constitution forbids the legislature to deny it to her, as the Court obligingly did in *Roe v. Wade*, from which decision it is now backing away.

But if the Court is to find a restriction on the power of the legislature, it must find it somewhere in the Constitution. In *Roe v. Wade* it found the bar to abortion laws in the Due Process Clause, which forbids either the federal or the state governments to "deprive any person of life, liberty, or property without due process of law." The clause clearly implies that government may deprive a person of life (by execution), or liberty (by imprisonment), or property (by fine), the three headings to which all legal penalties can be reduced. On the face of it, all that the clause requires is that government may impose these deprivations only through legal procedures which are every person's due, such as a fair and open trial, assistance of counsel, confrontation with witnesses, etc. The Due Process Clause became a constitutional grab bag only at the turn of the present century, when the Court began to find in the "substantive" meaning of "liberty" an ever-expanding array of "constitutional rights."

It was in the word "liberty" that the Court found the right to abortion in 1973. The state, it said, may not deprive a woman of the abortion "liberty" by any process of law, because this right is so fundamental that it is immune from interference by government. It is not often remembered, however, that just fifty years earlier, in 1923, in the case of *Adkins v. Childrens Hospital*, the same Supreme Court had declared a District of Columbia statute setting minimum wages for women unconstitutional on exactly the same ground: it deprived women of the "liberty" guaranteed them by the Due Process Clause.

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Said the Court:

The statute is attacked upon the ground that it authorizes an unconstitutional interference with the freedom of contract included within the guaranties of the Due Process Clause of the Fifth Amendment. That the right to contract about one's affairs is a part of the liberty of the individual is settled by the decisions of this Court, and is no longer open to question. . . . Within this liberty are contracts of employment of labor. . . . In principle, there can be no difference between the case of selling labor and the case of selling goods. . . . [This minimum-wage law] is so clearly the product of a naked, arbitrary exercise of power, that it cannot be allowed to stand under the Constitution of the United States.

The Court thereby conferred on every woman in the country a constitutional freedom of choice: the right to work for whatever wage she chose to accept. It found this freedom in the "liberty" guaranteed by the Due Process Clause, and it considered it so fundamental that any effort by government to limit it was "a naked, arbitrary exercise of power." Molly Yard could not have put it more strongly.

It was not until 1937, in *West Coast v. Parrish*, that the Court finally admitted:

The Constitution does not speak of freedom of contract. It speaks of liberty and prohibits the deprivation of liberty without due process of law. In prohibiting that deprivation, the Constitution does not recognize an absolute and uncontrollable liberty. . . . Liberty under the Constitution is necessarily subject to the restraints of due process, and regulation which is reasonable in relation to its subject and is adopted in the interests of the community is due process.

Having surrendered "freedom of contract" in 1937, the Court in 1965 found in the word "liberty" another constitutional grab bag: the "right of privacy." Like "freedom of contract," privacy is a right of which the Constitution does not speak, on the boundaries of which the text of the Constitution gives the Court no guidance, and which has only such content as the Court finds by peering into the crystal ball of "liberty."

Whether there is any such amorphous right in our Constitution is the constitutional (as distinct from the moral) issue in *Webster v. Reproductive Health Services*. Justice Blackmun put his finger on it in his dissenting opinion when he said that "the true jurisprudential debate underlying this case" is "whether the Constitution includes an 'unenumerated' general right to privacy as recognized in many of our decisions, most notably *Griswold v. Connecticut* (1965) and *Roe v. Wade*." I agree with the late Justice Hugo Black when he called the "right of privacy," in his dissenting opinion in the *Griswold* case, "a great unconstitutional shift of power to the courts which I believe and am constrained to say will be bad for the courts and worse for the country." Whether that shift of power from legislatures to courts is to continue is the real issue before the Supreme Court today.

APPENDIX E

[The following syndicated column appeared in the Boston Herald, May 16, 1989, and is reprinted here with permission of U. F. Syndicate Inc.]

Pro-choice argument goes too far

Alan Dershowitz

There is a dangerous implication in some pro-choice arguments that may frighten the Supreme Court into restricting or even overruling *Roe vs. Wade*, the 1973 decision that established women's right to abortion.

The implication is that the right to abortion also precludes the state from requiring women to take any degree of prenatal care after they make the decision not to abort. Syndicated columnist Ellen Goodman recently suggested this in criticizing the Bush administration's efforts to overrule *Roe vs. Wade*. She wrote: "There are suggestions among those who talk of fetal rights that the government could constrain a pregnant woman's diet and physical activities, stamp out her cigarettes, empty her wine glass . . . or else." Goodman also invoked the specter of mandatory testing and treatment for the fetus.

Now, I am not a "fetal rights" advocate. I favor *Roe vs. Wade*. I believe that a pregnant woman should have the right to choose between giving birth or having an abortion. But I am a "human rights" advocate, and I also believe that no woman who has chosen to give birth should have the right to neglect or injure that child by abusing their collective body during pregnancy.

Once a woman has made the decision to bear a child, the rights of that child should be taken into consideration. What happens to the child in the womb may have significant impact on his or her entire life. One example is the woman who drank a half bottle of liquor a day while pregnant and gave birth to a mentally retarded child. She is now suing a liquor manufacturer for not warning her about the relationship between heavy drinking during pregnancy and birth defects. Anyone who has spoken to an inner-city obstetrician is aware of the near epidemic of birth defects among babies born to heavy drug users.

This is not to argue for intrusive governmental rules on occasional drinking or smoking. But at the extremes, there is a compelling argument in favor of some protection for the future child against maternal excesses that threaten to cause enduring damage. Once a woman decides to give birth, a balance must be struck between her rights during the nine months of pregnancy and the equally real rights of her child during its life span. I believe that the balance should generally be struck in favor of the woman's privacy and against the power of state compulsion. But a balance, nonetheless, must be struck.

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My colleague, Professor Laurence Tribe, agrees with Ellen Goodman and argues as follows: “There’s no principled way to say that the government can use women’s bodies against their will to nurture the unborn without accepting the other serious and totalitarian implications about privacy.” With respect, I disagree.

There is a principled distinction between totalitarian intrusions into the way a woman treats her body, and civil libertarian concerns for the way a woman treats the body of the child she has decided to bear. That principled distinction goes back to the philosophy of John Stuart Mill and is reflected in the creed that “your right to swing your fist ends at the tip of my nose.” In the context of a pregnant woman’s rights and responsibilities in relation to the child she has decided to bear, the expression might be: “Your right to abuse your own body stops at the border of your womb.”

To be sure, any recognition that a future child may have rights—even limited ones—in relation to its mother, may be grist for the “right to life” mill. Anti-abortionists will argue that if a future child has the right not to be damaged during pregnancy, then it follows that the fetus has the even more important right not to be killed, i.e., aborted.

But the second conclusion does not necessarily follow from the first. Under *Roe vs. Wade*, a fertilized egg, or even a biologically more advanced fetus, has no right to be born, unless the mother chooses to give birth. But it does not follow, as a matter of constitutionality, principle or common sense, that a woman has the right to inflict a lifetime of suffering on her future child, simply in order to satisfy a momentary whim for a quick fix.

A principled person can fully support a woman’s right to choose between abortion or birth, without supporting the very different view that the state should have no power to protect the health of a future child. The state should begin by making prenatal care available to every pregnant woman. But we need not be frightened, by the specter of totalitarianism, from considering reasonable regulations designed to reduce the serious long-term problems caused by pregnant women who abuse their future children.

Proponents of a woman’s right to abortion should not weaken their powerful argument in favor of a woman’s right to control her body.

And, in the eyes of many who support choice, they do weaken it when they link it to the far weaker argument denying the state the power to protect babies who are to be born.

APPENDIX F

[The following syndicated column appeared in the New York Daily News, May 22, 1989, and is reprinted here with permission of Scripps Howard News Service.]

NBC's *Roe vs. Wade* was an abortion

Thomas Sowell

From the opening scene of NBC's movie "Roe vs. Wade" to Tom Brokaw's deliberate labeling of two of his guests on an NBC News program as "anti-abortion," instead of "pro-life" as they asked to be called (the other guests were labeled "pro-choice" in accordance with their wishes), American's No. 1 network engaged in a subtle, systematic and coordinated propaganda campaign.

Anyone who believes the airing of this film at a time the Supreme Court is considering a case which could limit or overturn abortion on demand is pure coincidence is a potential customer for a bridge in Brooklyn.

In the film the viewer was carefully led through all the pro-abortion arguments. "Ellen Russell," the character who represented Norma McCorvey (a.k.a. Jane Roe), said, "I got no place to go. I can't give up another baby. What could it possibly be like to have a kid out there gettin' his butt kicked and you don't even know?"

That there were places for unwed mothers to go for care in 1972 was never mentioned.

Was it coincidental that the first commercial, for Maxwell House coffee, featured Linda Ellerbee, who marched in last month's abortion rights demonstration in Washington and who does pro-abortion commentaries on Cable News Network, where she is employed?

The film shifted the focus of attention from the baby to the woman, a strategy that is at the heart of the pro-abortion position. Such a shift is necessary because pro-abortionists have lost the debate over the "humanness" of the baby thanks to ultrasound and fetoscopy, which show clearly fetal development.

The film treated adoption as a less appealing option than abortion, twisting logic and promoting the pro-abortion position that it is more blessed to kill the unborn than it is to enhance three lives, the baby's and couples who desperately want children.

The actress playing attorney Sarah Weddington said to her client, "You shouldn't have to bear a child and give it up to strangers." This is harsh news to the long waiting list of those "strangers," prospective adoptive parents hoping women will indeed give their babies life in order that the lives of barren couples might be enhanced.

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There were not-too-subtle references in the film to abortion as a cure-all for welfare (a suggestion that Jesse Jackson once denounced as racist before he converted to the pro-abortion point of view) and there were passing scenes of a dirty abortion table, "intolerant" religion (the Methodist denomination, which favors abortion, received an honorable mention) and insensitive men (except the ones helping the pro-abortion side).

But it was in the hour-long NBC News special following the film that the NBC point of view was stripped of whatever objective clothing remained (on the Washington, D.C., NBC affiliate, a local reporter covering pro-lifers as they watched the movie referred to them as "so-called pro-lifers," while the reporter covering the other side called them "pro-choice").

With body language, smirks and interruptions, Tom Brokaw revealed his side. Brokaw frequently interrupted and lectured Rep. Chris Smith (R-N.J.) and Olivia Gans of National Right to Life, allowing Planned Parenthood President Faye Wattleton and author Anna Quindlen to make uninterrupted responses to questions.

This film and follow-up news programs practiced censorship by ignoring the following: a woman deciding not to have an abortion for the baby's sake; people praying about their circumstances (millions do) and receiving counseling and financial help; a crisis pregnancy center (there are hundreds) helping a woman with an unplanned pregnancy before and after the birth of her child, offering her a place to live, food, clothing, medical care and even a job; pictures of what is being aborted, before and after the fact; interviews with "tough cases" who were not aborted and who are asked whether they wish they had been; interviews with doctors, such as Bernard Nathanson, who used to perform abortions but has "converted" to the pro-life side; interviews with parents whose joy is boundless since they adopted a child.

The pro-abortionists have mounted an unprecedented campaign on radio and television and in newspapers and magazines, hoping to persuade the Supreme Court to leave *Roe vs. Wade* alone. They are spending millions.

APPENDIX G

[The following column appeared in the New York Post on July 4, 1989, and is reprinted here with permission (©1989 by the New York Post).]

The Birth of a New Day

Ray Kerrison

A couple of weeks ago, I held in my arms for the first time a newly-born granddaughter named Maria, an exquisite baby made, I believe, in the image and likeness of God.

The idea that this child's life could have been legally and constitutionally snuffed out at any time up to her birth for reasons as flimsy as mere convenience is beyond my comprehension.

So when the U.S. Supreme Court yesterday took a small but momentous step toward ending unfettered abortion, the sun suddenly shone a little brighter. Not that it will make any difference in New York. We have only 7 percent of the population but we abort 14 percent of the unborn. It's a thriving industry, and will remain so.

The court's decision, however, is wholly in line with the trend of the nation. At the Democratic presidential convention last summer, the party deleted all reference to "abortion" in its platform, preferring the euphemism "reproductive rights." The message was clear: the party was on the defensive; abortion suddenly was a dirty word.

Recent polls show a shift in public opinion. While a majority favor the principle of abortion, some 57 percent oppose runaway abortion-on-demand. Two months ago, 50 Democratic congressmen applied to have abortion expunged from the platform because it is "wrong, politically inappropriate, and bad public policy." Nobody sniffs the direction of the wind quicker than a politician.

Reaction to the court's decision was volcanic. Pro-choice advocates were crestfallen; pro-life advocates ecstatic. Molly Yard, president of the National Organization for Women, said: "It's war against women. We can't trust the courts, the Congress or most state Legislatures. We'll go to the people."

That thought sent shudders through Faye Wattleton, president of Planned Parenthood. She cried that the Supreme Court had now left abortion "to the vagaries of our residents."

How do you like that for intellectual arrogance? It proves that these people really don't trust the public. They believe that only they, in their elitist wisdom, know what is best for the great unwashed masses. But that's what Planned Parenthood is all about. Its racist founder, Margaret Sanger, wrote in

APPENDIX G

1919: “More children from the fit, less from the unfit—that is the chief issue of birth control.” The masthead on her magazine read: “To create a race of thoroughbreds.” If that’s not Hitler’s master-race theory, what is? On abortion, Sanger said, “The most merciful thing that the large family does to one of its infant members is to kill it.” The blind, deaf and dumb, she said, were “dead weights of human waste.”

Nothing has changed. Planned Parenthood to this day remains in the forefront of birth control and abortion, still seeking the “thoroughbreds.”

The pro-life faction was jumping with joy. Randall Terry, director of Operation Rescue, said, “The handwriting is on the wall. Roe [the original 1973 decision on abortion] is going down.” Dr. John Willke, president of the National Right to Life, said, “This is the first major step toward eliminating this incredible evil of killing a third of all our babies.”

Gary Bauer, a former aide to Ronald Reagan, said, “Sometime in the future, people are going to look back on this issue the same way they look back on slavery, and those who stood up for the most defenseless in our society—our unborn children—will be judged by history to have stood on the right side.”

My thoughts flew to Dawn Mendoza, the 28-year-old Bronx mother who went to an abortion clinic in Dobbs Ferry exactly a year ago and, within an hour, was dead on the table. She was in the third trimester of her pregnancy. If yesterday’s court decision limiting third-trimester abortions had been on New York’s law books then, Dawn Mendoza and her baby might be alive today. The Yards and Wattletons never talk about the Mendozas.

I also thought of the politicians who hide and duck and weave on the abortion issue. Their day is over. Now they are going to have to stand up and be counted because abortion is going back to the states. Where are you, Mario?

This is indeed the birth of a new day and, for me, no one can abort it.

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