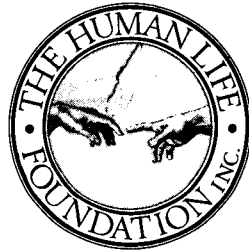


the HUMAN LIFE REVIEW



WINTER 1999

Featured in this issue:

William Murchison on The Limits of Politics

Clare Boothe Luce on The New Morality

J.P. McFadden R.I.P.

Faith Abbott McFadden • John Cardinal O'Connor
Ray Kerrison • William F. Buckley, Jr. • Ellen W. Fielding
John and Malcolm Muggeridge • John T. Noonan, Jr.
Michael M. Uhlmann • Mary Meehan • Jo McGowan

Mary Meehan on *The Road to Abortion (Part II):*
How Government Got Hooked

J.P. McFadden on Toward the New Future

Also in this issue:

William McGurn • George F. Will • John Leo • Yale Kamisar
Wesley J. Smith • Mona Charen • Philip Johnson

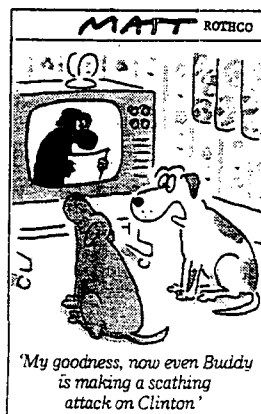
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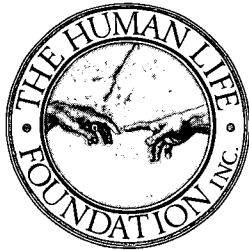
New York, New York

ABOUT THIS ISSUE . . .

. . . our 25th anniversary year begins with this special issue commemorating J.P. McFadden, our founder and editor (and my boss for three and one-half years), who lost a magnificent battle with cancer last October 17, one week after shepherding the 24th volume of his *Human Life Review* to completion. Mr. William Buckley, in a piece he wrote for *National Review* about Jim's death, said that "On hearing the news, some of us were grateful to Providence." That wasn't quite what I felt, but then, unlike all those whose tributes we have gathered here, I didn't know Jim when he didn't have cancer. The illness was part of the baggage he brought to our relationship, a considerable load that only grew heavier in the time I knew him, but one he carried with grace, wit—even panache. While he could still speak, he would often regale me with tales about his old *NR* days—how for a time he had shared an office with Whittaker Chambers, how once, due to a booking mix-up during the '64 Republican National Convention, he'd shared a hotel room with John Dos Passos. His voice was high-pitched and raspy, his words sometimes difficult to understand, but that never got in the way of his stories, which he revelled in telling, and later, after he'd lost his voice altogether, banging out on canary yellow paper at his typewriter. It was a challenge at times working for him, not because he was dying (though bearing witness wasn't easy) but because we *both* suffered from what he once called a "terminal case of bluntness." But we also shared a love of laughing—guffawing actually—and even after he could no longer utter any sound his body and face convulsed as if he were so that you never noticed any difference. Even mute there was nothing silent about Jim. On the morning before he died, he came over to my desk "chuckling," as he often did, and handed me the cartoon reprinted below. I think I speak for his long-time employees, Rose Flynn DeMaio, Esther Burke and Ray Lopez when I say it was an honor to be a part of his (not-so-tiny) platoon.



ANNE CONLON
MANAGING EDITOR



the HUMAN LIFE REVIEW

Winter 1999

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INTRODUCTION

THIS ISSUE IS THE FIRST OF OUR 25TH YEAR OF PUBLISHING. It is also the first issue of the *Review* launched without our Founder, Editor, and my father, James P. McFadden, who died October 17, 1998, after a long and courageous battle with cancer.

We have made this a special commemorative issue, in honor of my father, whose conviction it was 25 years ago (only 2 years after the *Roe v. Wade* decision) that the anti-abortion movement needed an intellectual journal. Since its inception, the *Human Life Review* has been the only publication of its kind: a quarterly collection of serious and often scholarly articles arguing for the protection of human life. Originally conceived as primarily an anti-abortion magazine, the *Review's* subject matter has expanded to include larger cultural questions, as well as, by unfortunate necessity, partial-birth abortion, infanticide, assisted suicide and euthanasia, and even human cloning and experimentation. It is now and will continue to be a valuable historical record of life issues in America and abroad.

As I sit to write this Introduction, my first, there is certainly sadness. I wish my father were here to write it, as always, pounding away at his Royal typewriter, passing each completed page of copy out for us to read, proof and typeset. I do miss him, in ways I don't have the words to describe. But I also have a great sense of gratitude and pride, and a welcome feeling of purpose: it's up to those of us who are here to ensure that the important work of J.P.'s beloved Foundation and *Review* will continue, as we are sure it will, into the next century.

There is a lot about my father in this issue, in the special section starting on page 27. It's fitting, because he was a giant presence in the pro-life movement. But it's appropriate for another reason as well: the life issues that we have argued about in these pages for so many years are not theoretical, nor divorced from our and our readers' real lives. Many of our families are affected now by abortion and its "progeny," including post-abortion syndrome, pressure for pre-natal testing, "genetic counseling," fertility procedures, *et al.* And, on the other end of life, who can now escape "quality-of-life" concerns? My own father's illness caused him to live under conditions that have been used as an argument for euthanasia and assisted suicide. More and more doctors and medical plans are buying (literally) into a "quality-of-life" ethic. None of us can afford to be ill-informed. And, as you read about my father's struggle, it is evident that even champions of life can find it difficult to go on in the face of devastating suffering, which is why the conviction that human life is sacred must be deeply rooted. For in reality, trusting that life is God's to give and take does not rule out the hard cases, but it *can* sanctify them.

We begin, as we often do, with our esteemed colleague, friend, and senior editor, William Murchison, who does us a great service: he sums up the fall elections from a pro-life viewpoint, and then he enlarges the picture, examining the "broad intersection where politics and morality meet." The pro-life cause in Washington

has had some setbacks, yes, but it is still a strong force. The problem is that pro-life politicians can only go so far without the support of pro-life *Americans*; the majority of Americans (often called the “mushy middle”) are uncomfortable with abortion-on-demand, but the numbers shrink when it comes to legislating against it, because of moral ambivalence and the “syrupy addiction to tolerance,” of other people’s “lifestyle choices.” Americans have largely accepted that private morality can be divorced from public morality, as is painfully evident when we are reminded daily that most Americans think President Clinton’s private actions shameful, but don’t believe that he should be removed from office (and his job approval rating is high!).

Because of an unwillingness to condemn the “personal lifestyles of others,” Americans lack the moral consensus to back up political action. Murchison argues that the anti-abortion movement has done well in the past quarter-century to keep alive intellectual opposition to abortion, but the great challenge which lies ahead, especially now as we face the related life questions of “autonomy in death,” is to “reinstill in American culture a sense of reverence for life.”

As this is a commemorative issue, we searched our archives for some articles by people integral to the development of the *Review*, to see if what they wrote then would be relevant now. The next gem of an article, by the late great Clare Boothe Luce, author, stateswoman, and playwright, who was also a dear friend of my father and benefactor of the *Review*, is quite astounding in its pertinence. Mrs. Luce gave a speech in 1978 which we reprinted in our Summer issue that year, with the title “Is the New Morality Destroying America?” As we re-read it, we editors all had the same reaction: we wanted to weep at how far we’ve come (in the wrong direction), and yet we were gratified at how prescient and prophetic Mrs. Luce (and the *Review*) was.

The point of Mrs. Luce’s talk was to compare the “new” morality, the non-traditional morality, with the accepted, universal morality—and to ask if there was a *basis* for universal morality, not tied to a certain religious ethic. She found there was, asserting: “when we study the history of human thought, we discover a truly remarkable thing—all the great minds of the world have agreed on the marks of a moral person.” Chief among them is truthfulness. Traditionally, she wrote, even though habitual lying is not punishable by law (unless it is done under oath), society “takes a dim view of the habitual liar” and “punishes him . . . by social ostracism.”

Today we have a habitual liar occupying the highest office in the land, and we knew he was a liar before he was elected—twice! But Luce says, “All history bears witness to the fact that there can be no public virtue without private morality. There cannot be good government except in a good society.” And as Murchison argues, the concept of the good society has been largely forgotten. Instead, I fear we have the sex-obsessed society which, Mrs. Luce wrote, is the mark of “*all* decaying societies.” It’s hard to imagine that even Mrs. Luce would have believed how sex-obsessed we are today. The mantra *re* Clinton is “It’s just lying about

INTRODUCTION

sex,” but there is no “just” about it—our capitol has been turned upside down by one man’s sexual excesses, his lying to cover it up, and the public’s moral confusion about whether *anything* that is done “in private” can be called sinful.

Next we have our special section, for which there is a brief introduction on page 28. We pick up our articles with Part II of Mary Meehan’s fascinating article on eugenics. In Part I (in our Fall ’98 issue), Meehan shows how the early population control movement had its roots and gained momentum from eugenicists (like founder of Planned Parenthood, Margaret Sanger and Dr. Alan Guttmacher). In the concluding section, Meehan follows the eugenics movement as it takes its population message to the government, to try and effect economic and foreign policy—the beginning of our policies exporting contraception and abortion to the Third World. We think you will find it interesting which politicians (like Presidents Kennedy and Nixon, and Senator Daniel Patrick Moynihan) showed keen interest in plans to curtail the population growth of non-whites. Meehan is a skilled researcher and there is much here that may startle—even some pro-lifers may not realize how much of the pro-abortion movement came from eugenics, under the guise of concern for the poor and the new “sexual liberation.”

What follows is our final article, another from our archives, by J.P. himself. As with Clare Luce, we were amazed at how pertinent his article, from 1983, is today and how depressingly prophetic. “In “Toward a New Future,” J.P. talks about the alarming new precedent to justify infanticide, evidenced in a Baby Doe case in Indiana. The “Bloomington Baby” had been born with Down syndrome, and an esophageal problem that would have required minor surgery to correct. The parents and doctors decided to forego the surgery, which meant that the baby would starve to death, and he did (it took over 6 days). It stirred up quite a controversy at the time, but then we had a pro-life President, Ronald Reagan, whose Administration proposed new guidelines. J.P. introduces here one Peter Singer, an obscure professor from Australia who had written a pro-infanticide piece in the American Academy of Pediatrics journal. Our readers will recognize this same Singer as the subject of our *Infanticide Chic II* symposium from our last issue; he has gone from obscurity to being awarded an endowed chair at Princeton University! Unfortunately, our culture is ready to accept the likes of Singer as a moral “thinker”—he is on the forefront of the “chic” academic movement which labels persons who hold that human life is intrinsically more valuable than animal “speciesist”—in their view, a “defective” human newborn may be worth less than a healthy gorilla. So it’s not surprising that what happened to the Bloomington Baby is happening probably every day now in our hospitals, where decisions are made based on “quality-of-life” ethics. J.P. finishes his article with a proposal for doctors that ought to be mandatory—but we’ll let you read that for yourself.

* * * * *

Our first *Appendix (A)*, is a column on the very same Peter Singer, written by our contributor William McGurn (originally for the *Wall Street Journal*). In

“Princeton Defends Its Professor of Infanticide,” McGurn reports on the university’s response to the controversy over Singer’s appointment. As you would expect, the university has employed Orwellian double-speak to justify Singer as an instructor of ethics at the “Center for Human Values”!

Appendix B is a tough one to read. In “54 Babies,” columnist George Will reports on the grisly discovery made by two boys in Chino Hills, California—boxes stuffed with the remains of 54 fetuses (the boys of course went home and said they found “babies”). When local residents formed a group—Cradles of Love—to bury the babies, the ACLU stepped in, as Will explains.

Our next Appendix, by John Leo, discusses the painful subject of the murder of abortion doctor Barnett Slepian last October, and the accusations by the media and pro-choicers that pro-life leaders are responsible. This is a must-read—Leo, who cannot be accused of being a pro-life fanatic but is rather a first-rate, reasonable journalist—makes the case that arguments based on “climates or atmospheres” are often “simply attempts to disparage opponents and squelch legitimate debate.”

We now shift our attention to the increasingly feverish debate over assisted suicide and euthanasia. We begin with a piece by Yale Kamisar, Clarence Darrow Distinguished University Professor at the University of Michigan Law School, who writes on the resounding failure of the initiative to legalize assisted suicide in Michigan (on the ballot last November), and explains why, with Oregon as the exception, proponents of assisted suicide have “done quite poorly in the public arena.” While most voters are moved by the poignant hard cases of dying people who are suffering unspeakable pain, they are weighed down, on the other hand, by the intricacies of actual legislation that would allow for “mercy,” without permitting abuse.

Perhaps the epitome of a nightmare for both sides in the assisted-suicide debate is the ghoulish Dr. Jack Kevorkian, who was encouraged by media executives at CBS to push the envelope and air a “mercy killing” on prime-time TV. As I am sure everybody knows, the “news” program *60 Minutes*, hoping to boost its sweeps-week ratings, invited Kevorkian to show his home videotape of the killing of an ALS sufferer, Thomas Youk, along with an interview with Mike Wallace for Dr. Jack to air his “message.” Wesley Smith, our expert on assisted suicide and euthanasia issues, wrote the next *Appendix* for the *Weekly Standard*. In it, he says that while Mike Wallace blithely (and without research) accepted Kevorkian’s claim that ALS patients like Youk were scared to death of the ALS symptoms, the medical facts are that the scariest conditions—choking and suffocation—“have been virtually eliminated with proper medical care.” What the unfortunate Mr. Youk won’t be able to find out is that patients with ALS and many other debilitating diseases can, with the proper help, live full lives until their natural death.

Mona Charen, in our next *Appendix (F)*, picks up on the Kevorkian death-fest, and she brings in some facts we think you ought to know, if you don’t already. Dr. Jack also fancies himself an artist, a painter, and he has had shows of his “work,”

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which are, to say the least, horrifying. Scenes of human mutilation and death, severed heads, brain and spinal cords ripped from a body—these are not the imaginings of a healthy individual. We do know that Kevorkian has in the past suggested that it would be a good idea to forcibly remove organs from death-row inmates. He also butchered the body of a recent victim, so as to “offer” the kidneys for transplant (there were no takers). He is in a sense living out his disgusting dreams, and we are not only allowing him to do it but giving him a national platform!

Finally, we end this issue with a piece we saw in *The Spectator*, the British weekly magazine. In “Death Becomes Them,” author Philip Johnson exposes the frightening realities of “civilized” societies’ push towards euthanasia. In Holland, though still officially illegal, euthanasia is practiced on a broad scale, including the *involuntary* variety (an official committee in 1991 estimated involuntary deaths to be as many as 1,000 of the 2,300 annual euthanasia deaths). Johnson reports that the euthanasia debate in Britain has been lately re-charged, and it’s likely that Britain will go in Holland’s direction.

But what really haunts is what is happening to *doctors*: Johnson quotes a Dutch doctor as saying that you are never the same after the first time you perform euthanasia, but as you do it more “you become more positive toward it . . .” and doctors become less creative about solving patients’ pain and problems. “This is pulling out the cornerstone not just of palliative medicine but of all medicine.”

That cornerstone was loosened long ago with the rejection of the universal morality Clare Luce invoked, and abortion, our “original” issue, has everything to do with the horrors that have followed. But, lest we end on a down note, I remember that J.P. always found a way to smile and laugh at a pun or joke, even when facing the worst, so we include some very funny cartoons here, and look forward to bringing you the best arguments we can find—for life!

MARIA MCFADDEN
EDITOR

Postscript: the world lost another great pro-lifer, just this past January 10th. William Bentley Ball, who was 82, was a constitutional lawyer famous for his tireless defense of the freedom of religion. He was a staunch Roman Catholic and a fervent pro-lifer; he also wrote for numerous publications, including the *Review*, and he was our good friend. Our condolences go to his family. *R.I.P.*

The Limits of Politics

William Murchison

As I write, shouts and war whoops ricochet back and forth across the U.S. Senate chamber, and in the hallways outside. Democrats and Republicans are slugging it out over the question of how and whether to punish President Clinton for imputed offenses against the Constitution. The spectacle, never mind the noise, chills the blood.

My purpose is not here and now to lurch into the impeachment controversy—which will certainly have been resolved, one way or another, by the time these words finally see print. This essay is not about impeachment at all; it concerns the 1998 elections and their effect on the pro-life cause in Congress. At least I think that is the nature of our business. The matter could be larger than that.

Of one thing I am increasingly sure: our battles in the 1990s over abortion, euthanasia, presidential conduct, and the like relate to each other in place as well as time. The place is that broad intersection where law and morality meet. The combatants have a certain familiarity: they are elected officials, or if not that, then public policy pundits. They claim to be fighting our battles for us. If they are, it may be no wonder the fighting seems never to end.

Let us, to get the discussion going, and in view of this esteemed journal's mission, talk about human life.

Twenty-six years after *Roe v. Wade*, the political process remains deadlocked concerning the means necessary to overthrow the Supreme Court's "pro-choice" regime. Pro-life legislators command impressive support but lack the raw numbers to overwhelm their congressional opponents. The 1998 elections, if anything, represented a slight setback for pro-lifers. "We held our own in the U.S. Senate but lost a handful of votes in the House," writes the National Right to Life Committee's PAC director, Carol Long Tobias, who goes on to observe that "Although the House margin is narrower, pro-lifers continue to hold a majority on most current issues in Congress."

Down went a particularly vehement advocate of "choice," Illinois Sen. Carol Moseley-Braun, who was defeated by an unabashedly pro-life Republican, Peter Fitzgerald. Another happy flip-flop, this time in Ohio: the geezer astronaut, John Glenn, commonly an opponent of pro-life endeavors, steps

William Murchison, our senior editor, is a nationally-syndicated columnist at the *Dallas Morning News* and a popular speaker on a wide range of current religious and cultural issues. His latest book is *There's More to Life than Politics*, out last fall from Spence Publishing Company (Dallas).

aside, and a pro-life Republican, George Voinovich, succeeds him. Pro-life Republican Jim Bunning takes over pro-life Kentucky Democrat Wendell Ford's Senate seat.

Not all pro-life senators survived. In North Carolina, Lauch Faircloth went down, and in New York Alphonse d'Amato, who, hard as his personality might grate on varied sensibilities, could generally be counted on to cancel out fellow Catholic Ted Kennedy's anti-life votes. The victors in both races—John Edwards and Charles Schumer, respectively—are pro-choice.

In the House, according to Carol Long Tobias, the election left the pro-life side down four seats “on the overall question of whether unborn babies should be legally protected” (not just whether, for instance, partial-birth abortion should be banned).

What all this means, of course, is increased status for the Washington status quo, whereunder nothing much happens, either good or bad, on human life issues. While Bill Clinton remains president, any bill abridging or rearticulating the rights supposedly secured by *Roe v. Wade* will go nowhere fast. Al Gore's ascent to the presidency, should that occur, would barely change the equation. Gore and Clinton know equally well on which side their bread is buttered. No good can come to them—no political good—through offending the women's bloc, always so ready to throw votes their way or to denounce Republicans.

Not even partial-birth abortion, as Clinton has demonstrated by vetoing bills to prohibit it, gets Congress excited enough to override the veto. And partial-birth covers only a small percentage of the million and a half abortions performed in the United States every year.

Still, the pro-life movement remains a strong, if frustrated, political force. Election polls reassured pro-life activists that their views are not dragging down such politicians as share them. For example, Richard Wirthlin found that, of the 22 percent who said abortion affected the way they voted, 13 percent voted for “candidates who oppose abortion.”

A CNN exit poll in the not-exactly-traditionalist bastion of Wisconsin identified abortion as the main concern of 20 percent—82 percent of whom voted for Republican candidate Mark Neumann, who had hammered incumbent Democrat Russ Feingold over Feingold's votes against a partial-birth abortion ban. This tactic clearly helped Neumann—just not enough. Feingold's quirky personality and quixotic campaign, in which he spurned “soft money” contributions from corporations and unions, carried him to victory.

Wirthlin found 51 percent of voters in this low-turn-out election to be more or less in sync with the pro-life cause. These would prohibit abortion

altogether or do so except in the Big Three cases: rape, incest, and those instances where pregnancy endangers the mother's life.

There is more than this, however, to Wirthlin's findings. Add together a couple of percentages from the poll and you discover that 53 percent of voters are poised right in the center of the debate. The center-right favors the aforesaid exceptions; the center-left favors sparing three-month-old unborn babies (but not two-month-old or month-old ones). In which finding there is nothing really exceptional. Polls for years have demonstrated this same ambivalence.

As Carl Bowman wrote in James Davison Hunter's *Before the Shooting Starts: Searching for Democracy in America's Culture Wars*, "While the majority of Americans morally disapprove of abortion in the situations in which it is most commonly performed, many of these Americans nevertheless also seem willing to live with a law that makes it possible for a woman to get an abortion during the first three months of pregnancy almost regardless of the reason." He goes on to note, unsurprisingly, that "most Americans live with a certain moral dissonance."

All of this tallies with Alan Wolfe's recent assertion (*One Nation After All*) that we live in a time of "morality writ small," where people "make their own morality and do the best with it they can." They may not *like* what others do, but that's beside the point; if they can well avoid it, they're not going to impose their moral views on some other freeborn citizen of 20th century America.

The concept of abstract Truth—*This* is how it is, and we hope you like it, but your liking it or not liking it doesn't change things—seems to enjoy less purchase on Americans' minds than at any time in their history. Perhaps in the world's history.

And just what has all this to do with elections—not to mention impeachment? Quite a lot, I suspect. The pro-life movement is rightly intent on winning every election possible. What good would it do to *lose* elections? All this would accomplish would be to signal the pro-choice lobby that the game was theirs; that the opposition had been smashed. What new schemes of personal liberation would then be hatched, no one on the pro-life side wishes to imagine.

The pro-life status quo represents a number of good and attractive things: the Republican party's pro-life plank, which "moderate" Republicans try every four years to rip out but which acts meantime as a moral gauge and political standard; congressional hostility to at least one gruesome form of abortion, partial-birth; the possibility after the next presidential election of

reinstating former bans on spending federal money to facilitate abortion; the possibility of the next president's putting on the Supreme Court more jurists who oppose the logic and consequences of *Roe v. Wade*.

There is still much more to the matter. As is clear to those who can see past the ends of their noses, the abortion movement and the euthanasia/assisted suicide movement are genetic twins, feeding off the same ambivalence about life's goodness, the same syrupy addiction to "tolerance" in human affairs. A lawmaker's rockbottom duty is the protection of life, born as well as unborn; but if on some days, in some years, all we can do is keep the killer doctors, the Kevorkians, at bay, that counts for something.

The political process, in other words, is not, could not possibly be, and should never be allowed to become a matter of indifference to defenders of life. How in the world did abortion become a public issue? Through the actions of government: specifically, the votes of seven members of the U.S. Supreme Court, striking down the anti-abortion enactments of the several states. *Roe v. Wade* is an act of political aggression that politics is theoretically (practically is another matter) suited to counter. Who stands in the gap against euthanasia? Honorable doctors and nurses, firm-minded clerics, but also prosecutors, legislators, governors.

The magnitude of their task becomes clearer, nonetheless, when one contemplates Bill Clinton and the impeachment process; when one focuses on the political traumas that engulfed the United States throughout 1998.

At the start I spoke of that broad intersection where politics and morality meet. What happens when they meet? It depends on what issue you mean, and when the meeting takes place. When politics and morality reinforce each other, the meeting goes smoothly enough. In other words, when moral consensus underlies political judgment and political action, there is not much to fuss and fight about.

That sounds abstract. Let me illustrate. There is moral consensus about robbery—a thing everyone abhors, except for burglars, stick-up artists, and architects of the IRS Code. The moral consensus, based on direct instruction (the Bible, etc.) and intuition (you can't just take something from somebody!) holds that robbery must be prohibited and punished. Legislators from earliest times have nodded their heads in solemn agreement. Robbery we just won't put up with. For people who try it anyway we have laws and courts. The operation of the laws regarding robbery never meets with protest or obstruction. We are united: no robbery. In this particular portion of the intersection where morality and politics meet, all is calm, all is bright.

Not so with life issues—and with a great many other issues as well; issues

revolving around what are often termed “lifestyle choices.” A lifestyle choice is the choice to live one’s life a certain way. Not just *any* way. A burglar’s choice of profession would not fit in this category; that choice would infringe the peace and security of others.

A lifestyle choice, in the argot of the 1990s, is one that affects the chooser alone. The chooser is lord of his own life so long as he leaves others to their own devices—respecting in others the freedom he asks for himself. His actions may invite shrugs or frowns, but unless they go much too far, they do not invite judgment.

By a painful and sometimes zig-zag process, the culture over the past 30 years has defined choices regarding sex, and sexual expression, as life-style choices *par excellence*—matters pertaining to the individual and the individual alone.

This is curious, given that sex, though private and personal in nature, is rarely solitary, affecting only one person (the examination of pornography, for instance). Pregnancy results from the union of two people. What is more, it produces a third. This makes pregnancy, on any reasonable showing, a social occasion—one, that is, in which society takes an interest. Thus, prior to *Roe v. Wade*, the states made it their business to protect that third life by banning abortion. The Supreme Court was able to overturn these laws only after a process in which the new view of lifestyle was assimilated at the highest level. Pregnancy, which had formerly been social, became intensely individual—a matter for the woman and the God in whom she might or might not believe.

It became individual to an extent: not the full extent by any means. The Wirthlin poll cited above reminds us that popular culture doesn’t go nearly all the way with “It’s *my* choice.” Just 13 percent of voters said the choice should be the woman’s, every time and any time—never mind the father’s wishes, never mind what used to be regarded as the baby’s rights.

As with abortion, so with euthanasia/assisted suicide. The killing of real live outside-the-womb human beings stirs reservations that seem not to pertain in the cases of unborn babies, without names, almost without pasts. Still, Dr. Kevorkian (and his friends at *60 Minutes*) are whooping it up for unfettered lifestyle choice. The quest for autonomy in death might not seem to relate directly to the quest for autonomy in sex. In fact, the latter gave rise to the former; it raised indelicately a once-scandalous contention, that, to put it bluntly, what’s mine is mine. As the public adopted that viewpoint, legislators, who supposedly represent the public, started likewise to adopt it, at least for legislative purposes.

Point No. 1: It's hard to get things done in democratic politics without the people on your side.

Point No. 2: The great secret weapon of democratic politics is opinion.

Precisely here the ongoing presidential soap opera pops up on our TV sets. Autonomy in the matter of bearing an unborn baby isn't the only kind of autonomy fashionable today. The whole rubric of "sexual choice" offers fascinating possibilities in the 1990s: to "terminate a pregnancy" or to have an affair. Indeed, to have that affair with anybody anywhere, including the Oval Office dining room. Put "choice" at the center, without guidelines for making a choice, and self-expression takes all manner of forms. Why *not* Monica? Why *not* the presidential suite? Isn't satisfaction of personal desire the big thing?

It clearly is for this president. What has confounded efforts to deal with this mind-set is the same woolly public tolerance evident in the abortion debate. Maybe I—John Q. Public—would not behave in this way, but who am I to condemn an alternative viewpoint on the delicate question of autonomy? Republicans who voted to impeach did so knowing "the polls" were heavily against them. They could only hope the polls overstated the voters' irritation with attempts to bring Clinton to book.

The polls on Bill Clinton throughout 1998 pointed to a familiar split: personal opposition versus unwillingness to "condemn." The senator or congressman "personally opposed" to abortion, but unwilling to lift a finger against it—hostile and obstructive, in fact, to those who do lift fingers—is a familiar Washington type. Though some of these figures are Republicans, most are Democrats: Roman Catholics as often as not, striving to keep their credentials in the Church even while defying its human-life teachings.

Here, at the intersection of politics and morality, battle smoke blurs the landmarks. What we stand for, the majority of us Americans, is . . . tolerance. What we need—critically so—is the restoration of norms and standards and an end to fuzzy, feel-good thinking about the equivalence of certain key ideas. The point may be unremarkable. I remark it by way of trying to demonstrate the limitations of politics.

Democratic politics, however vital to our society, will take a modern American just so far. Organize, theorize, propagandize: still the voters have to agree. How is Congress going to abolish abortion unless the sovereign voters agree to its abolition: something (if the polls are accurate) they are far from agreeing on?

The anti-abortion crusade of the past quarter century has been vital in keeping alive intellectual opposition to abortion, but the crusade's failure so

far to triumph in the political arena shows the character of the opposition. The task is only in part to chase from office the hollow men and women unwilling to attach supreme value to human life. The task is at least equally—I would argue more—to reinsert in American culture a sense of reverence for life.

The enterprise has its political aspects. The great megaphone that politics affords sends out the message loud and clear; it does not, alas, always send the message in compelling form. The polls show (to the extent that polls actually “show” things) that non-pro-lifers fear pro-lifers are trying through politics to ram their lifestyle down others’ throats. Politics, for all the “bring us together” talk it inspires on heated occasions, is divisive and polarizing: Them versus Us. A public already disposed toward lifestyle tolerance gets the idea that this town isn’t big enough for the two of us, see? There is clearly nothing wrong with shaking up people who need shaking up—e.g., pro-choicers—but the tangible results do not always count as progress.

What’s needed? Probably more example of personal concern for life by pro-lifers—like Marvin Olasky and his wife, organizing a crisis pregnancy center at their Austin, Texas, kitchen table and adopting, shall we say, cast-off children so as to love them. Ideas, though, must also change, according to the mysterious processes by which new thoughts sink into human consciousness, causing humans suddenly to see the world differently. We have seen how it works with Darwinism and Freudianism. It needs now to work in reverse: anyway to the point at which the glory of life achieves preeminence over some claimed entitlement to autonomy in life.

The task is cultural, broadly speaking. It is more precisely theological. At this sublime task the churches have lagged. Not that some churches—the Roman Catholic Church is notable here—have failed to speak up for unborn life. The larger failure is more subtle: it is that of failing to connect all the dots in the great diagram of life, showing the diagram as one master work of God. With masterworks, you defer to the Master’s wishes. You defer gladly, joyously, gratefully, as a matter of fact.

The churches of the late 20th century, in their totality, don’t quite get it. To this God business there is clearly something, or grown men would not don round white collars and work, often enough, for subsistence pay. But religious thought and practice over the past century and more has encouraged, sometimes unwittingly, a dangerous teaching. It is that, as children eventually outgrow their happy homes, so modern folk understand things formerly closed to them, like the true meanings of equality and autonomy. Understanding these things—the teaching continues—people should be left alone

WILLIAM MURCHISON

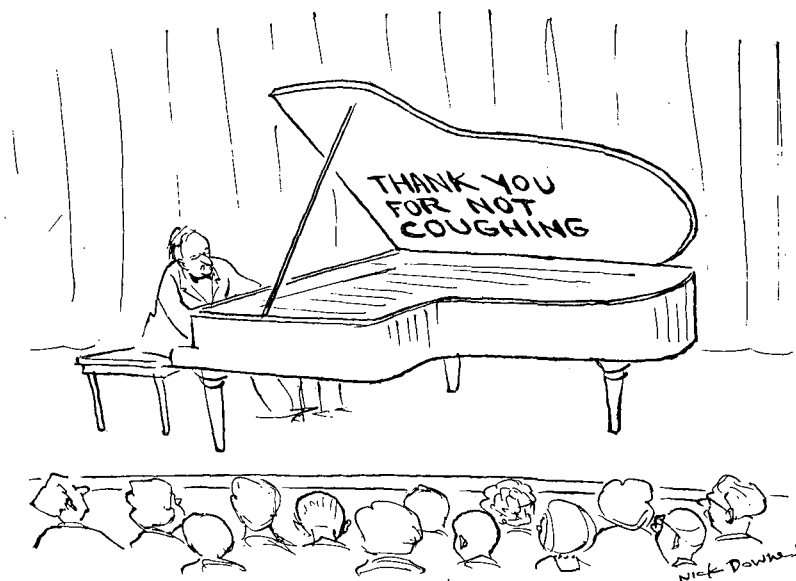
to try out their insights. And pity the politician who gets in the way!

If ideas inform and shape politics, and if we want politics dramatically changed, we need then to reshape the relevant ideas. What is more, I think precisely that is happening. Pro-life scholarship flourishes, not least in this journal, which in the present issue mourns the passing of its founding father. Religious teaching about life is stiffening. The rise of Bill Bennett as omnipresent and influential critic of the do-your-own-thing culture shows that there is ready public acceptance, in some quarters anyway, of the relevant message.

The whole Clinton culture debate has opened eyes to the consequences of drawing out too far the principle of untrammelled autonomy, whether in sexual activity or in regard for speaking the truth. The so-called Christian right, though offensive to the new culture, and only partly effective in changing the politics of abortion, has focused attention on the grim particularities of abortion—most of all these days, the partial-birth procedure.

There can be no formula or program for the reshaping of an intellectual consensus. Nevertheless, the need for such a reshaping is clear and compelling. God needs to be put back atop the pyramid of life in order to afford that direction and sense of purpose so conspicuously missing in the world He made.

It's hard to get things done in democratic politics, I have said, without the people on your side. If many Americans in 1998 already favor the pro-life cause, nonetheless they need company—lots and lots of it. The politicians will listen well enough to such a great company. That is the thing politicians are especially good at—listening.



Is the New Morality Destroying America?

Clare Boothe Luce

I was honored—as who would not be?—by the invitation to address this Golden Circle of remarkable IBM achievers. But I confess I was somewhat floored by the subject your program producer assigned to me. He asked me to hold forth for a half-hour on the condition of morality in the United States, with special reference to the differences between America’s traditional moral values and the values of the so-called “New Morality.” Now even a theologian or a philosopher might hesitate to tackle so vast and complex a subject in just 30 minutes. So I suggested that he let me talk instead about, well, politics or foreign affairs, or the Press. But he insisted that your convention wanted to talk on a subject related to *morals*.

Well, the invitation reminded me of a story about Archbishop Sheen, who received a telegram inviting him to deliver an address to a convention on “The World, Peace, War, and the Churches.” He replied: “Gentlemen, I am honored to address your great convention, but I would not want my style to be cramped by so narrow a subject. However, I would be glad to accept if you will widen the subject to include ‘The Sun and the Moon and the Stars.’” So I finally agreed to talk if I could widen my subject to include, “The Traditional Morality, the New Morality, and the Universal Morality.”

There’s another trouble with talking about morals. It’s a terribly serious subject. And a serious talk is just one step away from being a dull, not to say a soporific one. So I won’t be offended if, before I finish, some of you leave. But please do so quietly, so as not to disturb those who may be sleeping.

The theme of this convention is “Involvement.” Now there is one thing in which all Americans, including every one of us here, are already deeply involved. Every day of our lives, every hour of our waking days, we are all inescapably involved in making America either a more moral or a more immoral country.

So this morning, let’s take a look at the direction in which we Americans are going. But first, we must begin by asking, “What are morals?”

Morals, the dictionary tells us, are a set of principles of right action and behavior for the individual. The “traditional morality” of any given society is the set of *moral principles* to which the great majority of its members have subscribed over a good length of time. It is the *consensus* which any given

Clare Boothe Luce was well known for her many contributions to American life and letters. She described this article, which first appeared in the Summer 1978 issue of this journal, as the “uncut version” of a speech she had delivered to an IBM “Golden Circle Conference” in Honolulu earlier that year.

society has reached on what right action and decent behavior are for everybody. It is the way that society expects a person to behave, *even when the law—the civil law—does not require him (or her)* to do so.*

One example will have to suffice. There is no law that requires a person to speak the truth, unless he is under oath to do so in a court proceeding. A person can, with legal impunity, be an habitual liar. The traditional morality of our society, however, takes a dim view of the habitual liar. Accordingly, society punishes him in the only way it can—by social ostracism.

The person who believes in the traditional principles of his society, and who also succeeds in regulating his conduct by them, is recognized by society as a “moral person.” But the person who believes in these principles—who knows the difference between “right and wrong” personal conduct, but who nevertheless habitually chooses to do what he himself believes to be wrong—is looked upon by his society as an “immoral person.”

But what about the person who does *not* believe in the traditional moral principles of his society, and who openly challenges them on grounds that he believes to be rational? Is such a person to be considered a moral or an immoral person?

Today there are many Americans who sincerely believe that many of our traditional moral values are “obsolete.” They hold that some of them go against the laws of human nature, that others are no longer relevant to the economic and political condition of our society, that this or that so-called “traditional moral value” contravenes the individual’s Constitutional freedoms and legitimate pursuit of happiness. Others believe that while a moral value system is necessary as a general guideline for societal behavior, it cannot, and should not, apply to everybody. Every person is unique; no two persons are ever in exactly the same situation or “moral bind”; circumstances alter moral cases. These persons believe, in other words, that all morals are “relative,” and all ethics are “situational.” They argue that what is wrong behavior for others is right behavior for me, because my circumstances are different. The new principles of right action and behavior which such persons have been advancing and practicing today have come to be called “the New Morality.”

But before we undertake to discuss the differences between the traditional American morality and the so-called “New Morality,” let us ask a most important question: Is there any such thing as a universal morality? Is there any set of moral principles which apply to *everybody*—everybody who has ever been born, and which has been accepted by the majority of mankind in all places and in all ages?

*Where the words man, he, him, his are used, woman, she, hers and her are also meant.

There is, indeed, a *universal morality*. It knows no race, no geographical boundaries, no time, and no particular religion. As John Ruskin, the English social reformer, wrote, "There are many religions, but there is only one morality." Immanuel Kant, the greatest of German philosophers, called it the Moral Law, which, he said, governs all mankind. Kant compared this Moral Law to the Sublime Law that rules the movement of the stars and the planets. "We are doomed to be moral and cannot help ourselves," said Dr. John Haynes Holmes, the Protestant theologian.

When we study the history of human thought, we discover a truly remarkable thing—all the great minds of the world have agreed on the marks of the moral person. In all civilizations, in all ages, they have hailed truthfulness as a mark of morality. "The aim of the superior man," said Confucius, "is Truth." Plato, the Greek philosopher, held that "truth is the beginning of every good thing both in Heaven and on earth, and he who would be blessed and happy should be from the first a partaker of truth, for then he can be trusted." "Veracity," said Thomas Huxley, the English scientist, "is the heart of morality." In Judeo-Christian lore, the Devil's other name is "The Liar."

Another mark of the moral person is honesty. "An honest man is the noblest work of God," wrote Pope in his *Essay on Man*. "Every honest man will suppose honest acts to flow from honest principles," said Thomas Jefferson.

The moral person is just. "Justice is the firm and continuous desire to render to everyone that which is his due," wrote Justinian. Disraeli called Justice "Truth in action." The moral person is honorable. At whatever cost to himself—including, sometimes, his very life—he does his duty by his family, his job, his country. "To an honest man," wrote Plautus, the great Roman poet, "it is an honor to have minded his duty." Two thousand years later, Woodrow Wilson voiced the same conviction. "There is no question, what the Roll of Honor in America is." Wilson said: "The Roll of Honor consists of the names of men who have squared their conduct by ideals of duty."

If, in an hour of weakness, the moral man does a thing he knows to be wrong, he confesses it, and he "takes his punishment like a soldier." And, if he harms another, even inadvertently, he tries to make restitution. He takes responsibility for his own actions. And if they turn out badly for him, he does not put the blame on others. He does not, for example, yield to the post-Freudian moral cop-out of blaming his follies and failures, his weaknesses and vices, on the way his parents treated him in childhood. Here I cannot resist mentioning the case of Tom Hansen, of Boulder, Colorado, a 24-year old youth who is living on welfare relief funds. He is presently suing his parents for 350,000 dollars damages because, he claims, they are to blame

for lousing up his life, and turning him into a failure. Adam was, of course, the first man to try to shift responsibility for his behavior onto someone else. As there was no Jewish mom to blame, he laid it on to his wife Eve.

“Absolute morality,” wrote the English philosopher, Herbert Spencer, “is the regulation of conduct in such a way that pain will not be inflicted.” The moral person is kind to the weak and compassionate with those who suffer.

Above all, he is courageous. Courage is the ladder on which all the other virtues mount. Plautus, a true nobleman of antiquity, wrote, “Courage stands before everything. It is what preserves our liberty, our lives, our homes, and our parents, our children, and our country. A man with courage has every blessing.”

There is also one moral precept that is common to all the great religions of history. It is called the Golden Rule—“Do unto others as you would have them do to you.” When Confucius was asked what he considered the single most important rule for right conduct, he replied, “Reciprocity.”

The “universal morality” is based on these virtues—truthfulness, honesty, duty, responsibility, unselfishness, loyalty, honor, compassion and courage. As Americans, we can say proudly that the traditional moral values of our society have been a reflection, however imperfect, of this universal morality. All of our great men, all of our heroes, have been exemplars of some, if not all, of these virtues.

To be sure, different cultures and civilizations have placed more emphasis on some of these virtues than on others. For example, the morality of the early Romans heavily stressed courage, honor, and duty. Even today we still call these the manly virtues, and we tend to associate them with another value we call “patriotism.” In contrast, the morality of the Judeo-Christian cultures of the West have placed their heaviest emphasis on altruism, kindness, and compassion. “Though I speak with the tongue of men and angels, and have not charity,” St. Paul wrote, “I am become as sounding brass or a tinkling cymbal.” Americans, whose traditional morality reflects the Christian virtue of compassion, donated thirty billion dollars last year to charity. Americans also tend to consider compassion for the underprivileged a greater virtue in politicians than either honor or courage.

Now, if all these virtues do indeed represent the *universal morality*, then what do their *opposites* represent? Well, lying, dishonesty, dereliction of duty, irresponsibility, dishonorable conduct, disloyalty, selfishness, cowardice, cruelty and hypocrisy represent, of course, the universal *immorality*.

In passing, hypocrisy, which has been called “the compliment that vice pays to virtue,” has been viewed as the height of immorality in all civilizations.

“Of all villainy,” cried Cicero, “there is none more base than that of the hypocrite, who at the moment he is most false, takes care to appear most virtuous.” The English philosopher Henry Hazlitt called hypocrisy “the only vice that cannot be forgiven.” Jesus cursed only one category of sinner, saying, “Oh woe to Ye, scribes and hypocrites!” Even the cynic and agnostic Voltaire, cried: “How inexpressible is the meanness of being a hypocrite!”

So now we are ready to ask: In what direction can we say that Americans are going? Are we, as a people, going on the high road of the universal morality or on the low road of the universal immorality?

The question is a crucial one for the future of our country. All history bears witness to the fact that *there can be no public virtue without private morality*. There cannot be good government except in a good society. And there cannot be a good society unless the majority of individuals in it are at least *trying* to be good people. This is especially true in a democracy, where leaders and representatives are chosen from the people, by the people. The character of a democratic government will never be better than the character of the people it governs. A nation that is travelling the low road is a nation that is self-destructing. It is doomed, sooner or later, to collapse from within, or to be destroyed from without. And not all its wealth, science and technology will be able to save it. On the contrary, a decadent society will use, or rather, misuse and abuse, these very advantages in such a way as to hasten its own destruction.

Let us then face up to some of the signs which suggest that America may be travelling the low road to its own destruction.

Campus surveys show that one-third of our college students say they would cheat if they were sure they would not be caught. Forty-five percent say that they do not think that it is necessary to lead a moral life in order to be happy or successful. Sociologists note the extraordinary increase in blue and white-collar dishonesty, such as sharp business practices, dishonest advertising, juggled books and accounts, concealment of profits, and the taking and giving of bribes. These are all practices which rip-off the buying public.

Unethical practices in the professions are becoming common. Honorable members of the Bar are today appalled at the increase of shysterism in the practice of law. A recent Congressional investigation of medical practices turned up the horrifying fact that American doctors, greedy for Medicare fees, are annually performing thousands of unnecessary operations. They are dishonoring their Hippocratic oath by inflicting unnecessary pain on helpless and trusting patients for profit. The public’s increasing awareness of the lack of professional integrity in many lawyers and doctors is certainly

what encouraged President Carter to make his recent attacks on these two professions.

According to the polls, the majority of our citizens think that politics—and, yes, post-Watergate politics—are riddled with graft, kick-backs, pay-offs, bribes and under-the-table deals. Polls also show that our people think that most politicians have no compunction about lying their heads off in order to get elected. A great number of Americans also question the accuracy and objectivity—in short, the integrity—of journalists. They think that far too many politicians and journalists are hypocrites—quick to expose the “immorality” of those who do not hold their own political views, but quicker by far to cover up the wrong-doing of those whose views they favor.

Addressing Harvard University’s graduating class in June, Alexander Solzhenitsyn said: “A decline in courage may be the most striking feature an outsider notices in the West . . . such a decline in courage is particularly notable among the ruling groups and the intellectual elite, causing an impression of the loss of courage by the entire society. . . . Should one point out that from most ancient times a decline in courage has been considered the beginning of the end?”

A recent TV documentary about the morale of our volunteer army and our armed forces in Germany was a shocker. It revealed that one-third of our enlistees quit after a few months, finding service in the best-paid army on earth too hard on their heads or feet. One-third of our troops in Germany freely admit that they would beat it out of the forces as fast as they could the moment they thought a war was coming, and a majority of them felt that they could not trust their comrades in battle. The officer who did the commentary on this documentary said, “What we’re getting is an army of losers.” The Pentagon has recently told Congress that quotas for the armed services cannot be filled unless more women are taken in, including into the combat forces. So much for the condition of the manly virtues of duty, honor, courage in America’s volunteer army.

Now I am sure that we would all agree that a rise in the crime rate indicates a weakening of society’s social fiber. The staggering increase in the crime rate, especially in the rate of violent—and often utterly senseless—crime among American youth is surely a significant sign of moral decay. An even more significant sign is the impotence of our courts to cope with the enormous volume of crimes being committed. For example, of the 100,000 felony arrests made in New York City each year, 97,000 or more cases are either dismissed, diverted for some non-criminal disposition, or disposed of through plea-bargaining. The average criminal who is sentenced is generally back on the streets in very short order. Studies show that most defendants

arrested for serious crimes—including murder—go free. A society indifferent to the pervasiveness of crime, or too weak or terrified to bring it under control, is a society in the process of moral disintegration.

There is one other phenomenon in our society which has historically made its appearance in *all* decaying societies—an obsession with sex.

Sex—the procreative urge—is a mighty force. Indeed, it is *the* mightiest force. It is the *life* force. But since the dawn of history, what has distinguished man from the beasts is that he has made *conscious efforts* to control his lustful impulses, and to regulate and direct them into social channels. There is no primitive society known to anthropologists, no civilization known to historians, which has ever willingly consented to give its members full reign—bestial reign—of their sexual impulses. Sex morals, mores and manners have varied enormously from age to age, and culture to culture. But sexual taboos and no-nos, sex prohibitions (and consequently, of course, inhibitions) are common to all human societies.

Now the fact that mankind has instinctively sensed that there is a right and a wrong way of handling its procreative energies strongly suggests that there may be a universal *sexual* morality. And so there is. And when we examine it, we find that it is this very morality that has made all human progress, and what we call civilization, possible. It is the morality that protects and preserves the basic unit of society—the *family*. The family is the foundation on which mankind has built all his societies. Jean Jacques Rousseau called the family “the most ancient of all societies,” and “the first model of political societies.”

Humans, like all animals, instinctively mate. And the male instinctively protects his mate and her offspring. If this were not true, the human race would have long since perished. For in the entire animal kingdom, there is nothing more vulnerable than a pregnant human female, or a human female giving birth. The human female carries her fetus longer, and her young remain helpless longer, than the females and young of any other species.

But although humans, like all animals, instinctively mate, or pair-bond, they are not instinctively sexually faithful. Both sexes are promiscuous by nature. They come together naturally, but they do not naturally stay together. Marriage is a man-made institution. We do not know—or at least I do not know—its origins. They are lost in the mists of time. Marriage probably evolved by trial and error, as the most satisfactory way of both controlling the promiscuous impulses of the sexes, and satisfying the procreative urge in an orderly, uninterrupted basis. Bernard Shaw wittily remarked, “Marriage offers the maximum of temptation, with the maximum of opportunity.”

Marriage is also the enemy of man's worst enemies—loneliness and lovelessness. In any event, marriage has been the most serviceable, perdurable and, on the whole, popular of all mankind's institutions. Thousands of years ago, the poet Homer spoke in praise of marriage: "And may the Gods accomplish your desire," he sang to the unwed maidens of Greece. "A home, a husband and harmonious converse with him—the best thing in the world being a strong house held in serenity where man and wife agree."

Marriage customs have varied greatly throughout history. But what we know about the ageless custom of marriage is this: Whether a man took unto himself one wife, or like King Solomon, 1,000 wives, whether he "courted" his bride, or bought her from her father like a head of cattle, once he took a woman to wife his society expected him to assume the primary responsibility for her welfare and the welfare of their children. The first principle of the universal sexual morality is that the husband should protect and provide for his wife and his minor offspring as long as they need him. In many cultures, the man has also been expected to assume responsibility for his illegitimate children, or bastards, and for the fatherless or motherless children of his near relatives.

The second principle of the universal sexual morality is, in the words of St. Augustine, that "They who are cared for obey—the women their husbands, the children their parents." St. Augustine adds, however, that "in the family of the just man . . . even those who rule serve those they seem to command; for they rule not from a sense of power, but from a sense of the duty they owe to others; not because they are proud of authority, but because they love mercy."

In all human undertakings, responsibility and authority go—as they must go—hand in hand. In order for a husband and father to discharge his responsibilities, it was necessary for him to have some measure of authority—let us call it the final "say-so"—over his family. The patriarchal family has been, up to now, the family pattern of all of the world's civilizations. It will remain so until the vast majority of women are completely self-supporting.

The third principle of the universal sexual morality is that spouses should be faithful to one another. Certainly this principle has always been more honored in the breach than in the observance for the simple reason that the animal side of human nature *is* promiscuous. But the fact remains that the faithfulness of both spouses throughout time, has been considered the ideal of *marital* conduct.

You may search through all the great literature of the world and you will find no words extolling marital infidelities. While it is true that the "sins of the flesh" have always been more readily forgiven to husbands than to wives,

all human societies have taken a very harsh view of men who seduce—or rape—the wives or daughters of the men of their own society.

When the Trojan, Paris, ran off with Helen, wife of the Greek King Menelaus, Greece fought a seven-year war against Troy, to protest the seduction and abduction of Helen. King David's abduction and seduction of Bathsheba, the wife of Uriah, the Hittite, scandalized his court. It also caused that God-fearing monarch great agonies of repentance. In passing, King David's repentance produced some of the world's greatest poetry—perhaps, an early proof of Sigmund Freud's theory that all the creative works of man—all his art, poetry, architecture, even his proclivity for money-making, political power and Empire building, are *au fond*, sublimations of his consciously or subconsciously repressed sexual desires.

The fourth, and most important principle of the universal sexual morality is that moral parents, in addition to supplying the physical and emotional needs of their children, should educate them to become moral adults.

“Train up the child in the way he should go; and when he is old he will not depart from it,” says the Bible. John Stuart Mill wrote, “The moral training of mankind will never be adapted to the conditions of life for which all other human progress is a preparation, until they practice *in the family* the same moral rule which is adapted to the moral constitution of human society.” In the universal family morality parents who neglect, abuse or desert their young or who fail to train them to become moral citizens are bad parents.

There are several other aspects of the universal sexual morality which should be mentioned. Although incest is natural among all the lower animals, and has correspondingly also made its appearance in all human societies, none has ever considered incest moral. Even in most primitive societies incest is viewed with horror. The 3,000 year-old story of Oedipus Rex is the tragic story of the “guilt complex” of a man who slept—albeit accidentally—with his own mother.

History does tell us, however, that sodomy, homosexuality, and Lesbianism—virtually unknown in the lower orders—have been widely practiced, though seldom condoned, in all civilizations. But history also tells us that wherever incest, perversion, or marital unfaithfulness have become rampant, and whenever sex becomes, as we would say today, “value-free,” the family structure is invariably weakened; crimes of all sorts increase—especially among the neglected young; and then more or less rapidly all other social institutions begin to disintegrate, until finally the State itself collapses. Rome is perhaps the most famous example.

In the time of Christ, when Imperial Rome was at the very height of its

wealth and power, when the brick structures of the old Roman Republic had all come to be faced with gleaming marble, Rome had become a city obsessed with the pursuit of sensual pleasures. The Emperor Augustus Caesar, seeing the breakdown of the Roman family that was consequently taking place, tried to shore up the institution of marriage by passing laws making divorce more difficult and increasing punishments for adulterers, rapists, and abortionists. It was already too late. Those monsters of iniquity, perversion and violence, Caligula and Nero were already in the wings, impatiently waiting to succeed him, and to hasten the decline and fall of the Empire.

So now let us come to “sex” in America. There is no doubt that what most Americans mean when they speak of “the new morality” is the “new” *sexual* morality which holds that “anything goes” between consenting adults in private—and that almost anything also goes in public. The English critic Malcolm Muggeridge had America muchly in mind when he wrote, “Sex is the *ersatz*, or substitute religion of the 20th Century.”

The social results of this new American *ersatz* religion are best seen in statistics most of which you can find in your Almanac. Today 50% of all marriages end in divorce, separation, or desertion. The average length of a marriage is seven years. The marriage rate and the birthrate are falling. The numbers of one-parent families and one-child families are rising. More and more young people are living together without the benefit of marriage. Many view the benefit as dubious. Premarital and extra-marital sex no longer raise parental or conjugal eyebrows. The practice of “swinging,” or group sex, which the ancients called “orgies,” has come even to middle-class suburbia.

Despite the availability of contraceptives, there has been an enormous increase in illegitimate births, especially among 13-15 year-olds. Half of the children born last year in Washington, the nation’s capital, were illegitimate. The incidence of venereal diseases is increasing. Since the Supreme Court decision made abortion on demand legal, women have killed more than six million of their unborn, unwanted children. The rate of *reported* incest, child-molestation, rape, and child and wife abuse, is steadily mounting. (Many more of these sex-connected acts of violence, while known to the police, are never brought into court, because the victims are certain that their perpetrators will not be convicted.) Run-away children, teen-age prostitution, youthful drug-addiction and alcoholism have become great, ugly, new phenomena.

The relief rolls are groaning with women who have been divorced or deserted, together with their children. The mental-homes and rest-homes are crowded with destitute or unwanted old mothers. These two facts alone seem

to suggest that American men are becoming less responsible, less moral, and certainly less manly.

Homosexuality and Lesbianism are increasingly accepted as natural and alternative “life styles.” *Ms.*, the official Women’s Lib publication, has proclaimed that “until all women are Lesbians, there will be no true political revolution.” By the same token, of course, until all men are homosexuals, the revolution will be only *half* a revolution. In passing, the success of the Lesbian-Gay revolution would end all revolutions—by ending the birth of children.

But the most obscene American phenomenon of all is the growth of commercialized sex and hard and soft-core pornography. In the last decade, hard-core film and print porn, which features perversion, sadism and masochism, has become a billion dollar business. It is a business which is not only tolerated, but defended by the press in the sacred name of “freedom of the press.” One would find it easier to believe in this noble reason for defending the filth that is flooding the nation if the newspapers did not reap such handsome profits from advertising and reviewing porn. In my view, newspaper publishers who carry X-rated ads are no better than pimps for the porn merchants. Billy Graham may have been exaggerating when he said “America has a greater obsession with sex than Rome ever had.” But he was not exaggerating very much.

Now when we examine the “new” sexual morality, what do we discover? We discover that the new sexual morality comes perilously close to being the old universal sexual immorality, whose appearance has again and again portended the decline and fall of past civilizations. Jane Addams once said, “The essence of immorality is the tendency to make an exception of myself.” The principle on which the new sexual morality is based is sexual selfishness, self-indulgence, and self-gratification. Its credo is I-I-I, Me-Me-Me, and to hell with what others call sex morals.

In the 1976 Presidential campaign—for the first time in American history—the moral condition of the American family became a political issue. Candidate Jimmy Carter gave the problem particular stress.

“I find people deeply concerned about the loss . . . of moral values in our lives,” he said. And like Augustus Caesar, 2,000 years before him, he fingered the cause quite correctly: “The root of this problem is the steady erosion and weakening of our families,” he said. “The breakdown of the family has reached dangerous proportions.” Candidate Carter also saw the relation between good government and weakened families. “If we want less government, we must have stronger families, for government steps in by necessity

when families have failed. . . . It is clear that the national government should have a strong pro-family policy, but the fact is that our government has no family policy, and that is the same thing as an anti-family policy.”

It is far too late in the day to review the curious ideas Mr. Carter put forth in 1976 for the steps the Federal Government might take to strengthen the American family, except to say that they largely consisted in programs for *more* rather than less government assumption of marital and parental responsibilities. In any event, very little has since come of Carter’s promise “to construct an administration that will reverse the trends we have seen toward the breakdown of the family in our country.” The truth is that very little *can* be done by government to shore up the family, although a great deal can be done and has been done to hasten its collapse.

But the real cause of the breakdown is the abandonment, by millions of people, beginning with husbands, wives and parents, of their interior devotion to the principles of the universal morality. To ask what can be done to reverse the trend is to ask, what can the individual members of society do? The answer is—everything.

When Goethe, the great German poet, lay on his deathbed, an old friend asked him what farewell message he had to give to the world. Goethe replied, “Let every man keep his own household clean and soon the whole world will be clean.”

If not every American, but just every other American man and woman were to begin today to keep their own households clean, this process of moral decay would *immediately* be halted.

It is certainly not too late to hope that this will happen. There are still millions of good people in America who try, try, try to remain faithful to the American version of the universal morality, and who also bring up their children to remain faithful. These Americans constitute the true *Golden Circle* of our country. If they will try to strengthen and enlarge *that* circle, by only so much as one virtuous act a day, a strong and happy America will make it safely into the 21st Century.



J.P. MCFADDEN
September 25, 1930 - October 17, 1998

J.P. McFadden, R.I.P.

We bring you this special section about J.P. McFadden to honor him, and to include as part of our record the wonderful tributes that have been written. There are quite a few pieces gathered here, all about the same man, and yet each one brings out different facets of his larger-than-life personality.

My mother's piece, the first, is an intimate portrait of my father's struggle with his illness. It isn't easy to read, and yet we felt that its inclusion in the *Review* was appropriate. My father's perseverance through so much suffering, and the loss of so much that made up his "quality" of life, is a powerful testament to the man he was and his commitment to accepting life as sacred, no matter what the circumstances.

All of the tributes here were written by friends of J.P. who have also contributed to his *Review*, including Cardinal O'Connor, who was the first to give us his vote of confidence in the *Review's* continuance. Two, however, are nearly twenty years old; they are the transcribed remarks made by Malcolm Muggeridge and Judge John T. Noonan, Jr. at a Testimonial Dinner given for J.P. by his friends at *National Review* (May 21, 1979). We think when you read them you'll understand why we wanted to include them here.

And now I'd like to add one more. Soon after my father died, Nat Hentoff, the *Village Voice* columnist, prolific author, and *Review* contributor, called to offer his condolences. He sent the following letter:

What first struck me when I first heard from Jim McFadden was the life in him. The energy and the wit. From time to time, he tried to persuade me to read certain books that might enable me, an atheist, to "leap into faith," as Kierkegaard put it. But always, there was no sternly righteous admonition—just a flick of his wit.

His legacy—very much including his daughter, Maria—is an unequivocal commitment to life. Or pro-life, as some of us describe ourselves. The *Human Life Review* . . . is by far the most valuable and challenging pro-life journal that, to my knowledge, has ever existed.

HLR continues to reflect Jim's indomitable spirit—challenging, buoyantly principled, and abounding in the life force.

Well, Mr. Hentoff is giving us a lovely vote of confidence. We hope that we will always be inspired, energized and comforted by J.P.'s memory.

MARIA MCFADDEN

Loveletters

Faith Abbott McFadden

Jim and I would have celebrated our 40th wedding anniversary on April 18, 1999. And we would have celebrated the 41st anniversary of the day we first met—October 31, 1957. Halloween. *Exactly* three years to the day after I became a Catholic. Jim died on October 17, 1998: the next day we would have celebrated the birthday of our daughter Christina. Jim’s scribbled note to me, on October 16th: “Faith—who is coming here first on Sunday? Do ‘we’ want champagne?”

In mid-November Mr. James McFadden of “The Human Life Foundation” got “An invitation to Be Listed Among the Elite” in Marquis’ *Who’s Who in the World*. I informed the Senior Editorial Director of Marquis’ *Who’s Who* that my husband was no longer “in the World.” I should have added that he is now an Elite in a different world.

In all our years together, Jim and I had always *been* together, so I never got any letters from him; but after his larynx was removed, he wrote to me constantly: at home with his red pen on his ever-present yellow legal pad, and at the office, where he could communicate faster (*really* fast) on his Royal: one morning as we made our way down Third Avenue (near where we went to the daily seven o’clock Mass) to our office, he began laughing—no voice, but you could tell he was laughing—and I figured this had to do with the woman we’d observed waiting for the 34th Street crosstown bus. She had black hair and was wearing a long white blouse over a long tight black skirt, and those stylish klunky black platform shoes. The minute we got to the office, Jim dove for his typewriter and wrote: “Monica Penguinsky?”

Sometimes an observation or a pun couldn’t wait for the typewriter: he would duck into a doorway and scribble it down. Back in 1996, when he knew he’d be in the hospital during Christmas, probably to have more holes (“stomas”) put into him, he stopped just a half block from our apartment building and, using the top of the corner mailbox as a clipboard, he wrote: “Silent Nightnurse, Hole-ey Night.” Thus began our pre-hospital re-titling of Christmas Carols. You must know the “Jolly Old St. Nicholas” song . . . my version (for Jim) was “Jolly Old St. Nicholas, Mend My Rear This Day . . .” but the best (also mine) was “The Holly and the I.V.”

Jim had managed to keep going, since 1993, as more and more “normal” bodily functions were taken away; but becoming voiceless (in 1996)

Faith Abbott McFadden, our senior editor, is the author of *Acts of Faith* (Ignatius Press), her memoir of life before Jim McFadden—who wrote the book’s excellent Introduction.

was by far the most devastating. He felt “trapped in silence” and looked forward to “the wee hours” [during the night—he didn’t sleep much] “when silence is normal.” He got some wonderful letters, such as the one last June 16th from N.Y. *Post* columnist Ray Kerrison, who wrote “Sometimes, the Lord seems to ask the most of those He loves the most. How you have managed to work through these years of privation is beyond me. It’s truly heroic. . . . for a man with no voice, you make a helluva noise.” But Jim could never get over not being able to *really* make a helluva noise: “Nobody,” he wrote me one day last summer, “can know what it’s like for me to be marooned in the desert island of my silent world—all my life I was famous for my quick-fire mouth—I got off all my anger and frustrations instantly—I could go back to being ‘OK.’ Others, certainly you, couldn’t forget so easily—now it’s all turned back into my trapped mind, a poison I can’t get out because there is no way for me to get rid of it.”

But he did get rid of a lot of it, by writing (“back to the typewriter, my only ‘egress’ . . . and thank God I’m able to keep working . . .”) and his humor. One of his endearing traits was his method of telling jokes and making puns, at the office. He would type, on 3 x 5 cards, a headline he had seen or a question about something (“Q”) and show it around, while covering up the bottom half of the card that had the answer (“A”) or his spin-off on a headline pun. One morning he wrote: “Talking about a Chinese art exhibit, the WQXR woman [radio announcer] called it ‘Orientalia’ . . . Q: What is Orientalia? A: I know it’s something Bill Clinton does, but I don’t know exactly what—and I don’t want to know!” And when the Spice Girls were presumably breaking up, the June 2nd New York *Post* ran the headline ‘GIRLS’ ON BORROWED THYME and “Pop tarts will turn to toast . . .” Jim typed that on top of a card, and after we’d laughed at *that*, he uncovered the rest: “Too bad—the Spice Girls had been planning a TV show to rival Baywatch” and then (typed upside-down) “Bayleaf.”

Jim McFadden or “Mac,” to some of his older friends and colleagues, had an encyclopedic mind. (I just asked our daughter Maria: “Would you say that Dad was a walking encyclopedia?” “Oh, definitely,” she answered.) If some writer or editor needed a date for a war or military skirmish, or some background on a papal encyclical, it was “Call Mac.” Jim knew something about everything, and *everything* about many things. Here are some categories of his expertise: theology, geography, history, wars (all of them and every kind of bomber and warship); Napoleon,

jazz, baseball (he knew the statistics of every major ballplayer, past and present, and knew everything about Ted Williams); opera and classical music (pun: “I go for Baroque”). He loved Bach and admired the Beatles (“they have talent”) and harpsichord and Mozart. (“All that pseudo-music on WQXR has none of what Mozart never lacked: he was always building, taking you with him into higher and higher planes—the ‘moderns’ just ‘compose’ notes, and more notes, going nowhere . . .”)

Monarchies was another category, and he was especially fascinated by the “Mad King” of Bavaria, Ludwig II. And once in answer to some “monarchy” question he scribbled “Franz Josef ruled from 1848 to 1916—68 years. Longer than Queen Victoria (1837-1901—64 years)—all Vienna is F-J’s—the ‘Kaiserzeit’—Emperor’s time means his reign. And ‘Sissy’—Elizabeth of Bavaria—was the most beautiful woman of her time—she was stabbed with scissors on a Lake Geneva (Swiss) boat in 1899—still beautiful at about 58.”

All these dates and facts were in Jim’s head. (When our kids were in school and had homework questions, Jim’s answers were so all-encompassing that they’d forget what their question *was*.)

Last August, in a flight of fancy—no doubt inspired by some music we’d been listening to on WQXR, plus all the connections in Jim’s mind, he wrote a Q and A:

Q: Archduke Otto von Dusenberk-Krankase would have become King had not the Great War ended the monarchy—but his people called him their king and he *behaved* like one, causing the great composer Wolfgang Amateufel Zoschmardt to write his now famous opera—what was it?

A: Regal Otto

* * * * *

Few people who got Jim’s regular “fund-raising” letters had any inkling of how terminal things really were: he tried to keep his readers informed about his condition but always emphasized the positive (“the tumors have shrunk!”) and sometimes he *did* feel optimistic, but in darker moments he remembered what he had been like when he was “alive,” before the head/neck surgery in 1993. On his 67th birthday he wrote to me “I’ve now spent over four years ‘patiently’ waiting for nothing to happen—except to die for the second and (God willing) final time . . .” And “I’d just like to be alive again, there’s almost nothing I do or see that doesn’t remind me of when I was.”

As the summer of 1998 went on, his notes to me became even darker—“Sleep does not refresh: I was up most of the night, from 1:30—you were, as

always, sound asleep, which is as it should be—I was in fear of today, I hate—cannot reconcile myself—to seeing real people, it now induces a physical fear/horror in me that I can neither describe nor explain . . . but of course, to avoid humiliation, God, that’s the word, the whole thing, all of this is so humiliating!—I then put on my best show, every ounce of my energy into the show, frenetic, manic, anything to put up the front . . . then it’s over, and I’m drained, nothing left, not alive. I should be dead, it’s just God’s oversight that he killed me, but forgot to dispose of the body?”

Note: that’s a question, not a statement. Of course it was not God’s “oversight”—God knew, and Jim would come to know, why he did not die “the first time.” There were celestial-scheduled events—some sad, that required Jim’s presence and strength, and some happy ones, whose joy would have been diminished by his absence. It was Jim’s *mind* that mattered.

There was the death of our son Robert, who had been diagnosed with cancer (of “indeterminable origin”) in 1993, shortly after Jim got out of the hospital, and just after Robert and Mary had celebrated their third wedding anniversary. Robert knew his Dad was there with him as he lay dying on the Feast of the Holy Innocents, 1994. Jim was there for me, for Mary, for the siblings when we needed him most. He wondered why God would take 34-year-old Robert rather than him, but no matter how he *felt* about it, he *believed* it to be God’s will.

And Jim was in this world for celebratory happenings—the birth of our first grandchild, Maria and husband Bob’s son James (after Jim) Anthony Maffucci and then our first granddaughter, Anna Clare. Just a month before Jim died, Robert’s Mary was wed to a nice young man. Mary’s so-early widowhood had always been in our thoughts and worries and prayers: now Jim knew that Mary would be fine.

After Jim had written that bit about “God’s oversight” he added that “What’s worse is knowing that it will inevitably end up like this—with you getting worse than nothing out of it all—your good intentions adding to the endless humiliation—no doubt it’s worse for you to be just isolated/alone with a mute corpse, but it’s—well, it’s at least easier for me—less effort. I hate all effort now, I wake in the morning thinking about getting back to bed that nite.”

(Well, no—I never felt isolated/alone with a “mute corpse.” For me he was flesh and blood, a man with a mind constantly working, and *communicating*. There were very few times when I didn’t hear him “talking”—that’s the way it is when two people have been together for so long. They can finish each other’s sentences—even when not spoken.)

There was always the temptation to despair, to want to “get this over with,” but we never missed the early Mass at St. Agnes: the good priests there, after distributing the Host to the communicants, would bring Jim the Chalice—he could “absorb” a few drops of the wine. And he always lit a candle to St. Jude. Yet he worried less about his physical state than about his spiritual one—until the Feast of Corpus Christi. When in early summer he thought he really *was* dying (for the “second time”) he wrote a letter to our son Patrick, in which he said

What has bothered me most is, these five years of misery have left me spiritually dried up, and I feared going that way. But yesterday—the Feast of Corpus Christi—Msgr. Clark gave the sermon, about the Eucharist of course, and changed everything for me, which was a marvellous grace. His point was simple: what we call “Communion” is not about this life at all, but the next; despite all my failures and sins, the Eucharist is the one thing I’ve been faithful to, virtually every day since my First Communion. So I don’t think I will—or need to—worry now.

Some time later Jim had another “spiritual experience.” Since 1993 he’d taken “nutrition” through a stomach tube, so he rarely felt hunger or thirst, but one night—as he was saying his prayers (he wrote to Cardinal O’Connor about this) he suddenly *felt* thirst and longed to feel cool water going down his throat; and Christ’s words when he was on the Cross suddenly came to him: “I thirst.” Jim actually laughed, and told me later that the connection with the Divine Thirst made him feel that he was, in some way, sharing in His suffering.

Jim and Bill Buckley frequently communicated via memo: here is what Jim wrote at the end of his memo to Bill on August 23:

You won’t be surprised to know that I still use the old Missal; today was the 12th Sunday after Pentecost—the Gospel is The Good Samaritan. No other parable had so great an effect on me. Early—I can’t remember exactly when—it dawned on me that all he did was what came to him. We don’t know anything about him—maybe he was a Mafioso (ready money—even two “pennies”—was rare then)—all we know is, he had “compassion” and did what he did well, did more than the minimum, and was ready to do more if necessary. That is what I have tried to do all my adult life: do whatever came to me, and do it as well as I could. Funny, in return, I have the perfect “model” as to how to go—take whatever comes to me, as well as I can. Just pray I’ll be given the grace to do that, and whatever the cost, I’ll pay it. I was raised on the beautiful Stations of the Cross of St. Alphonsus Liguori; in one we pray—and are supposed to mean—that we accept whatever death God sends us, to unite ourselves with Christ on the Cross. I wonder if anyone really means that? But I said it a thousand times, and on many a Good Friday I wanted to mean it. We’ll see: as the Country Priest said at the end, “Grace is everywhere.”

In late September, when the pain had got much worse (“it can shoot out

and run around me like an inner tube”) Jim wrote: “Last night was an ordeal that seemed as horrible as ever—complete with hand cramps—and now as I type my left arm is tingling so bad I can hardly carry on. God, I’m making dying very hard to do!” In mid-October: “Now the pain and weakness in left arm is much worse—just because ‘they’ can’t explain all the pain, weakness and rapid deterioration doesn’t mean there isn’t a cause, there is, fact is ‘we’ have got to be prepared for something to ‘happen’ soon, in any case I’m less and less able to work, and getting up in mornings will soon be beyond me . . .”

On Saturday, October 10th, one week before he died: “Last night was worse than anything outside of hospital wake-ups—I really thought I wouldn’t make it, I tasted death . . . I don’t see how this can go on—or that it isn’t the ‘sign’ of something very wrong. When we see the doctor on Wednesday I will tell him there must be something to do with the esophageal tumor . . .”

There was indeed “something to do with that.” But Jim, who had been spared almost nothing since his 1993 surgery (he used to quote—half-jokingly—Emperor Franz Josef who said, when his beloved Sissy was assassinated, “Am I to be spared nothing?”) was spared having to make an impossible decision. A chest CAT scan on October 15th revealed a hugely enlarged esophageal tumor in the thorax area: it was “unfixable” and therefore Jim was a “walking time bomb.” I got the report two days *after* his death. He was always the quick decision-maker: what would he have done, had he known that—with no advance warning—he could have a fatal hemorrhage at any time, in any place? Stay home and wait for the inevitable? Not McFadden. But continue with our routine, having no way to protect *me* from a public catastrophe?

So indeed Jim’s death on October 17th was “timely.” All those candles and all those prayers to the patron saint of difficult and desperate cases were heard: thanks, St. Jude.

On the last full day of his life, October 16, we had had our usual routine: St. Agnes, the office, quick trip to nearby Food Emporium, where we bought scallops for my dinner. *My* dinner: Jim, who had always cooked for the family, was an excellent chef and continued to cook for me even after he could no longer eat, drink, smell or taste. I am now looking at his scribbled note: “I hope it’s not a disaster—the damn things would not brown!” He meant the scallops. They did brown; the dinner was delicious; he was in good spirits (and making puns) when we went to bed.

Before dawn the next morning (in one of those “wee hours, when silence is normal”) I heard him pad into our small pantry, where “we” had “our” meals and watched television—probably, I sleepily thought, he was putting

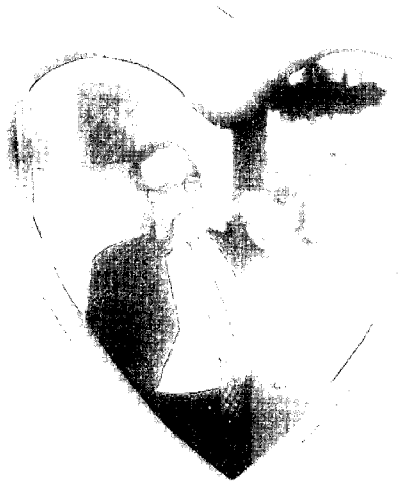
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some medication through his stomach tube. Then I heard a soft thump. When I went to investigate, I found him on the floor, lifeless. Yes, it was a shock: yes, it was bloody—but he had gone the way he'd wanted to—at home, and standing on his feet “like a man”—Yes, “Grace is everywhere.”

The non-physical presence of my husband, with whom I had become more than ever in love during these last years (For Better or Worse, in Sickness and in Health) is indescribably painful, but my children and I do not ask for “closure”—that modern word that's supposed to mean—whatever. It is not possible, nor desirable, to close the door and lock out someone who has been a part of one's life here and who is—as we believe—still with us, though in a different place. Our expectation and hope is that someday—as St. Thomas More put it—we will “merrily meet in Heaven.”

One sunny morning last summer Jim and I went to the small plaza near the office to catch a few rays: as we sat on a cement bench he took out his red pen and yellow legal pad and we had a “discussion” about “the future.” Back at the office he typed a long memo to me, which ended with this

Sweetie, my “troubles” are so constant/immediate that I'm not doing what you must do: pray over it all. God will not abandon you—not the God who gave us the life we've had together, than which nobody has had better, nor will it ever end.



The Finest Work on Human Life

Cardinal John J. O'Connor

The only way I could have been at his Funeral Mass would have been to absent myself from another Mass reflective of everything he lived for. He would not only have objected; he would have censured me in his beloved *Human Life Review*. That is the quarterly publication Jim McFadden edited, arguably the finest collection of articles and commentaries on human life to appear anywhere in any language. The Mass I was already committed to celebrate on the day and at the very hour of his funeral liturgy was a Pro-Life Mass for high-schoolers. That is precisely what he would want me to be doing.

Jim McFadden's whole life was the cause of human life. I can perhaps best honor him by encouraging readership of the *Human Life Review*, which will certainly continue if its Executive Editor has anything to say about it. She is Maria McFadden Maffucci, master writer and editor herself, and equally passionate about the "cause." I have before my eyes as I write the summer 1998 edition of the *Review*. Maria has provided a special section: "The RICO Outrage: Are 'Pro-Lifers' Really Mafia Mobsters?"

What is RICO? As I have written in this space before, the Racketeer Influenced and Corrupt Organizations Act was drafted in 1970 to combat the activities of organized crime. A couple of FBI agents who have enough self-assurance to admit they are my friends were possibly the first to use RICO "big time," as we say. They put some highly deserving hoods very solidly behind bars.

Had my friends ever dreamed that RICO would be perverted to bring suit against "pro-life" activities, they would be at least as outraged as Maria McFadden Maffucci and the writers she has brought together in this issue of the *Review*. They happen to include the professor of law who authored RICO in the first place, for radically different uses. "Such a weapon of terror against First Amendment freedoms is not what I was directed (by Sen. John L. McClellan, of Arkansas) to draft in 1969. Had it been, I would have declined. It is a legal outrage that, at the behest of NOW, the federal judiciary is rewriting the law in a fashion that Congress, after careful consideration, specifically refused to draft in 1970." (G. Robert Blakey, O'Neill Professor of Law at Notre Dame Law School.)

John Cardinal O'Connor is Archbishop of New York. The above tribute first appeared in his "From My Viewpoint" column (October 22, 1998) which runs in the archdiocesan weekly newspaper, *Catholic New York*. It is reprinted here with permission(© 1998, Catholic New York).



Jim and Faith McFadden with daughter Maria in a photograph taken in the early '90s by Jo McGowan.

The section on RICO is but a sample of the Summer or any other issue of the *Review*. Popular journalist Maggie Gallagher, for example, asks about the rights of live, frozen embryos, declared by a New York judge to be dead meat. Matthew Scully writes of “partial-birth abortion” under the apt title of “Partial Truth.” Reflecting on the “ghoulish poster boy” for “assisted suicide,” Jack Kevorkian, Wesley J. Smith does a brilliant piece under the title of “The Serial Killer as Folk Hero.”

What size is an embryo’s soul? How does one make prostitution for fun and profit respectable? Why love dare not lie? How are we slouching toward infanticide?

Then there are writers like Ellen Wilson Fielding (who tells us precisely why love dare not lie). Ellen not only shares her own sculptured prose with us in describing our current national shame; she calls on the prose-poetry of others. So, for example, in her own words:

“Private and public bleed into one another. They are not watertight compartments—and certainly not now, when our ship of state has, like the Titanic, sliced open its hull on the black ice of modernity. In a more innocent era, a head of state might commit adultery and thereby sin, and experience guilt and moral discomfort. He might repent of it, or he might persist uneasily, ashamedly. But he would know what he was doing and had done. He would be unable to defend it to himself as something other than the breaking of a vow and a trust.”

JOHN CARDINAL O'CONNOR

Ellen turns then to Robert Bolt, author of *A Man for All Seasons*.

"[Thomas] More was a very orthodox Catholic and for him an oath was something perfectly specific; it was an invitation to God, an invitation God would not refuse, to act as a witness, and to judge; the consequence of perjury was damnation . . . A man takes an oath only when he wants to make an identity between the truth of it and his own virtue; he offers himself as a guarantee. And it works. There is a special kind of a shrug for a perjurer; we feel that the man has no self to commit, no guarantee to offer."

The last time I visited Jim McFadden in the hospital (his wife, Faith, was there, as always), cancer had consumed his larynx. He scribbled replies to my comments. I reminded him of how parched the throat of Christ had been on the cross. He didn't need the reminder. He was way ahead of me. I reminded him that in uniting his sense of powerlessness with that of Christ on the cross, he now shared the power of that same powerless Christ, the power to help save the world.

I saw him again not long ago, struggling but obviously not winning. I knew I wouldn't see very much of him on this earth anymore. But for one who did so very much for the cause of human life, he deserved to live it to the fullest, and I am more than reasonably sure that is precisely what he is doing now. I wish he could write about it. Short of that, we will continue to have the *Human Life Review*.



John Cardinal O'Connor with Jim and Faith at a party celebrating the publication of William F. Buckley, Jr.'s Nearer My God (Oct. 1997).

Death Takes A Stubborn Defender of Life

Ray Kerrison

A truly great American, James Patrick McFadden, was laid to rest yesterday after a Requiem Mass in the Church of St. Agnes, the commuters' cathedral near Grand Central.

Jim McFadden did not build skyscrapers or write his name in Broadway neon. He didn't run City Hall or preside over a corporate empire.

He was a director of *National Review* magazine, editor of a scholarly quarterly titled *Human Life Review*, and editor and writer of a blazing little newsletter called *catholic eye*.

Most of all, he was a rock of a man who served God, family and country. He devoted most of his working life to protecting human life—even as he clung to it by one flimsy thread after another.

Seldom has any man lived closer to his own counsel than Jim McFadden, which is why St. Agnes was jammed yesterday with those who loved him, admired him and mourned his passing.

Jim started out as a reporter on a small-town paper in Ohio, served some years as a military intelligence officer in Europe, then came home and went to work for William F. Buckley, Jr. at the *National Review* as a lowly assistant in the circulation department.

In short time, he was named associate publisher, then a director of the company. He formed a lifelong friendship with lawyer Thomas Bolan. He married a writer, Faith Abbott, and they had five children.

The U.S. Supreme Court forever changed Jim's life when it legalized abortion in 1973. He started up the *Human Life Review*, a studious, common-sense, pragmatic magazine dedicated to the defense of life.

He published works by Malcolm Muggeridge (whom he dubbed St. Mugg), Clare Boothe Luce and John Noonan. His influence spread around the globe.

Then disaster. Jim's eldest son died of cancer. Eighteen months later, Jim was stricken with it. The base of his tongue was removed. He would never again eat a meal, enjoy a glass of wine or a puff on his pipe. Soon after, he would never speak again.

For five long years, he endured this unimaginable ordeal. In June, he wrote: "My last 'last supper' was five years and one night ago. I forgot what I ate, but the wine was Chateau Talbot."

Ray Kerrison, now retired, was for 22 years a columnist with the *New York Post*. The above tribute appeared in the *Post* on Thursday, October 22, 1998—the day after Jim McFadden's funeral.

He was in and out of hospitals, surgeries and therapies. One hospital experience was so horrific, he wrote about it. The details are too searing to repeat. In the end, he dreaded hospitals more than death itself.

Through it all, Jim never lost faith or his sense of humor. He was addicted to puns. He claimed the only certainties in modern life were “death and faxes.”

He would regale readers with accounts of how he and his beloved Faith went to Washington for a Human Life Foundation forum with Mother Teresa as the featured speaker.

Jim figured he would rustle up some contributions to help the dear nun in her charitable works. He snagged almost \$25,000 and, in a few precious moments in the bedlam, presented her with the check.

“After lunch, she got up and left the check there, on the table,” Jim wailed. “The waiter had to run after her to give it to her. Faith and I were dumbfounded. She said it was the only time in my life I’d been speechless.”

In the years after the discovery of Jim’s first cancer, the disease began spreading—first the lungs, then the colon, then the esophagus.

None of it could stop him. Every day, he would get out of bed to attend 7 a.m. Mass at St. Agnes, then he’d go to work. He was at his desk last Friday, working on his magazine, preparing his papers for the end he knew was coming.

In June, he wrote me: “The doctor said I might have a year. With all the blood and weakness, I’d become convinced ‘any minute’ was a better prediction.”

It was not to be. Early Saturday morning, time ran out. Jim got out of bed, took a few steps—and fell to the floor, dead.

At St. Agnes yesterday, the pastor, Monsignor Eugene Clark, said, “Jim McFadden was a strong, logical Catholic, highly intelligent, punctilious and interested only in doing what God wanted him to do. He took whatever the Lord sent.”

Tom Bolan said Jim “was an incredible man with an unbelievable spirit. He got all his affairs in order. He only hoped he had the strength to face death.”

In a tender obituary, Bill Buckley, a pallbearer, would say, “Jim McFadden was the prime exhibit of G.K. Chesterton’s dogged insistence that piety and laughter are inseparable.”

Life, born and unborn, was everything to Jim. He defended it for others and fought desperately for it for himself. It was a privilege to have known him.

J. P. McFadden, R.I.P.

William F. Buckley, Jr.

Just after four o'clock in the morning, Faith McFadden heard her husband leave the bedroom and open the creaky door to the kitchen. Her eyes were closing again when she heard the thud. She got up and went into the kitchen. He was lying on the floor, his face and neck bloodied. She dialed 911 and in moments "they were all there"—ambulance, firemen, paramedics. Jim McFadden was dead. The cause, an esophageal hemorrhage. On hearing the news, some of us were grateful to Providence.

Just the day before, he had come to work at the offices of the *Human Life Review*, the scholarly quarterly he had founded almost 25 years ago to make the case for the unborn. He seemed as well as he ever was in those last years, but his system was racked with disorders. Late in August he wrote to me (we did not speak—he had lost his voice two years earlier and could communicate only by writing on a pad or a keyboard). "Maybe I'm losing my nerve," he said in setting down his plans for the future of his publication, "but I fear I'd better not delay this any longer. My lungs are so pocketed that infection is likely, if not certain; I fear the hospital far more than death. I hate it with all the passion I have left." And then, a few weeks later, the day after his 68th birthday, he gave thanks for the case of wine, even though he could do no more than put a drop of it on what used to be his tongue, having lost his capacity to eat or drink in the normal way. "Today," he reminisced, "is the 42nd anniversary of my arrival at 211 East 37th [where *National Review* dwelt for its first two years]. I'm probably using the same Royal I was given that day. Nothing terribly new on my front—more damned tests tomorrow, that might explain my back pain." Then a line about the mess in Washington. "Oh well, cheers anyway."

He had read about the founding of *National Review* while still in Germany, where he served in military intelligence after two years as a reporter for the *Youngstown Vindicator* following his graduation from Youngstown College. He was 24, middle-sized, brown-eyed, always with his horn-rimmed glasses and his pipe. He punctuated his conversation about the Soviet enterprise and creeping European socialism with cackles of laughter, which is what we all most missed when he lost his voice. Everything had its funny side, though he was never the dilettante: He was deadly serious, about his

William F. Buckley, Jr. is editor-at-large of *National Review* magazine where the above tribute first appeared (Nov. 9, 1998). It is reprinted here with permission (© 1998, National Review, Inc.).

WILLIAM F. BUCKLEY, JR.

beliefs, about his family and his friends, his country and his faith.

We gave him a probationary job as assistant in the circulation department. A few years later he was Associate Publisher. Thirty years later he detached from *National Review*, while continuing to serve as a director of the corporation and as a consultant on every *National Review* enterprise. He was chairman of the National Committee of Catholic Laymen, writer and editor of the fortnightly newsletter, *catholic eye*, chairman of the Ad Hoc Committee in Defense of Life, and president of the Human Life Foundation.



Jim and Faith McFadden with Clare Boothe Luce in the early '80s.

Jim married Faith Abbott and they had five children. For the McFaddens it was, for several decades, the success story of a happily committed, deeply devout Christian family, the paterfamilias busily engaged in running what we jocularly called his “empire,” his wife and eldest daughter working on his editorial enterprises, the other children proceeding through college, while tens of thousands of Americans heavily depended on the material he assembled, edited, and sent out, featuring such writers as Malcolm Muggeridge, Clare Boothe Luce, and John Noonan.

“In April 1993,” he began a brief recounting of his medical history at the request of a friend, “I noticed a lump on my neck but, having a sinus infection at the time, I assumed it was just a gland. In early May the fever was gone, the lump wasn’t—it was larger.” The surgery removed McFadden’s cancer, but impaired his ability to speak. Eighteen months later his oldest son Robert, married just four years, died of cancer. In June of this year, McFadden suffered protracted ill treatment at a New York hospital. He lost patience and prepared a detailed complaint, intending a copy for John Cardinal O’Connor,

an outspoken admirer. He hesitated before sending off his gruesome account. "My greatest regret," he wrote, "is that all these things that have happened to me have, in addition, happened to my wife, Faith. I believe that God loves her beyond my love, I must leave it at that. In fact, I was determined to write all this when I left [the hospital] on Saturday; then, after Sunday's Gospel, I began losing my nerve. My habit is to read the Psalms in the wee hours; early Sunday I happened on Psalm 119, which begins, 'In my trouble I cried to the Lord, and He heard me. O Lord, deliver my soul from wicked lips, and a deceitful tongue.'" But he did send out his account of his mistreatment. The Cardinal replied with concern and the promise to look into the case, and closed his letter, "there is not a day you are not in my Masses and other prayers. I know it is easy for me to say, but I do plead that you unite your sense of helplessness with that of Christ on the Cross. The power this gives you is beyond measure."

For so many years, Jim McFadden animated the editorial and business offices of *National Review*. He was the prime exhibit of G. K. Chesterton's dogged insistence that piety and laughter are inseparable, and indefeasibly the work of God; the same God who admits pain but who promises, too, the everlasting joy which all who knew him know that Jim McFadden now knows; resting in peace and in the devoted memory of his family and his friends.



William F. Buckley, Jr., Ronald Reagan and Jim McFadden at National Review's 20th Anniversary Dinner (Nov. 1975). Jim told Faith that at one point then-presidential candidate Reagan leaned over and whispered, "God, Jim, don't you get tired of doing this sort of thing?"

Fighting Causes Not Yet Lost

Ellen Wilson Fielding

"I was not disobedient to the heavenly vision" (Acts 26:19)

In the fall of 1975, I was a sophomore at Bryn Mawr College outside Philadelphia. I had unearthed from a local used bookstore a paperback collection of articles on the Vatican-II era Catholic Church originally published in the 1960s by *National Review*. I wrote to *National Review* seeking additional copies—should they be available—for a few friends, and my letter reached the desk of J. P. McFadden, long-time associate publisher of the magazine and brand-new originator of the *Human Life Review*. In short order copies of the book arrived, accompanied by one of Jim's trademark notes, banged out on the old Royal typewriter he used until his death.

Throughout the remainder of my college years, I was the grateful recipient of a procession of books, articles, and pungent observations on topics Catholic, conservative and pro-life. Here are a few samples from that collection:

"I enclose [Graham] Greene's classic, and will scout out a missal—also, do you read [Francois] Mauriac? If not, I'll send one of those—marvelous."

"At last, I've found the Mauriac book I promised—and in looking, came across a classic that *ought* to be a natural for any Bryn Mawr girl(?) [He was referring to Randall Jarrell's wonderful 1950s sendup of a women's liberal arts college, *Pictures from an Institution*. I liked it so much that I adopted the title for my weekly column in the college paper.] Please keep it handy, as I do not have but one more. I'd love to know what you think."

"I enclose more grist for your mill. This one will certainly give you much more of the history of 'how it all happened.'" ["It" was the loss of the Latin Mass and assorted abominations following in the wake of Vatican II—Jim was probably referring to one of James Hitchcock's books on the matter—*The Recovery of the Sacred*, perhaps.]

"Found the Mauriac in Marlboro—thought you might not have heard of it (he wrote it at 83!)."

"Re Greene book, there are plenty *more*: the 'sleeper' is 'Brighton Rock,' which many consider his best—others say 'The Power and the Glory' and he

Ellen Wilson Fielding, our senior editor and author of *An Even Dozen* (Human Life Press), writes from Maryland, where she now lives (and "home-teaches" her four children); she also contributes to *National Review*, *Crisis* and other American periodicals.

also wrote a *real* Catholic tearjerker, 'The End of the Affair' . . ."

That first Greene book was *The Heart of the Matter*. One weekend evening at college, while a dorm party blasted beneath my room, I read up to the cataclysmic scene where the adulterous hero Scobie sacrilegiously receives Holy Communion in a state of mortal sin, to conceal his affair from his wife. Shell-shocked, I wandered downstairs to shake off a bit of the overpowering effect of the writing in the noise of rock music and many people shouting to be heard above it. Then I headed back to see what became of Scobie.

And of course Jim sent me the *Human Life Review*. I ate up every one of those early, primarily legal, densely argued articles, footnotes and all. From the beginning, of course, Jim leavened them with sharply written contributions from people like Clare Boothe Luce and Malcolm Muggeridge, and appendices filled with previously printed matter germane to his "life issues."

As my twenty-first birthday approached, I wrote Jim from Pennsylvania, asking his advice on what kind of champagne to buy. Eventually, I found myself settling in at the eighth floor offices of 150 East 35th Street, first as summer help and then, after a quick post-graduation trip to England, full-time.

Mornings began with the opening of the mail—those postage-paid envelopes coming back to us from Jim's fundraising efforts that were the lifeblood of our activities. When a really large mailing was at its height, everyone would help out with the counting and sorting, stacking the cards with their names, addresses and mailing codes in separate piles. Many of these names—and not just those sending in large amounts—became familiar to us, especially those with scribbled comments or bits of life stories we would share with one another. There were handicapped people, or those with handicapped children; older people, on small fixed incomes—all sorts of backgrounds and stories that were both uplifting and very humbling. They made Jim determined to achieve results from their sacrifices.

After everything was sorted, Ed Capano and Jim could chart the relative success or failure of their efforts day by day on pencil-marked sheets attached to clipboards—how primitive it seems, deep into the computer age. Yet at the time the office staff's pride and joy was the one IBM self-correcting typewriter. All the newsletters and fund appeal letters were first typed on that, especially when illness or vacations or staff changes reduced us to using nonprofessional hunt-and-peck typers. Then we tried to proofread each line before hitting the Return key. Otherwise one of us would have to bear the corrections shamefacedly over to *National Review's* art department, where Jimmy O'Bryan or one of his co-workers would interrupt more artistic pursuits

to paste them onto the original, lapsing into a caustic comment or two if we had to come back a second or third time.

Another reason for the number of corrections was Jim's somewhat shaky spelling. Few days went by without a bellow from his office: "How do you spell _____?" One of us would holler back an answer. There would be a moment's silence. Then: "Hm. It doesn't *look* right." And those were just the ones he himself caught.

It was a great office to be young in, full of high causes, encroaching deadlines, excruciating puns, and the need for instantaneous switching of Jim's many hats. There are too many to recall in any detail here. Jim's mind was fertile and energetic, he was a great tactician of causes, and so good a salesman that he could keep most of his good ideas afloat as long as they were producing results. Among the most prominent of his activities, in addition to home base, *National Review*, was the Ad Hoc Committee in Defense of Life. Its briskly combative newsletter *Lifefletter* set out the latest exploits of "Battling Bob" Dornan, Henry Hyde and the yearly efforts to limit abortion funding in the Hyde Amendments, the struggle to enact a Human Life statute and the like. A slightly later incarnation, the National Committee of Catholic Laymen, had its own newsletter, *catholic eye*. And of course there was Jim's crown jewel, the *Human Life Review*, which was dear to me too, not least because it was my first professional writing credit.

Jim McFadden was the best editor I have ever written for. In the first year or so that I wrote for him, he would have me sit down at his desk to go over the reasons behind any changes he had marked on my copy, the whole exercise reminiscent of my (excellent) freshman comp class. He not only demonstrated methods of achieving greater clarity, but suggested when and how to provoke reaction from the reader or to forestall quibbling. It was great experience for me not only as a writer but as an editor of other people's copy later on.

There are different approaches to editing, which produce different kinds of publications. *Time* magazine, for example, famously imposed a uniform style on all its writers. Jim's aim was to publish good writing—the best writing available—on his subject, and so long as his authors had ideas worth publishing and a style that could carry them, he would, with sometimes a little adjusting here and there, give them their head.

As anyone who knew him could tell you, this did not reflect any diffidence about his editorial vision or capabilities. He knew very well what would work for the *Review* and what wouldn't. But precisely because he knew what he wanted and where he was going, he was capable of enjoying other people's

ideas, approaches or styles, applied to “his” subjects. He relished Muggeridge’s gleeful pessimism, the resounding clarity of John T. (now Judge) Noonan, the slightly aloof, acerbic elegance of Clare Boothe Luce—as well, of course, as the energetic baroque-ness of William F. Buckley, which had brought him to New York in the first place. After all, he could appreciate both the exuberant optimism of Chesterton and the almost unbearable ironic darkness (just rescued by grace) of Mauriac. As a young man, he inveigled his Protestant mother into reading John Henry Newman with a neat exercise of reverse psychology, starting a process that much later resulted in her conversion. In a totally different vein, he once recommended to me George Meredith’s novel *The Egoist*—I believe the Catholic apologist Msgr. Ronald Knox had written about the book in a way that stuck in his mind.

Jim regularly expressed his debt to Archbishop Fulton Sheen and his ability to entertainingly engage the modern world, beating it at its own game. He followed Walker Percy’s career with enjoyment, and had us reading Alasdair MacIntyre’s neo-Aristotelian attack on modern philosophy, *After Virtue*. One afternoon Jim closed up shop early to bring us uptown to a revival theater that was showing the starkly gripping French film version of George Bernanos’ novel, *Diary of a Country Priest*. And I cannot hear the zither music of *The Third Man* without recalling Jim’s stories of post-war Austria and Germany, as seen by him in his Army stint in the 1950s.

Does this sound excessively studious, as though Jim were operating a graduate school in moral theology? This would be a misleading impression. Jim was in business—in a multitude of businesses—and just scrambling to keep up with the deadlines for assorted newsletters (three at a time, I believe, was the maximum during my time there, but two or three were standard), fundraising appeals, heartfelt thank-you letters in response to those appeals, press releases, lobbying calls to congressmen, and so on and so on, often made life on the eighth floor closer to a circus than a reading room. The lunches with visiting writers and scholars were fit into off days and off weeks. Often, Jim generously invited me to tag along, to listen in on his and Ed Capano’s conversations with people like John Noonan, Fordham’s Francis Canavan, New York University’s Paul Vitz, James Hitchcock of St. Louis, Anne and John Muggeridge, and John’s father Malcolm.

But the lessons taught by ordinary office days were as valuable. Jim frequently referred to the Parable of the Good Samaritan, and what it said to him about how we were to discern our assigned tasks in life. The Good Samaritan was not out on the Jericho road seeking opportunities for dispensing charity; he was presumably bound on his own business, but confronted

with the robbers' victim lying beside the road, he did the thing that presented itself to him.

Jim regarded his fight against abortion and all the other proliferating attacks on human life in that way. In 1973, when he opened his newspaper to read the news of *Roe v. Wade*, he had the professional background, experience and contacts to make just the kinds of contributions he in fact went on to make. He knew the worlds of opinion journalism, publishing, direct mail and other kinds of promotion. He knew a lot about how Washington worked, and knew enough people who knew even more, to set into motion a shoe-string lobbying effort with his Ad Hoc Committee in Defense of Life that helped knit alliances among pro-lifers in different Congressional offices who pursued legislation to limit abortion.

Doing the thing that is before you, doing what the Lord has set in place—it sounds a bit tame, stifling, lacking in enterprise, perhaps even grudging, yet Jim lived this lesson from the Good Samaritan in no such spirit. He had boldness, an energy of intellect that opened him to new tactics and strategies and arguments when the old ones were stalling (how he insisted that in the long run the anti-abortionists would win out, as long as they could keep the issue alive, and how he worked to find each new means of doing so as the prior one began to run out of steam). He had an appreciation for the first-rate (I think of St. Paul's injunction to the Philippians: "whatever is true, whatever is honorable, whatever is just, . . . think about these things"), and a bulldog determination not to give up.

And he had laughter, the great enemy of despair. He commanded a seemingly endless flow of pointed or amusing stories before he lost that wonderful voice to cancer, and everyone (readers as well as listeners) remembers his puns—the more horrifyingly contorted the better.

Last spring, Jim faxed me a long letter pitching an idea for an article on lies and faithlessness and, well, Clinton, though the *Review* was not the place to dwell on all that. I mulled it over the next day, not sure I saw my way clear to maneuvering around the topic while saying anything useful. As I returned home from a series of errands, my husband pointed to a fax that had just arrived—an addendum from Jim that opened: "What made the Viennese forget their music? *Waltzheimer's*. What made me forget to say (yesterday) that the bare truth is, Clinton is *lying* about lying? . . . Cheers, Jim."

I laughed and laughed, and then (well, not *right* then—after the kids' bedtime, more likely) sat down to write for him.

Say not the struggle naught availeth—that line, and many others of the same kind, come to mind when I think of Jim, and his great appetite for Sisyphean labors, and causes not-yet-lost, thanks in part to him.

Jim was living, breathing proof that it isn't only the bright and cheery optimistic branch of the Right that is capable of achieving great things, and waging mighty wars. In fact, I think that most members of the doomy-gloomy end of conservatism have an advantage in staying power and the capacity to keep their bearings over their more sanguine colleagues. Those who do not just give up at the outset possess a willingness to carry on even through temporary or seemingly more durable defeats—subscribing to T. S. Eliot's view that there are no lost causes because there are no irreversibly won causes.

Jim did not much care for poetry, and when the pro-life sort came over the transom, he would pass it on to one of us. Yet I'm sure he came across "The Ballad of the White Horse" in what he referred to as his Chesterbelloc phase. In it, King Alfred is facing seemingly hopeless battle against an overwhelming Danish foe, and grimly sends for help to all the neighboring kingdoms. To each one the messenger quotes this less than encouraging text about the odds for victory:

"I tell you naught for your comfort,
Yea, naught for your desire,
Save that the sky grows darker yet
And the sea rises higher."

"Let me at them!"—or words to that effect—reply the neighboring chieftains, and together score an upset victory, saving their descendants from the burden of acquiring Danish as our mother tongue.

That was Jim all over. Of course he loved to win—who doesn't?—but above all he wished to carry on the struggle for all the good and noble and true and satisfying things, understanding fully what Mother Teresa meant when she said that God had not called her to be successful but to be faithful.

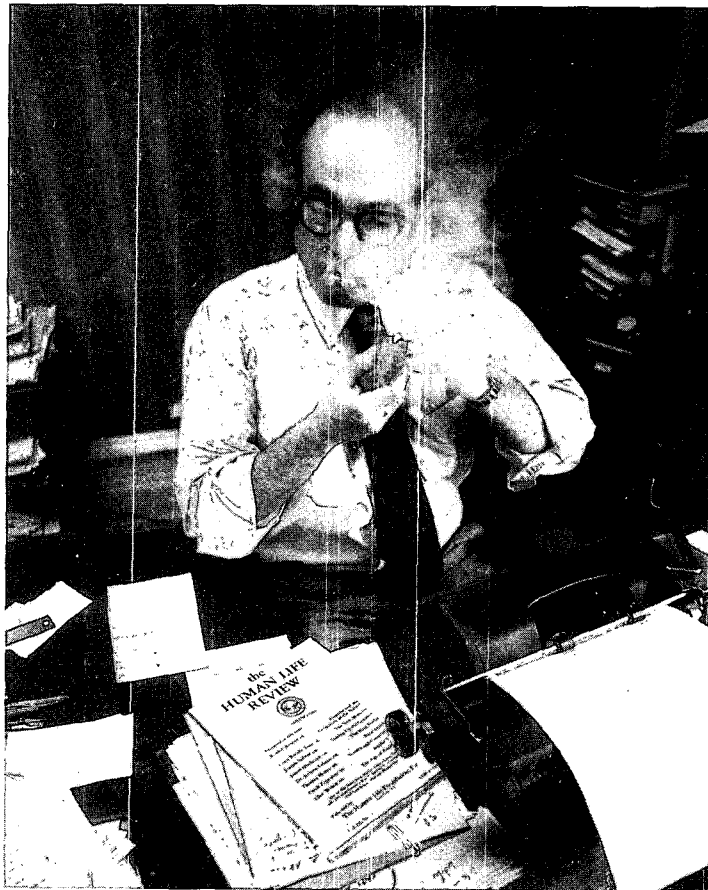
Faithfulness, loyalty, tenacity, courage, a great capacity for enjoyment, and a corresponding capacity for suspending or interrupting enjoyment for a higher end—these qualities I saw enfolded in Jim McFadden, though like the rest of us he could be discouraged or mistaken, out of temper or out of patience.

One day I happened to be standing in the office kitchenette, which opened off a room furnished with three desks but also offered a view past that to a little hallway leading to Jim's office. I heard a minor explosion, then out he came, clutching a distinctively colored paper that told me the girl who then handled the invoices and correspondence had goofed again. He halted midway down the little hall, a few steps out of view of the very nice but easily flustered girl who had made the error, and waited there a moment, visibly reining in his annoyance. Then he walked up to her desk and pointed out her mistake with irreproachable equanimity.

ELLEN WILSON FIELDING

Wow, I thought. It was like a little demonstration of the whole slogging, slip-and-fall-and-rise-again Christian life in action, struggling with those post-lapsarian emotions seeking to run amok, squarely recognizing where the fault-lines in one's character lay and firmly refusing to give up the effort to do battle with them, just because, at times, one doesn't succeed.

The gift Jim gave me that I haven't mentioned yet was the chance to know and love his family. Their warmth and vitality and individuality have been a great joy to me. I worked side by side with most of them at one time or another, and loved their separate styles of being McFaddens. It is difficult for me to imagine the McFadden clan without Jim there presiding. All of us—and the causes he spent his life on—still need a lot of help, and I am depending on Jim to keep on providing it.



Jim resting behind his Royal typewriter in 1983. At left is the Spring '83 HLR in which then-President Reagan's essay, "Abortion and the Conscience of the Nation," first appeared. Also in that issue was Clare Boothe Luce's "Is the New Morality Destroying America?" which we reprint here beginning on page 15.

J. P. McFadden: God's Publicist

John Muggeridge

Malcolm Muggeridge loved to suggest intriguing but unlikely job matches. Once, for example, he urged Mrs. Thatcher to make Mary Whitehouse, Britain's best-known crusader against pornography, her minister of culture. On another occasion, he had Pope John Paul II sending the late intransigent traditionalist, Archbishop Marcel Lefebvre, as Papal Nuncio to Communist Poland. But the exercise in imaginative headhunting that most delighted him was naming Jim McFadden director of communications for the Catholic Church.

And come to think of it, Jim's curriculum vitae would have made him a formidable candidate for such a position. For he was much more than just a gifted editor and publisher who happened also to be a Catholic. He edited and published for the Church. His decision to do so, moreover, except in the sense that he hoped it might at least get him as far as Purgatory, was an entirely disinterested one. He had no literary ambition to satisfy, no political ax to grind; while any idea that desire for fame or love of money might have driven him to embark on a quarter-century career of fundraising and pamphleteering for such organizations as The National Committee of Catholic Laymen Inc. would have seemed ludicrous even to his bitterest enemy. Jim could have put aside his faith and got to the top. He chose not to. And he did so without regret. No man worried less about being denied his due meed of worldly recognition. Perhaps that was what most clearly identified him as a Catholic. Not for nothing had he, from early childhood, had dinned into him that pride and avarice head the list of the seven deadlies. Seated, pipe in teeth, at his prelapsarian Royal, composing and two-fingeredly typing the precise number of words and punctuation marks needed to both move the hearts of would-be donors and fill a side and a half of letterhead, he evinced the clear-eyed but unconquerable tenacity of a plumber from the parish who has donated his Friday night to wrestling some heat out of the church's radiators in time for Mass next morning.

What Jim brought his editorial blowtorch and soldering iron to bear on was the Church's central thinking system. He was neither a progressive, nor a traditionalist; he was a repairman. He wanted to help make the Catholicism his religion teachers had handed down to him work. That meant clearing ducts and reopening valves, perhaps, but *never* remodeling. With truly

John Muggeridge, our senior editor and long-time friend, lives with his wife Anne in Canada.

Swiftian acuteness, he called remodellers on the Left *ultramundanes*. The nineteenth-century Ultramontanes wanted to remove every jurisdictional barrier between them and Rome; Jim's *ultramundanes* favor creating an equally unimpeded space for Catholics to embrace the world in. As for remodellers on the Right: they had all his sympathy, Jim used to say, but none of his support. For what Catholic worthy of the name could fail to sympathize with defenders of tradition? And it must surely have been in response to Jim's expressed wish that his funeral took the form of a Tridentine requiem high mass. On the other hand, the traditionalist temptation to conclude from current Catholic woes that *ultramundanes* have usurped power at Rome never bothered him. Such logic makes John Paul II an impostor, and, as Jim rightly saw, when ecclesiastical legitimacy comes to depend on the claims of a self-appointed magisterium, Protestantism wins. We Are Church can only mean You Are Not. Extremists at both ends of the Catholic political spectrum have set about turning themselves into what G.K. Chesterton refers to as "that sort of stale and second-rate sect that is called a new religion."

But of course the supporters of these two man-made cities of God pursue widely differing strategies. Right-wing sectarians are separatists; they rely on history (i.e. the Holy Spirit) one day to vindicate them. *Ultramundanes* are subversives who have already begun the process of undermining Catholic theology. That's why Jim reserved for them his most powerful drain-clearers. When, three years ago, for example, the Vatican bowed to left-wing pressure and took back its prohibition of altar girls, his sarcasm-dripping headline in *catholic eye* (incidentally, the wittiest, best-informed, and most elegant of one-man newsletters), asked: "Is Loyalty a Virtue?" Rome's backtracking, Jim warned, not only hung out to dry the many papal loyalists who had defended her earlier stand, but confirmed the Dissenters in dissent. "Given," wrote Jim, "their openly-stated, extreme demands (Lord only knows 'the hidden agenda'!), they will hardly pause for gratitude, but rather accelerate the drive toward their real goal, *power*." If altar girls, why not priestesses, or, for that matter, female bishops? To change "*the unchanging Church*"—not least in *inessential* matters, he concludes, is indeed a fearsome thing. One can only wonder what *eye* would have made of a recent decision by the U.S. bishops to cancel Ascension Thursday.

But fear is not the same as desperation. Jim ends his editorial on the altar-girl *volte-face* by first quoting Evelyn Waugh's reaction to changes in the Church: ". . . I have seen a superficial revolution in what seemed permanent," and then responding to it with a wonderfully Catholic mixture of optimism and wariness: "In faith, we believe that *superficial* remains the operative

word; that all revolutions do devour their own; that feminism will prove no exception—that the Rock *is* permanent. But let's play it safe: *oremus*.”

And Jim did indeed *pray* it safe, at Mass every morning, including that of the day before his predawn death, beside his bed every night (much to his irritation, I caught him at it once, when circumstances obliged us to share a hotel room) and no doubt at other times. The point here being that for Catholics discipline is almost everything. They believe that the truth will make them free; they know, as they drag themselves out to confession, or yet another Life Chain, that freedom will not make them true. Christ Himself, after all, reserved His highest praise for the centurion who insisted that he too was a man set under authority.

Obeying, however, is not the same thing as allowing oneself to be brain-washed. Granted that Jim made that submission of mind and will which is the hallmark as much of a good soldier as of a good Christian. Yet his masterpiece, the *Human Life Review*, appeals directly to the intellect. And why not? Of all varieties of Christianity, Catholicism is the one most open to reason. Catholics, in fact, claim that they believe *in order to* understand. The detail from Michaelangelo's familiar picture which Jim chose as *HLR*'s trademark says it all. Those two almost-touching hands proclaim that, God having created man in His image, man's mind must in some way be analogous to God's. Discovering the truth about human generation should therefore awaken reverence for what it results in. It certainly seems to have had that effect, for example, on Doctor Bernard Nathanson, who no sooner *saw* the sanctity of human life on the screen of his ultrasound machine, than he joined first the antiabortion movement, and then the Catholic Church. Jim founded the *HLR* to bring about a similar conversion on Capitol Hill.

This, you may say, was a fool's game. Since the *HLR* first appeared in the winter of 1975, members of the U.S. Senate have received nine thousand two hundred copies of it, and still they refuse to pass the Human Life bill or override Bill Clinton's veto of the law banning partial birth abortion. But God's publicists are not to be judged by worldly success. Unlike salesmen, they have no territories to cover or quotas to fulfill, only souls in need of salvation. What they cannot do without is the grace of final perseverance. Jim persevered. God rest his good soul.

The Vatican's Loss

Malcolm Muggeridge

MR. MUGGERIDGE: Bill Buckley, ladies and gentlemen. I don't feel that I can add a tremendous lot to what's been said tonight, so eloquently, truly and honorably said about the guest of honor of this dinner. I might, however, just add one small point that hasn't been mentioned, in a way not important in itself, but still I think part of the picture we want to get of Jim. And that is this: that after 50 years of knockabout journalism, I know quite well that if Jim McFadden had wanted to, if he'd been out in any degree for himself, he could have easily accomplished any kind of worldly success in the profession of journalism in an editorial capacity. That he hasn't done that, that he has chosen to work for the *National Review*, that he has chosen to give a great deal of his time completely gratuitously to what is, I think we would all agree, the most urgent and important moral issue facing Western society is something that should be recorded, something that is unusual, wonderful, inspiring to others.

I'd also like just to mention, not just in responding to the very enchanting things that Bill Buckley said about me, that I have known many people who had the same sort of position in relation to a publication that he has in relation to the *National Review*, but I cannot think of one of them who would have had the imaginative perceptiveness, the generosity, and the grace to arrange this occasion in which we celebrate the work, the character, the dedication of Jim McFadden. Those are just two important points.

Another thing I wanted to say to you was—and it probably is the last occasion I shall have to address you in your company—that I don't believe that even you realize what an enormous boon the *National Review* and all its ancillary products, the *Human Life Review*, the newsletter that goes with it, what an enormous boon this is, what a comfort it is, what an encouragement it is to many people, who in our television-drenched societies come to feel that the consensus—that mysterious, humanistic, materialistic orthodoxy that is spread so extremely effectively and effortlessly—people who are completely subjected to that, the comfort of what you do gives them. I know of cases, many cases, and I hear of many cases. People are very liable to believe that in the medium broadcast consensus lies the only possible way of looking at what's going on. And it is impossible to exaggerate the importance of what is

Malcolm Muggeridge was a renowned British author, journalist and TV personality, and for several years, an editor-at-large of the *Human Life Review*. He made these remarks at a Testimonial Dinner he co-hosted (with William Buckley and John T. Noonan) for J.P. McFadden on May 21, 1979.

achieved by this special effort. It encourages people, it makes them aware that the consensus view—that in fact there is a complete unanimity on the humanist materialist side—that is not in fact so. I often think about this consensus, which in a way is an outward and visible sign that our Western societies are sleepwalking into their own version of a collectivist authoritarian way of life, and how never has it been more important in journalism and education and every way to maintain and announce and proclaim the contrary position. Well, I think that Jim McFadden has played a remarkable part in that. And we all know and we rejoice in the fact that the right to life movement, which could easily have withered on the branch, has seemingly got new life into itself and new vigor and new purpose. And I haven't the slightest doubt that the person who is primarily responsible for that is the person who we are honoring this evening. And that will go on.

I wanted to make another point. You see, again to give you an instance of what I mean, some time ago there was the first serious interview conducted on television with Solzhenitsyn. It was put on by the BBC, it was seen in England, and I can say with complete confidence that never has an interview on television in the United Kingdom had anything like the impact that had. We produce in England a paper of almost indescribable boringness called *The Listener*, and this paper has never in the whole of its history had occasion to be reprinted. [laughter] But in fact when this interview with Solzhenitsyn was printed in it, the magical thing happened, and with an enormous kind of grinding of brakes and so on, it was reprinted. [laughter] Now the point is, in practical terms, just thinking of it entirely in televisual terms, that should have been a program that the big networks in the United States should have been fighting to get. That's what should have happened. But because it was not what the consensus required, because it contained remarks about good and evil, about what freedom truly is and what it purports and pretends to be, it wasn't suitable vis-à-vis the consensus. And the result was that the three networks—the three major networks here—declined to take it. Similarly the Canadian Broadcasting Corporation, which is a sort of twin of the BBC, with all its ineffable absurdity made slightly more ridiculous because it is spread out on the great wastes of Canada, they too declined to take it. And the fact that it was seen and did have an impact was entirely due to the existence of the program, *Firing Line*, of the fact that there still was this possibility of showing it. I wanted to mention that again to stress the enormous importance of maintaining these things.

It's true that Jim McFadden could have had any kind of job he wanted. If the Vatican had any sense, they'd grab him and lock him up [laughter] in the curia and issue a special encyclical that no encyclical could ever see the light

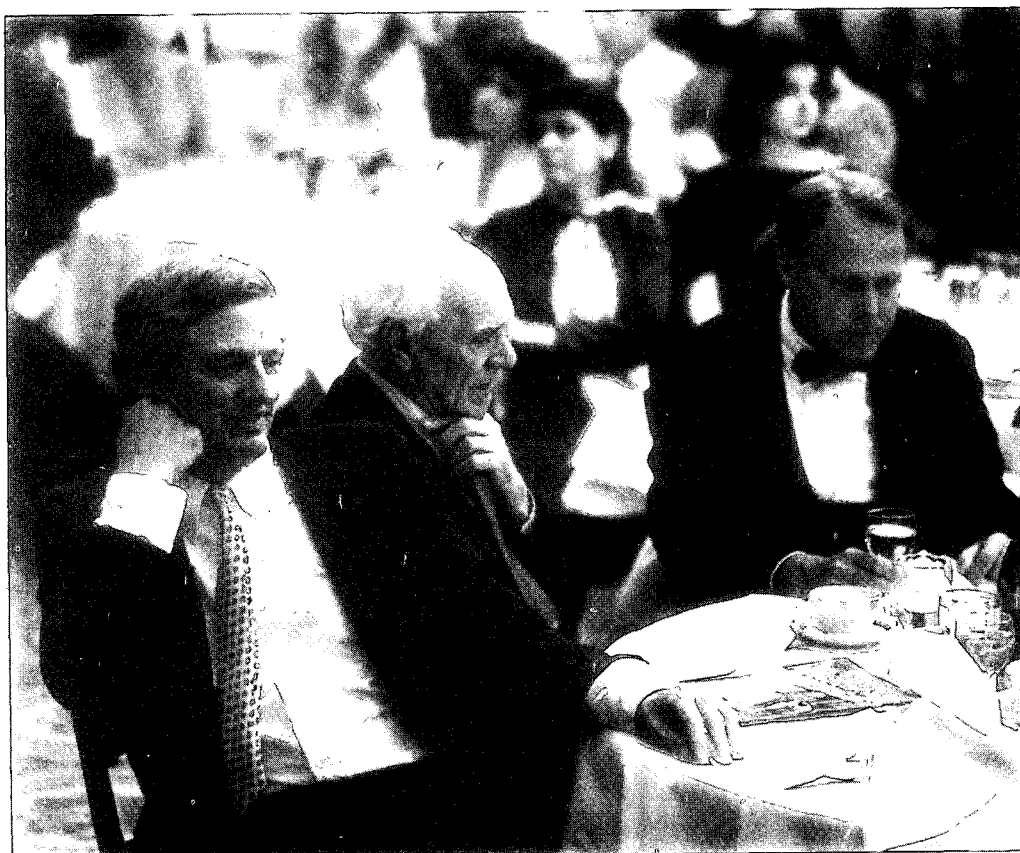
of day until he passed it and processed it. Then, if the Vatican had any sense, things would be very different altogether. *[laughter]*

One last point I wanted to make, which in a way is a serious point. You will notice that all over the Western world, the conservative position is diminishing, is declining, is decaying. In your neighbor Canada, they have adopted the ribald solution of calling themselves progressive conservatives, which is rather like, of course, calling yourself carnivorous vegetarians. *[laughter]* The point is worth making only because it indicates this collapse of the conservative position, politically speaking. And I don't know whether you would agree with me, but thinking about this, I think I understand why this has happened—because there really is no conservative position in politics unless it is closely associated with certain transcendental assumptions—in other words, with a religious view of life. Now you have this in the *National Review*. It's impossible to think of the *National Review* without the faith, the Christian faith, that lies behind it, both in the individuals who produce it—notably of course Bill Buckley and Jim McFadden themselves—and also in the people who work for the magazine altogether. That is of the utmost importance. You can almost say that nothing can be conserved except for eternity, that if you simply think of conserving something—a way of life, certain social arrangements, certain legal arrangements—if you think simply of conserving them as a limited or immediate necessity, you will find that that does not in the end of the day produce a viable and enduring cause. And therefore it follows that that aspect of the *National Review* and of all this other work that's associated with it—and knowing Jim I have no doubt whatever that that will be steadily increasing until you find all sorts of other things going on in that building—libraries and publishing work and all kinds of things will be going on there—but they will all have their reality not because they are conservative in the shallow sense, the shallow sense that I regret to say I detect in that notable lady, Mrs. Thatcher and her little gang of tribesmen. Unless that is there, it won't really work, and I believe that it is there, and I think that that is an additional reason why in honoring Jim McFadden we not only honor an extremely competent journalist, we not only honor a man who combines to a remarkable degree a touch of saintliness and a strong dose of Machiavellianism—one of those particular—One of those drinks, you know, like gin and bitters that somehow work together very well. *[laughter]* I've often said that if I was really put to the test, I would rather be ruled by Stalin than by Mrs. Roosevelt. *[laughter]* You might not wholly agree with that, but there is an element of truth in it.

Anyway, Jim combines this, if you like, in the language of that very interesting Parable, the Unjust Steward. He indubitably belongs to the children of

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light, but he has a remarkable awareness of how the children of darkness operate. [laughter] And it's interesting that in our Lord's comment on that parable, he doesn't shake his finger at the unjust steward, he simply suggests—and I think Jim here is a very good follow-up—he simply says that, You should—Children of light, you should keep an eye on those children of darkness because they are experts in the mammon of unrighteousness. A very shrewd observation. Ladies and gentlemen, it has been something I shall never forget, this evening, a joyful, wonderful evening [applause] and I say God bless you, Jim; God bless you all. [applause]



William F. Buckley, Jr., Malcolm Muggeridge and John T. Noonan, Jr., co-hosts of a Testimonial Dinner given for Jim McFadden by his friends at National Review on May 21, 1979 at the Union League Club in New York.

“Human Life Now”

John T. Noonan, Jr.

MR. NOONAN: When this very welcome invitation to say something in tribute to Jim McFadden came to me, I was just reading that marvelous diary of an old New York lawyer, George Templeton Strong, which describes the founding of the Union League Club. And it could not but strike me how appropriate that we should be gathering here to honor Jim in this place. As Strong describes it, it was the winter of 1863, and in his judgment, the war could not be prosecuted 12 months longer. They were “dark, blue days,” as he put it. And the idea was to “associate into an organism”—his phrase—800 to 1,000 New Yorkians who would support the government of the United States. They were to be vigorously excluded—all the weak-hearted, the vacillating, the secretly disloyal, the compromising, who even then, in the middle of the war, made up a good part of the elite of New York. “The whole dirty crowd,” in Strong’s words, “of false-hearted back-stump orators and wire-pullers, all the embodiments of corrupt, mercenary, self-seeking, sham patriotism.” I observe that even in 1863 a Buckleyian capability for robust rhetoric flourished in New York.

Well, the cause for which the Union League Club was established prevailed, and the spirit has survived. And it has found its modern shape in Jim McFadden. The irony that the courageous spirit of 1863 should find its modern form in this fashion would not have been lost on Strong. He believed—I don’t know whether he was the first to say it—but he certainly believed that the snakes of Ireland had died from biting the Irish. *[laughter]* And there is no modern New Yorker resentful of recent immigrants as resentful as he was of the Celtic tide of his generation. I doubt if he would have made an exception for the people from Donegal. But he and we, I believe, can put aside the prejudice that was local and contingent and see true principles. And the principles, the unswerving loyalty of those men of 1863 in “dark, blue days” when the war could not be prosecuted another 12 months longer, is as marked today in Jim McFadden. The loyalty is the same. The division in the country is analogous and the causes are similar: human liberty then, human life now.

And there has been the same great need for organization, direction, and projection of opinion on the right side. In the case of slavery, there was really only one organ of public opinion in New York, Horace Greeley’s *Tribune*,

John T. Noonan, Jr., a well-known legal scholar and author, is a judge on the U.S. Court of Appeals for the Ninth Circuit in San Francisco. He made these remarks at a Testimonial Dinner for J. P. McFadden which he co-hosted at the Union League Club in New York City on May 21, 1979.

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which provided a forum in which anti-slavery thinking could find a national audience. In the case of abortion, Jim McFadden has given the cause of human life what it so badly wanted: a vigorous, articulate organ of opinion in which the many facets of the abortion issue could be analyzed and commented upon and debated. Abortion, and it has been apparent in the pages of this journal, is about as much a single-issue issue as a centipede is one-footed. Jim McFadden has also edited the liveliest, most newsful and most invigorating newsletter, which has given life indeed to those of us engaged in a campaign which has often needed such encouragement and such invigoration. And he has provided the direction and fundraising and organization and counsel as indispensable to the cause of human life as his services have been to *National Review*. Counsel which has been shrewd and bold and sagacious and successful. I would compare him to Horace Greeley in providing a voice for a great cause neglected or caricatured in the establishment newspapers and journals. I would compare him, except that he has a stability and a modesty and a sense of human limitation which Greeley did not possess. We need not expect him, unlike Greeley, to abandon the Republican Party in order to become the Democrats' nominee for president. Also unlike Greeley, his commitment to principle and politics is anchored upon, is integrated with—I dare to say it—his profoundest religious convictions. If he fights for man, it is not for the average hypothetical figure of the liberal politician. It is for the actual human beings who are united in his faith with Jesus, *redemptor hominis*. His humanism is founded upon the God who took human flesh and frame in the womb of Mary. His life follows the law which Hopkins captured in the lines: "Our law says: Love what are love's worthiest, were all known;/World's loveliest—men's selves. Self flashes off frame and face." It is in response to these actual human beings, their frames, their faces that Jim McFadden has acted and continues to act. [applause]

J. P. McFadden (1930-1998)

Michael M. Uhlmann

The world lost and Heaven gained a great soul when Jim McFadden died, after a protracted struggle with cancer, on October 17. All grit and grumble on the surface, James Patrick McFadden was, beneath, as tender a man as I have ever known. After his Savior and his family, the most conspicuous object of his affections was unborn children, to whose loving defense he devoted three decades of selfless labor. His capacious soul was composed, in more or less equal parts, of martial courage, Franciscan humility, and irrepressible mirth, which he balanced in felicitous harmony. He began and ended his days on his knees, at Mass in the morning and at bedside in the evening. The space between was filled with good conversation, prodigious work, and the pleasurable duty of caring for his adored and adoring family. He was warm, witty, and unexcelled in friendship. There was no one who wore better of an evening with cigars and whiskey, no one you'd rather have had in your foxhole when the enemy came over the top.

The pro-life cause has had many heroes, but none wiser than Jim, whose focused political insight and editorial genius brought disciplined sophistication to a movement that in its infancy consisted largely of well-intended amateurs. He transformed that ubiquitously pedestrian editorial confection, the newsletter, into a work of art. Bach at his console in Leipzig found his match in McFadden sitting before the keyboard of his battered Royal upright. Jim's *Lifletter* was for many years the marrow of pro-lifers throughout the country. In four pages of pungent observation and mordant wit, delivered every month in inimitable McFaddenesque staccato, Jim directed the order of battle, rallying loyalists and confusing the opposition. Filled with brilliant political analysis and tactical advice, *Lifletter* became a force to be reckoned with by friend and foe alike. He added strategic weaponry to the pro-life arsenal when he founded the *Human Life Review*, the distinguished quarterly that for nearly 25 years has provided a continuing stream of intellectual enlightenment on the intersection of law, morals, and medicine. It has been, and remains, an indispensable compendium of wise and eloquent reflection, a veritable university-in-print.

For most men, such accomplishments would have been enough for a memorably worthy life. But the full flowering of Jim's genius appeared some twenty

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years ago with the launching of *catholic eye*, the newsletter of the National Committee of Catholic Laymen. *Eye* was, quite simply, Jim McFadden re-embodied in print: at once gingery and philosophical, grave and hilarious, irascible and charitable, grumpy and hopeful, importunate and humble, but informed always by his devotion to the sacraments and his unshakable faith in the promise of redemption.

It was, on one level, a monthly encyclical to the faithful, teaching them about the *depositum fidei* and assuring them that it would endure despite the spirit of the age. On another level, it was a detailed Syllabus of Errors, that, with devastating accuracy and wit, called to task wayward clerics who had stayed too long and drunk too deeply at the Vatican II party. On yet a third, it was Jim's personal lamentation for the passing of the old order within the Church and in the world at large. He could not forgive the mindless trashing of the ancient rituals or the ritual trashing of traditional doctrine by fatuous bishops and effete theologians. He celebrated the papacy of John Paul II as a providential gift to a demoralized Church, and prayed fervently that, through precept and example, that great man would inspire a new generation of Catholics to rediscover the truth that had fired Jim's soul and inspired all his works.

Jim's last years were difficult, and would have broken many another man. He began his mortal combat with cancer in 1993, and in the following year lost his beloved son, Robert, to the same dread disease. He was deprived of his ability to swallow and, eventually, of his ability to speak. He suffered the indecency of repeated hospitalizations, surgeries, and radiation—and, perhaps more painfully, the loss of the sociability he treasured and was so good at prompting in others. He endured it all, confident that his Creator had a special purpose in mind the mysteries of which would be revealed in the fullness of time. In the ordeal of his death no less than in the course of his life, Jim did not hesitate to put on Christ. He soldiered through his torment, praying that the transforming grace of the *imitatio Christi* would bring the peace and love that surpass all understanding. Jim would scoff at the notion, but what was said of Cardinal Newman could have been said of him too: "There is a saint in that man."

Farewell To A Pro-life Warrior

Mary Meehan

*With pen and prose, James McFadden fought
the good fight on behalf of the unborn children*

When the abortion war started many years ago, James Patrick McFadden enlisted on the anti-abortion side, signing up for the duration.

As editor of the quarterly *Human Life Review* and promoter of other efforts to save unborn children, he showed a real zest for intellectual and political combat. That zest and his wonderful sense of humor made him a happy warrior.

On Oct. 17, at age 68, Jim died with his boots on, working to the end despite the distractions and pain of a long battle with cancer.

Friends and admirers packed the church for his funeral Mass in New York City. Msgr. Eugene V. Clark, an old friend, said that Jim tried very hard to know what the Lord wanted him to do, then set about doing it, taking advantage of whatever opportunities he had.

He also made opportunities: shaking the money tree with engaging appeals; starting the Ad Hoc Committee in Defense of Life and writing its spirited *Lifeletter*; launching the *Human Life Review* to offer serious commentary on abortion and euthanasia; and making “baby-saving grants” to pregnancy-aid centers.

He eventually phased out *Lifeletter*; but in its heyday in the 1980s, it was probably one of the best-read newsletters on Capitol Hill.

Jim used *Lifeletter* to admonish, reprove, encourage, cajole, cheerlead and drive the right-to-life movement, according to his best judgment of where it should go.

A loyal son of the Church and a daily communicant, Jim was one of many Catholics who suffered deeply from liturgical abuses and doctrinal dissent. He did not, however, suffer in silence. Instead, he started another newsletter, *catholic eye*, to support the Pope and to skewer the dissenters. (To be skewered by J. P. McFadden was to be well and truly skewered.)

He also had some fun with his Catholic newsletter, as when he predicted the “first cloned musical” (“Hello Dolly, Dolly, Dolly,” after the name given

Mary Meehan is a long-time contributor to the *Review*. This tribute was written for *Our Sunday Visitor* (Dec. 27, 1998), and is reprinted with permission (© 1998 Our Sunday Visitor, Inc.).

to the first cloned sheep).

Jim and his wife, writer Faith Abbott McFadden, had five children. All were involved in the cause of human life at some point. Their son Robert was a lobbyist for the Ad Hoc Committee in Defense of Life, while their daughter Maria became executive editor of *Human Life Review*.

Jim once said that he and Faith “took it as a great grace” that their children “all liked each other; that Robert and Patrick were brothers true . . . and that, to Maria, from her earliest days, and to Gina and Tina from infancy, biggest Brother’s [Robert’s] approval, or more often his connivance, was part of their lives.”

In 1993, Jim was diagnosed with the cancer that ultimately would take away his speech, his health and his life. Months later, son Robert—a big, strapping, optimistic, loveable fellow—was also found to have cancer. Robert died first.

“It seems an inexplicable waste, a terrible mystery,” Jim said in a tribute to his son. “In fact, that’s how Robert himself took it, as a mystery, one that God alone could explain. And he took it like a man, as his father knows, to the end.”

Jim himself had a series of surgeries and painful recoveries, but managed to keep his sense of humor. Last year he noted that, since he could no longer speak, “everything must be written/typed, which takes up an enormous amount of time, etc. But it has some amusing side-effects, e.g., my slaves must now put up with a simple ‘No’ where they used to get reasons, sort of.”

He spent his last months in his usual editorial work, plus special efforts to ensure the continuance of *Human Life Review*, which daughter Maria will carry on.

Writing in *Catholic New York* after Jim died, Cardinal John O’Connor said that “for one who did so very much for the cause of human life, he deserved to live it to the fullest, and I am more than reasonably sure that is precisely what he is doing now. I wish he could write about it.”

The Defense Rests

Jo McGowan

When I heard about the October 17 death of Jim McFadden, founder and publisher of the *Human Life Review* (HLR), I felt strangely bereft.

My association with Jim began in 1989 when he reprinted an anti-abortion piece I had written for *Newsweek*. (His *Review* dealt solely with “life issues”; these came to include topics like euthanasia, contraception, and in vitro fertilization, but abortion was far and away its overriding concern.) He sent me a copy of the issue in which my piece appeared and I read through it with a growing sense of dismay. I had never been published in so conservative a magazine. Indeed, as a good left-winger, I had barely even read one, except to poke fun at it. My first reaction was to hide the thing before my husband saw it.

Something kept drawing me back to it, however, until finally I gave up, sat down, and read it straight through. I was hooked.

What a strange experience. With the exception of the abortion issue, Jim and I probably disagreed on almost everything of any importance: from women priests to capital punishment, from defense spending to socialized medicine. Still, I thought of him as a dear friend and a profound influence on my life.

Jim was, probably first and foremost, a Catholic. He was a strong conservative, fiercely loyal to the pope, and utterly convinced of the prophetic power of the church. For thirty years he worked as a journalist with the *National Review*, whose political views were harmonious with his own, and for nearly twenty-five he presided over the publication of the *Human Life Review*, the only scholarly journal in the country devoted solely to exploring the “life issues,” most notably abortion. In it, he gathered some of the world’s finest argument on the subject, mainly against, but occasionally for as well, just to give his own stable of writers something fresh to wrestle with.

In addition, Jim put out the *catholic eye*, a quirky little biweekly newsletter that often gave an eye for an eye, written, it seemed, entirely by himself, in which he took on whatever secular god was in vogue at the moment. Spar-ing no one (except perhaps the pope and Mother Teresa), he would gallop along, shooting from the hip with sarcasm and truly awful puns, quoting from such diverse sources as the *London Economist* and the *Baltimore*

Jo McGowan and her family live in Dehra Doon, India, where she has founded Karuna Vihar, a school for children with special needs. The above remembrance first appeared in *Commonweal* magazine (Dec. 4, 1998) and is reprinted with permission (© 1998 The Commonweal Foundation).

Catechism. In the beginning, reading it used to literally give me a headache and I often flung it in the wastepaper basket in disgust, but just as often it made me laugh out loud.

Laughter was an important part of Jim's life. He loved finding the lighter side of almost everything and he made a point of lacing the very serious pages of the *HLR* with hilarious cartoons lifted from the *Spectator* of London. He was, as William Buckley pointed out, the "prime exhibit of G.K. Chesterton's dogged insistence that piety and laughter are inseparable, and indefeasibly the work of God." Jim was also a family man, delighting in his five children and two grandchildren and, most especially, in the love of his wife, Faith Abbott.

I think what I admired most about Jim was the strength of his beliefs. He was fearless in their defense, in spite of the ridicule he was certain to receive in an unbelieving society. This quality of his was an inspiration to me in my often lonely position as an anti-abortion left-winger. Given the intricacies of a situation in which most of the people I associate with are prochoice, the temptation is often to soft-pedal my prolife views, to be "sensitive and compassionate."

If nothing else, Jim made it impossible for me to use either of those words without quotation marks! In his own writing and in the things he published, he consistently exposed what passes for compassion (assisted suicide, for example) as the shallow selfishness it is. And he did it with a rigor that astonished: One is not accustomed, in these days when "nonjudgmental" is the highest compliment, to hearing unvarnished truth, thundering off the page with nothing less than biblical certainty.

But the really important thing about Jim McFadden, who cultivated the image of being "to the right of Attila the Hun" (to quote his daughter, Maria), was that he was one of the sweetest men I have ever known. I was on the receiving end of his generosity for the nine years I knew him, and I am sure I was only one on a long list. Regularly he sent me large packages filled with magazines, clippings, and books—all to keep me informed and to encourage me to keep writing. How did he remember me—and how out of touch I might be feeling—in the midst of his extraordinarily busy life? On his first day back in the office after his cancer surgery, he sent me a note and "a few oddball items" he had been saving for me.

Our friendship was mostly through letters (we met only twice, both times for lunch in wonderful Italian restaurants in New York City), and these letters necessarily dwindled as his cancer progressed and I became more and more taken up by the care of my own seriously ill child. She was a special

Jo McGOWAN

pet of his and he followed the joys and sorrows of her life with a constant concern, made sharper by his own suffering. I know he is watching her still, and I feel a little safer with this champion of human life now firmly ensonced in the only court that matters.



Representative Henry Hyde showing Mother Teresa the Winter '80 HLR which reprinted excerpts from the lecture she had given when she accepted the Nobel Peace Prize in Oslo on December 11, 1979. Many in the audience (and around the world) were stunned to hear Mother Teresa call abortion "the greatest destroyer of peace today."

10/21/98



HOUSE OF REPRESENTATIVES
WASHINGTON, D. C. 20515

HENRY J. HYDE
6TH DISTRICT, ILLINOIS

Dear Faith — Jack Fowler called with the sad news — and as always mere words aren't equal to express the feelings of loss. Jim was a giant in spirit and an example of what one man could accomplish sustained by his two faiths — his Catholic religion and his blessed wife Faith.

Part of him will stay with us, as the best of him has gone to glory. God used him well — he was a real man, a real husband and Father and a rare friend.
God keep you + yours. Henry

The Road to Abortion (II):

How Government Got Hooked

Mary Meehan

The first part of this series traced close links between eugenics (the effort to breed a “better” human race) and population control throughout the greater part of this century up to the 1960s. It stressed the population work of early eugenicists and eugenics sympathizers such as Frederick Osborn, Margaret Sanger, Gunnar Myrdal, Alan Guttmacher, Garrett Hardin and John D. Rockefeller 3rd.

This second and concluding part will show how population controllers, from the 60s onward increasingly added economic and foreign-policy concerns to their original “eugenics” motive of improving human genetic stock. Working in both Democratic and Republican administrations, they gained major government backing for their programs and also played a key role in the legalization of abortion. I will use President Richard Nixon’s administration as an example of heavy government involvement.

While eugenicists encouraged research on abortifacient drugs and devices, they also turned their attention to surgical abortion as a tool that could be combined with prenatal testing to eliminate the handicapped unborn.

The Nazi era had given compulsory sterilization a bad name, but eugenicists never lost their interest in preventing births of the handicapped. Frederick Osborn and others in the American Eugenics Society had long promoted “hereditary counseling,” which they once described as “the opening wedge in the public acceptance of eugenic principles.” Scientists were developing prenatal testing for fetal handicaps in the 1950s,¹ but that would not have meant much had abortion continued to be illegal. A Rockefeller-funded project came to the rescue. The foundation was supporting the American Law Institute’s production of a “model penal code,” which states could use as a guide when amending their criminal laws.

Dr. Alan Guttmacher’s twin brother Manfred, a psychiatrist, was a special consultant to the model code project, and Alan himself took part in one or two meetings about it when he was vice president of the American Eugenics Society. (Later he would lead the Planned Parenthood Federation of America.) Another special consultant was a British legal scholar and eugenicist,

Mary Meehan, a Maryland writer and veteran *Review* contributor, is writing a book about eugenics.

Glanville Williams. The model code, as adopted by the Institute in 1962, allowed abortions for “substantial risk” of serious handicap in the unborn child, as well as in other hard cases. In the final debate, attorney Eugene Quay declared, to no avail, that “the state cannot give the authority to perform an abortion because it does not have the authority itself. Those lives are human lives, and are not the property of the state.”²

A number of states changed their abortion laws along the lines suggested in the model penal code. The new laws did not make as much difference as their supporters had hoped—and their opponents had feared—probably because many “respectable” doctors were already doing abortions for hard cases. While abortion supporters were disappointed and soon pressed for abortion-on-demand, the exceptions approach actually had helped their cause in several ways. It had prompted public debate on a “taboo” subject, had softened up the public to the idea of abortion as a “humanitarian” action, and probably had led many of the public to believe that the debate was about hard cases only.

Meanwhile, population experts were increasingly viewing abortion as another tool to control population numbers. They knew that legalized abortion had sharply reduced population growth in Japan after the Second World War. They were particularly interested in suction machines used for abortion in China, and they worked to spread knowledge of this method. C. Lalor Burdick, a foundation executive and eugenicist, pressed the suction-machine approach with great energy because it could be done on an outpatient basis and was cheaper than other methods. His Lalor Foundation helped finance a training film on suction abortion that was produced by British doctor Dorothea Kerslake and shown widely to doctors in the U.S. and elsewhere.

In 1970 Burdick told a correspondent that some day it might be accepted “that bum pregnancies of whatever character should ipso facto be terminated. And so would come the next step, namely, that the lowest grade people (as determined by performance factors) are not to have children either.” He asked, “Isn’t an intelligent black or mulatto a lot better than the dippings from the bottom of the white barrel?” Earlier, though, he had told population-controller Hugh Moore, “All channels with which I come in contact speak of the fecklessness of the Indians and of the hopeless inabilities of the Africans.” Burdick had also complained that Americans “seem to be deifying our scruffy and unfit by putting them in temples (welfare housing)” and “re-creating some ancient fertility cult where we provide breeding pads and free sustenance for the proliferation of a kind of people that hate us and would destroy us, if they could.” This lover of humanity also remarked: “The ‘maternal

impulse' is partly bunk. De-bunking of this might get some females off their fat duffs and into useful endeavor."³

Burdick was not unique. Retired army general William H. Draper, Jr., a leading figure in Planned Parenthood and the Population Crisis Committee, suggested population control as a solution to urban riots. Referring to 1967 riots in Detroit and elsewhere, he told a business executive that "it is pretty obvious that a great many unwanted children have added fuel to the fire." He said that "to cure the present ghetto problems and deal with the population question among the poorer parts of our own population . . . will require valiant and much greater efforts than any exerted in the past." If the executive decided to support Planned Parenthood, Draper added, "you could do no better." In 1966 Dr. Alan Guttmacher, apparently trying to be witty, wrote from Africa to a U.S. colleague: "My trip has been great. I believe I converted the Jews in Israel and now I am working on the pigmented savages." This private comment from Guttmacher (who was Jewish, but not observant) came soon after his Planned Parenthood had given an award to the Rev. Martin Luther King, Jr.⁴

The population controllers started winning major and publicly-trumpeted government funding of contraception in the 1960s. Hugh Moore, a Pennsylvania businessman, had done much of the groundwork with a series of "The Population Bomb" booklets mailed to prominent Americans in the previous decade. "We are not primarily interested in the sociological or humanitarian aspects of birth control," Moore and two colleagues said in a 1954 cover letter for the booklet. "We are interested in the use which the Communists make of hungry people in their drive to conquer the earth." A top New York *Times* executive who received the mailing passed it on to his Princeton classmate, Allen Dulles, who happened to be Director of the Central Intelligence Agency. The *Times*man suggested that population control "is a project which officials of our government may not want in any way to promote, but to me it seems to have merit if followed up by some private sources." The archives file containing this letter does not have a reply from Dulles.⁵

Several months earlier, though, Dulles had been informed that CIA economic analyst Edgar M. Hoover was "leaving to go with the Office of Population Studies which is an operation of Princeton University." But Hoover would be "located in Washington," Dulles was told, and would be "an intermittent consultant to the Agency" (the CIA). Hoover and demographer Ansley Coale then produced for the Princeton office (actually called the Office of Population Research, Frank Notestein's fiefdom) a major study partly financed by the Population Council (the Osborn-Rockefeller empire) and the World Bank. They reached this conclusion about low-income

nations: “. . . to postpone the reduction of fertility is to forego the opportunity for a more rapid rise in immediate wellbeing, and to shrink the potential growth in incomes per capita for the indefinite future.” The Coale-Hoover study, widely distributed by the Population Council, had enormous impact. As one expert later remarked, it “held the field for most of 20 years. It was explained in every population textbook and was the rationale for large population programs by the United States and other countries.” Although later challenged effectively by economist Julian Simon and others, the Coale-Hoover theory won the public policy debate early and firmly—as one suspects it was designed to do.⁶

President Dwight Eisenhower, whom Allen Dulles served as CIA Director, was interested in population and asked a foreign-aid study panel to look into it. The panel, headed by retired General Draper and prodded by Hugh Moore, recommended that the U.S. assist other nations with population programs. After U.S. Catholic bishops blasted that notion, though, Eisenhower quickly retreated. “I cannot imagine anything more emphatically a subject that is not a proper political or governmental activity or function or responsibility. . . . We do not intend to interfere with the internal affairs of any other government. . . .” the President said in 1959.⁷

Before John F. Kennedy’s 1960 election to the presidency, a Senate colleague had asked Kennedy how he, as a Catholic, viewed the issue of making “family planning information” available at home and abroad. Kennedy responded, “It’s bound to come; it’s just a question of time. The Church will come around. I intend to be as brave as I dare.” As President, Kennedy cautiously gave encouragement to those who wanted to involve both the U.S. government and the United Nations in population control. He did not, however, share with the public his views on abortion. According to journalist Benjamin Bradlee, a friend of Kennedy’s, in 1963 JFK privately “said he was all for people solving their problems by abortion (and specifically told me I could not use that for publication in *Newsweek*) . . .”⁸

Lyndon Johnson and his immediate successor, Richard Nixon, were the first U.S. presidents who publicly advocated population control abroad and made it a major part of U.S. policy. They also intensified population-control efforts in the United States, partly to demonstrate to leaders of poor countries that the U.S. was willing to restrain its own population growth. But the domestic efforts, like those abroad, primarily targeted poor people and non-whites.

Population control was so carefully wrapped in humanitarian language that most Americans probably thought it simply involved opening birth-con-

trol clinics and serving everyone who showed up at the door. But internal government documents from the Johnson administration show: 1) a carefully-orchestrated campaign to pressure governments of poor nations to adopt population control, and 2) enormous interest in manipulating cultural attitudes and motivating women to use birth control.

This required a careful approach, since it involved much meddling in the internal affairs of other nations. Thus in 1968 the Agency for International Development (A.I.D.) asked U.S. missions abroad "to discreetly investigate" the possibility of having "indigenous social scientists" do research on motivation for fertility reduction. A.I.D. also arranged for the Pathfinder Fund (established years earlier by eugenicist Clarence Gamble) to help "in the establishment of national voluntary associations which would later become members of the International Planned Parenthood Federation." But this, too, had to be done discreetly, and A.I.D. gave its troops information to "deflect any charges" that the Planned Parenthood group was "a creature of A.I.D. and the U.S. Government."⁹

Soon after his 1969 inauguration, President Nixon asked White House urban affairs aide Daniel Patrick Moynihan to "develop a specific program" in population and family planning. Moynihan was a brilliant choice for the job—a Catholic, a Democrat, a Harvard professor, and a charming fellow who could handle difficult personalities.

The State Department's top population officer, Philander P. Claxton, Jr., already had such a strong program in place that Moynihan did not have to add much in the international area. Claxton, in fact, helped draft Nixon's 1969 population message to Congress, which stressed rapid population growth in the Third World and suggested that it aggravated problems of malnutrition, poor housing and unemployment.¹⁰

Of course, there were—and are today—areas of great poverty abroad; but population controllers often ignore the productive and energizing force of a young and growing population. As one Pakistani legislator remarked, a newborn child "comes with one mouth and two hands to earn his livelihood and is gifted with a fertile mind." Population controllers, during the Nixon administration and since, think only of the mouth to be fed; they forget the two hands to raise the food and the mind to devise better ways to raise it. Population controllers also tend to believe that they bear major responsibility for everyone else's lives. They rarely, if ever, ask themselves, "Who appointed me to be General Manager of the Universe?"

In its robust pioneer era, America had very rapid population growth; and many of its pioneer families (the parents of Abraham Lincoln, for example)

were just as poor as many Third World families are today. Thomas Malthus himself, in an 1830 essay, said that population increase in the United States apparently “has been more rapid than in any known country . . .” With its huge territory and its current population of 76 persons per square mile, the United States is relatively sparsely-populated; yet many countries—including most in South America and many in Africa—have even fewer persons per square mile. Gabon has only 12; Bolivia has 19; Algeria has 33; Brazil has 50; Peru has 53. It is true that China has 345—but so does the Czech Republic; and the United Kingdom, at 634 persons per square mile, is far more densely populated than either. All of this should give pause to Westerners who casually talk about “overpopulation” in low-income nations.¹¹

Some nations do, indeed, have too few (developed) resources to meet all the needs of their people. But some records suggest that U.S. leaders have been mainly concerned about our access to their resources. One document in the Nixon White House files, for example, had the usual boilerplate language about humanitarian concerns, but also noted that the U.S. “is in danger of losing markets, investments and sources of raw materials” as less-developed nations “seek ways to increase their resources.” A high-level population study, commissioned by President Nixon and Secretary of State/National Security Adviser Henry Kissinger, said that the United States, “with 6 percent of the world’s population, consumes about a third of its resources” and that “the U.S. economy will require large and increasing amounts of minerals from abroad, especially from less developed countries.” Population pressures in such countries, it suggested, could lead to expropriation, labor troubles, sabotage or civil unrest, so that “the smooth flow of needed materials will be jeopardized.” In addition, Nixon’s Special Representative for Trade Negotiations suggested that restraining population growth in poor nations could help U.S. trade there. He remarked that “a people living on a bare subsistence level cannot be a prosperous market for the wide range of goods available in the modern world. . . . Even a modest improvement in incomes in Latin America would no doubt be reflected in a greater demand for U.S. products not available at home, notably the products of our advanced industrial technology.”¹²

Philander Claxton, with support from Moynihan, pressed ahead with his ambitious effort to harness every possible agency of the U.S. government and the United Nations for the cause of population control. By fiscal year 1969, the Agency for International Development was already spending over \$45 million per year on population and giving direct aid to 31 countries. The Peace Corps was also involved; more than 200 of its volunteers had done population work in 1966-69. But criticism of such work in South America

had signaled a need for discretion; “we have learned the need for caution in approaching this very explosive topic,” the Peace Corps told President Nixon. Yet it soldiered on. In Tonga, a tiny island-nation in the Pacific that “has no acute population problem at this time” but reportedly could have one in two generations, Peace Corps volunteers taught contraception and organized village meetings on the subject. “They also introduced sex education into the schools,” according to the Peace Corps report, “and it is now an accepted part of the Ministry of Education curriculum.”¹³

The U.S. Information Agency was churning out propaganda to encourage “changes of attitude which will lead to effective family planning programs abroad”; but it added more emphasis on issues such as health, education and human rights. This broader approach, the agency said, “attempted to offset allegations that the U.S. was practicing a kind of ‘demographic imperialism’ in seeking only to impose population controls on less-developed countries.”¹⁴

Using the United Nations to spread population control was another way to avoid resentment against the United States. In 1967, for example, the State Department had cabled the American embassy in Indonesia: “We feel it is important to involve UN agencies in support of family planning programs in Indonesia and elsewhere to avoid appearance of sole support by USG [U.S. Government].” But it suggested that the right calibration of funding sources was a tricky matter: “UNICEF role should be possible in manner which would dilute USG visibility without raising total visibility of foreign contribution to unacceptable degree.”

The State Department and its allies understood the need to have non-Americans and people of color in up-front population jobs at the UN. In 1969 an American highly-placed there recommended Rafael Salas of the Philippines for the top UN population job. According to an American diplomat, the UN official thought Salas “has advantage of color, religion (Catholic), and conviction.” Salas was chosen.

As Planned Parenthood’s Alan Guttmacher told an interviewer, “If you’re going to curb population, it’s extremely important not to have it done by the damned Yankee, but by the UN. Because the thing is, then it’s not considered genocide.” He added: “If the United States goes to the black man or the yellow man and says slow down your reproductive rate, we’re immediately suspected of having ulterior motives to keep the white man dominant in the world. If you can send in a colorful UN force, you’ve got much better leverage.”¹⁵

At the White House, Moynihan tried to boost State Department efforts partly by finding more money for birth-control research at the National

Institutes of Health. He told another White House aide that “if the Indians and Pakistanis are going to have workable, inexpensive contraceptives ten years from now, it will only be if we pay for the research now.” Moynihan also encouraged legal scholar Luke Lee, who was promoting the notion that “legal reforms in such areas as abortion, taxation, sex education, etc., could not fail to produce significant impact on population growth.” That sounded like a great idea to Moynihan and Claxton, and Lee soon received A.I.D. money to develop a Law and Population Program at Tufts University. It was a major boost to “policy development,” the process by which U.S. officials pressure Third-World governments to change their laws and administrative policies to discourage childbirth.¹⁶

While documents intended for public consumption rarely, if ever, mentioned abortion in connection with population control, Luke Lee was not alone in talking about it privately. In fact, Dr. Reimert Ravenholt, who headed the A.I.D. population program, was promoting abortion aggressively. He, like Lalor Burdick, was an enthusiastic proponent of abortion suction machines. In 1970 Ravenholt and an A.I.D. colleague outlined five tiers of birth-control technology. Their fifth tier included all of the usual methods—plus surgical abortion and a self-administered abortifacient that “would ensure the non-pregnant state at completion of a monthly cycle.” They reported that A.I.D. had earmarked over \$10 million to develop such a method, and they suggested that prostaglandins could be the magic-bullet abortifacient. Ravenholt sent a batch of material on prostaglandins over to Moynihan at the White House, commenting that the prospect “for fairly rapid resolution of world excess fertility problems is now far better than it was one year ago.”¹⁷

By 1973 A.I.D. contractors were training Third World doctors in abortion techniques. “We want to elevate the reproductive well-being of the human race,” said an A.I.D. official. So aggressive was Ravenholt in his promotional activity that Senator Jesse Helms, the North Carolina Republican, tried to put A.I.D. out of the abortion business in 1973. The original Helms amendment would have forbidden any use of foreign-aid funds to pay for abortifacient drugs and devices, as well as surgical abortion. But a House-Senate conference committee watered down the amendment, so that it simply barred paying for abortions “as a method of family planning or to motivate or coerce any person to practice abortions.”

Ravenholt and his colleagues viewed the Helms Amendment as a major nuisance, and population controllers have complained about it ever since. But A.I.D. continued to fund research on abortifacients and massive distribution

of drugs and devices that were partly-abortifacient, and private groups promoted abortion suction machines. Some distributed abortion equipment even in nations where abortion was illegal.¹⁸ Later they used the problem of illegal abortion in poor nations—a problem they had made far worse—as a reason to legalize abortion.

Population controllers had also worked to legalize abortion within the United States. Here they had much assistance from feminists and civil libertarians (although some within each group strongly opposed abortion) and from lawyers such as Roy Lucas and Sarah Weddington, who had been personally involved in abortion.¹⁹ The lawyers and feminists focused on the up-front, public battles.

The population controllers did some of that; but they excelled in quiet, behind-the-scenes efforts where they could count on friends in high places. They arranged government promotion and funding of abortion through a series of administrative decisions, rather than through the constitutional route of authorization by Congress. This was done so quietly and effectively that, when some members of Congress realized what was happening and decided to fight it, they found themselves in a very difficult, uphill battle.

Nixon's domestic population control programs, like Johnson's, targeted low-income women. In his 1969 population message to Congress, President Nixon suggested that five million poor women had insufficient access to birth control and said that "no American woman should be denied access to family planning assistance because of her economic condition." Whatever Nixon's own motivation, the targeting of poor women continued the old eugenics tradition.

When Congress passed a major domestic "family planning" bill in 1970, it provided that money appropriated for it could not "be used in programs where abortion is a method of family planning."²⁰ But the Medicaid law, providing medical aid to poor people, had been passed several years earlier, before abortion was even a national issue, and it did not have a similar provision. Apparently operating under the notion that whatever is not specifically forbidden is permitted, one or more officials responsible for Medicaid started paying for abortion on a state-option basis. (Abortion was still illegal in most states then.)

Because some key records are missing from the National Archives, it is extremely difficult to find just when this practice started and whether the President (Johnson and/or Nixon) knew about it. A 1970 paper by two interns at the Department of Health, Education and Welfare (HEW) indicates that the government was funding some abortions then. "The primary fear of

the family planning services,” the interns wrote, “has been that Congress might cut their appropriations if it were to become known that taxpayer’s money was being used to give abortions.” They suggested that “for the next two or three years, the primary thrust of the Administration and of HEW officials must remain relatively covert.”²¹

The abortion subsidy did remain “relatively covert,” partly because HEW officials sometimes gave misleading answers when asked about abortion funding and partly because news media were, to be charitable, less than alert about the issue. But in April, 1971, HEW official John Veneman said that under the Medicaid law, “in those states where abortions are legal and approved as one of the services provided by the states, there are federal funds going in.”

This was similar to a states’ rights policy that President Nixon had recently ordered military hospitals to follow. “If the laws in a particular state restrict abortion,” the President announced, “the rules at the military base hospitals are to correspond to that law.” But on the other side of the coin, if the laws of a particular state were permissive toward abortion, then those laws were to be followed by military hospitals in the state. But because Nixon’s order changed an earlier Defense Department policy that was more permissive toward abortion, abortion foes viewed his action as helpful. They apparently were distracted, too, by his rhetoric about abortion as “an unacceptable form of population control” and about “my personal belief in the sanctity of human life.”²²

President Nixon may have been inclined to oppose abortion in a general way, at least rhetorically, but he was unwilling to let that inclination overcome his states’ rights position. Possibly he, or at least many of his subordinates, wanted to have it both ways. He received political credit among abortion foes for speaking against abortion, at the same time that he (or they) advanced population control by allowing abortion funding.

While funding battles went on behind the scenes, abortion supporters were waging a vigorous fight to legalize abortion nationwide. A population commission, appointed by President Nixon and congressional leaders, did its best to advance that cause by calling for abortion “on request.”

Nixon selected John D. Rockefeller 3rd to chair the 24-member commission. An ardent advocate of population control and a Depression-era donor to the American Eugenics Society, Rockefeller was using family money and prestige to depress birth rates through his Population Council. He and other Rockefellers were also helping to fund the Association for the Study of Abortion, which promoted the legalization of abortion. And they were helping to

finance the federal court case, *Roe v. Wade*, which would soon strike down state laws against abortion.

JDR 3rd had lobbied for establishment of the population commission and had conferred with Moynihan on its membership and assignments. Moynihan described a conversation in which Rockefeller “assured me that, while until recently most persons concerned with population growth had directed their attention to the problem of ‘unwanted children,’ there is now wide agreement that in the United States, at all events, it is the wanted children who are going to cause the problem.”

Another member of the population commission, sociologist Otis Dudley Duncan, was vice president of the American Eugenics Society. Other members included population-control hawks such as Sen. Robert Packwood (a Republican from Oregon) and Sen. Alan Cranston (a Democrat from California), and Population Council president Bernard Berelson. The commission’s executive director, Charles Westoff, was a eugenicist; so were many professors who wrote papers for him. Anyone aware of these connections might have predicted that the commission would do what, in fact, it did: endorse legalized abortion and call for public funding of it; ask for more research on fertility control and more subsidy of contraception and sterilization; support sex education and “population education” in the schools; and recommend a national average of two children per couple.²³

Reynolds Farley of the University of Michigan, in a paper for the commission, showed how the black birthrate could be restrained. Noting the high abortion rate of Negro women in New York after a permissive law was passed there, Farley commented: “Liberalized abortion laws may speed a decline in Negro childbearing, although we cannot be certain that the experience of New York City will be duplicated elsewhere.” He estimated that if then-current fertility and mortality rates continued, then the black community, which in 1970 made up 11 percent of the U.S. population, would grow to a 17-percent share by 2020—and that it could go as high as 29 percent if black fertility increased. But with low fertility for both races, the black share of the population would rise to only 12 percent of the population by 1980—and stay there through 2020.

The black share has risen somewhat higher than that, but the Census Bureau predicts that it will reach only 14 percent by 2020.²⁴ The industrial-strength birth control aimed at the black community in recent decades certainly has done much to suppress the birth rate—and the political power—of that community.

Some eugenicists were so concerned about over-all numbers of people

that, while they may have wanted black fertility to fall, they did not want white fertility to rise. Frederick Osborn, the key strategist of the American Eugenics Society, had long advocated that people of good heredity have large families, and he himself had six children. But in 1970 he was surprised to find that Otis Dudley Duncan, the eugenics society vice president who served on the Rockefeller commission, agreed with “the two-child slogan.” Rockefeller, too, seemed to be on the other side of the issue from his old friend Osborn. And Chester Finn, Jr., an aide to Moynihan at the White House, referred to “the extraordinary fecundity of the American middle class—in light of its ‘allotted’ 2.1 children per couple.” (The middle class, was, of course, overwhelmingly white.) Finn also remarked that if “the government can subtly influence social mores such that families *want* to have fewer children, so much the better. But it isn’t something we want to talk about.”²⁵

At first sight, this may suggest that population control was a revolution that turned on its own children. Yet it has always been a hobby of upper-class people. They are happy to use middle-class experts when needed, but do not necessarily have a high opinion of the middle class as a whole. Members of the middle class who support population control might ponder a remark attributed to Winston Churchill: “An appeaser is one who feeds a crocodile—hoping it will eat him last.”²⁶

Population control marched on triumphantly during and beyond the Nixon Administration. After the Supreme Court legalized abortion nationwide in 1973, population controllers pressed hard, and often successfully, for public subsidy of abortions for poor women. Because this was presented as a humanitarian good, eugenicists were able to get credit for doing what they had always done: suppressing the birth rate of poor people and non-whites.

Although the Ronald Reagan and George Bush administrations tried to hold the line against surgical abortion, both supported widespread contraception and sterilization and the distribution of birth-control methods that are partly-abortifacient. Then the William Clinton administration campaigned to import into the States the French abortion pill called RU-486, defended even the horrific “partial-birth abortions,” and worked unceasingly for more population control abroad.

Private groups continued to press population control, often as government contractors and often on their own as well. They received massive funding from the Rockefeller, Ford, Mellon, Packard, and many other foundations.²⁷

Population programs often looked like war against women and children, and sometimes men as well. Thus in 1978 the Population Crisis Committee

speculated on such possible future methods of fertility control as:

- Ethanol (ethyl alcohol) abortions that involved injecting ethanol through the cervix;
- Prostaglandin suppositories for early abortion;
- Chemical sterilization of women by “permanent scarring” with the quina-craine drug;
- Investigation of “the possible use of industrial chemicals such as the pesticide DMCP” as male contraceptives;
- Experiments with male sterilization using “a mixture of ethanol and formalin,” that is, ethyl alcohol plus a solution of water and formaldehyde.²⁸

If this calls to mind the Nazi sterilization experiments, the resemblance may not be entirely coincidental. Those who try to breed “better” people—whatever their definition of “better”—eventually find themselves in a war against humanity.

Notes

Here are the locations of manuscript collections cited in the notes below:

- American Eugenics Society Archives, American Philosophical Society Library, Philadelphia, Pa.
- Allen W. Dulles Papers, Seeley G. Mudd Manuscript Library, Princeton University, Princeton, N.J.
- Alan F. Guttmacher Papers, Francis A. Countway Library of Medicine, Boston, Mass.
- Hugh Moore Papers, Seeley G. Mudd Manuscript Library, Princeton University, Princeton, N.J.
- Richard M. Nixon Presidential Materials, National Archives, College Park, Md.
- Planned Parenthood Federation of America Records, Sophia Smith Collection, Smith College, Northampton, Mass.
- U.S. Commission on Population Growth and the American Future (Record Group 220), National Archives, College Park, Md.
- U.S. Department of State (Record Group 59), Central Foreign Policy Files (CFPF), 1967-69, National Archives, College Park, Md.
- U.S. National Security Council (Record Group 273), National Archives, College Park, Md.

The writer is deeply grateful to archives staff for their assistance and, where needed, for permission to quote from their documents.

Statements about an individual's membership in the American Eugenics Society (later called the Society for the Study of Social Biology or SSSB),

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unless otherwise indicated, are based on the 1930 Society membership list in the Margaret Sanger Papers, Library of Congress, microfilm reel 41; the Eugenics Quarterly (especially the membership list in the Dec., 1956 issue); or issues of Social Biology.

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 18. Dr. Gerald Winfield, quoted in *St. Louis Globe-Democrat*, Oct. 25, 1973; *Congressional Record*, Oct. 1, 1973, pp. 32292-32303, Oct. 2, 1973, p. 32529, & Dec. 4, 1973, p. 39315. See, also, Donald P. Warwick in James Tunstead Burtchael, ed., *Abortion Parley* (Kansas City, 1980), pp. 301-322.
 19. David J. Garrow, *Liberty and Sexuality: The Right to Privacy and the Making of Roe v. Wade* (New York, 1994), pp. 335-336 & 393-394.
 20. *Public Papers of the Presidents*, *op. cit.* (n. 10), p. 528; and Piotrow, *op. cit.* (n. 7), p. 195.
 21. Andrew M. and Janis B. Clearfield, "Socio-Legal Aspects of Abortion: A Policy Proposal," Aug. 19, 1970, p. 8, Nixon Materials, WHCF, Subject Files: Welfare, box 30. Forty-four boxes of 1968-1975 records from HEW (Accession No. 514-77-0006) could not be found at the National Archives or at its Suitland, Md., records center, despite extensive checking in July, 1997. Staff said the records may have been destroyed by mistake or may be lost somewhere in the system.
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 23. See Part I of this series, n. 4; Daniel P. Moynihan to Arthur F. Burns, June 18, 1969, Nixon Materials, WHCF, Subject Files: EX FG275, box 1; and U. S. Commission on Population Growth and the American Future, *Population and the American Future* (Washington, 1972), pp. 110-113 & 141-143.
 24. Reynolds Farley in Charles F. Westoff and Robert Parke, Jr., ed., *Demographic and Social Aspects of Population Growth* (Washington, 1972), pp. 111-138; and U.S. Bureau of the Census, *Current Population Reports*, Feb., 1996, p. 13.
 25. Frederick Osborn to Lee Dice, June 2, 1970, American Eugenics Society Archives, folder on "AES: Correspondence, June 1970"; "Checker" Finn to Dr. Moynihan, Aug. 7, 1969, Nixon Materials, WHCF, Subject Files: Welfare, box 29; and Checker Finn to Steve Hess, Sept. 8, 1969, *ibid.*
 26. Winston Churchill, as quoted by Walter Winchell, *Reader's Digest*, Dec., 1954, p. 34.
 27. Mary Meehan in *Human Life Review*, vol. 10, no. 4 (Fall, 1984), pp. 42-60. See Foundation Center Library, Washington, D.C., for current information on foundation funding of population control.
 28. *Draper Fund Report*, no. 6 (Summer, 1978), p. 14 ff. The Population Crisis Committee is now called Population Action International. Most of the methods noted in the 1978 report apparently did not prove successful, although there are recent reports of quinacrine sterilization of women.

Toward the New Future

J. P. McFadden

⁶⁶This is not the first time our country has been divided by a Supreme Court decision that denied the value of certain human lives.”

That sentence appeared in the article by President Ronald Reagan in the Spring [1983] issue of this review. Mr. Reagan was of course linking the *Roe v. Wade* decision of 1973 to the *Dred Scott* decision of 1857, which held in effect that blacks could have no rights as citizens under the Constitution. The President is by no means the first to draw the obvious parallel between abortion and slavery: in both cases, a discrete class of human beings were denied not only the rights of citizens, but also the fundamental right to life itself. Just as, now, a woman holds life-and-death power over her unborn child, so, then, a Master held the same power over his human “property.”

As Mr. Reagan also noted, his predecessor (in the presidency, as well as in the championing of human rights) Abraham Lincoln struggled long and hard to find a peaceful solution to the slavery dilemma. Admitting that *Dred Scott* had affirmed it as “the law of the land,” Lincoln triumphed, but not peacefully. Yet long before he was president, he had argued that the solution lay not in the Constitution—subject then, and infinitely more so now, to meaning what the Supreme Court says it means—but rather in the Declaration of Independence, the document that truly founded the American nation, and which holds unambiguously, indeed as a “self-evident” truth, that all men are *created* equal.

“Let us re-adopt the Declaration of Independence,” Lincoln said once in Illinois, and with it “the practices and policy which harmonize with it.” Do that, he said, and “we shall not only have saved the Union, but have so saved it, as to keep it forever worthy of saving.”

Certainly the slavery-abortion parallel is strongest at this point: that human beings possess “Unalienable rights” that cannot be rightfully denied; that it is the fundamental duty of government to secure these rights. Thus the purpose of all the serious anti-abortion efforts of the past decade has been to achieve what would amount to citizenship for the unborn (indeed, in certain cases—inheritance, injuries and the like—the courts have long treated the unborn as citizens), because human rights begin at the beginning of life. This, Lincoln said, was the “majestic interpretation” the Founding Fathers

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wrote in to the Declaration, because “In their enlightened belief, nothing stamped with the divine image and likeness was sent into the world to be trodden on . . .”

Yet these same noble fathers did not eliminate slavery. In fact, they actually wrote it into the original Constitution, albeit not by name, and only to prohibit *its* prohibition for several decades—their successors were left to deal as they might with this glaring violation of the Declaration’s principles. The final solution was, of course, the bloodiest war in our history, and even *that* failed to destroy the many lesser injustices that the “peculiar institution” had spawned, many of which remain with us still.

It is well to remember another parallel in the slavery-abortion equation. He who possesses the power of life and death over another feels compelled to justify that power. Just so, the Slave Power was not content to merely defend its practice as a justified evil. No, it must be declared *good*, even extended into new areas, and accepted by all. In short, slavery claimed its own *ethic*.

Those who now defend the peculiar institution of legalized abortion on demand also have their own ethic. This journal has reprinted several times an editorial—a Declaration, really—that first appeared in 1970 (in *California Medicine*, the official journal of the California medical association). The anonymous editor wrote that “The traditional Western ethic has always placed great emphasis on the intrinsic worth and equal value of every human life” and that this “sanctity of life” ethic—which has had “the blessing of the Judeo-Christian heritage”—has been “the basis for most of our laws and much of our social policy” as well as “the keystone of Western medicine”—all quite true. But, he went on, this “old” ethic was being eroded by a new *quality* of life one which would place only “relative rather than absolute values on *such things as human lives*” [*our emphasis*].

Like a moth around a flame, the editorialist instinctively hovered about abortion as the crucial issue: “Since the old ethic has not yet been fully displaced it has been necessary to separate the idea of abortion from the idea of killing, which continues to be socially abhorrent. The result has been a curious avoidance of the scientific fact, which everyone really knows, that human life begins at conception and is continuous whether intra- or extra-uterine until death.” (Just as curiously, the fact of the slave’s humanity was “avoided.”) Not doubting that the old ethic was doomed, he concluded with this counsel for his fellow-doctors: “It is not too early for our profession to examine this new ethic, recognize it for what it is, and will mean for human society, and prepare to apply it in a rational development for the fulfillment

and betterment of mankind in what is almost certain to be a biologically-oriented society.”

All in all, a remarkable piece of prophecy. About the only thing *not* predicted was that, just three years later, the Supreme Court would rule that the new ethic had been right there in the Constitution all along (although just *where*, it couldn't say). Without question, the Court's *Abortion Cases* overruled the “enlightened belief” of the Declaration of Independence, and put the force of the nation's fundamental law at the service of that “biologically-oriented” New Future.

Predictably, the promoters of that future were not satisfied even with so stunning (and unexpectedly quick and revolutionary) a victory. The Court had used the fatal words “meaningful life”—hardly precise constitutional terminology, but precisely descriptive of the *goal* of the New Future. Surely if a “mother” and her willing doctor-accomplice may legally kill her unborn child merely because they predict that it will not have a “meaningful life,” this useful principle can and should be extended to the already-living? If we can be certain about the meaningless life awaiting an unborn child, surely we can be much more certain of “a life not worth living” in the case of an already-born “imperfect” baby? Infanticide not only follows logically, it has followed in fact and, as everybody knows, is already a widespread practice.

Some are amazed that the leading segments of the medical profession have rushed headlong into the New Future. Doctors have long enjoyed great—indeed excessive—prestige in America. Generations have been raised to promptly open up, bend down, or roll over on command. Such power corrupts: whereas lawyers must argue, and journalists convince, “medical professionals” need merely issue orders and—worse—there is rarely a Superior Officer to countermand them. This reality was one thing when the profession adhered to its traditional first principle “Do no harm,” but it is quite another matter when doctors view themselves as high priests of the New Future cult.

That far too many doctors *have* embraced this new biological religion is beyond dispute, as vividly demonstrated by the response of the major medical associations to the so-called “Baby Doe” controversy. God only knows how widely infanticide has been practiced in recent years; those who read medical publications know that it has long been openly admitted—even recommended—in countless articles and “studies” by both American and foreign practitioners. And although it remains a *crime* to kill a born citizen, we hear nothing from our public prosecutors, nor from the “official” guardians of medical ethics. As far back as 1976, internationally-renowned pediatric

surgeon C. Everett Koop, in a public address to a meeting of the American Academy of Pediatrics, said "Well, you all know that infanticide is being practiced right *now* in this country and I guess the thing that saddens me most about *that* is that it is being practiced by that very segment of our profession which has always stood in the role of advocate for the lives of children."

How long such "curious avoidance" of widespread, illegal infanticide would have continued is impossible to say. But it is altogether fitting that it was a "family" pediatrician (the kind of "old-fashioned" doctor who *earned* the prestige the profession enjoys) who finally precipitated the current national controversy. The simple facts of the case are now generally known by all concerned, but a brief recapitulation (in laymen's language) may be in order.

On April 9, 1982 (Good Friday, as it happened), a baby boy was born in Bloomington, Indiana. The family pediatrician was summoned, and found that the baby evidently had Down's Syndrome—i.e., he was an "imperfect" child—and that his esophagus was not connected to his stomach. If the latter condition were not corrected, he would certainly die. Few dispute the fact that it could have been easily corrected. The pediatrician, Dr. James Schaffer (he deserves an honorable mention here) expected that the operation would take place, but the mother's obstetrician—whose job was already done—spoke to the parents, who "agreed" that their baby should die. And little Baby Doe, after six painful days of "treatment" by starvation, did die (he was not even given water; merciful death was hastened by pneumonia caused by corrosive stomach fluids he vomited into his lungs).

Nobody disputes the central truth: Baby Doe was killed because he had Down's Syndrome. Ironically, the hospital pathologist who performed the autopsy flatly stated the truth about *that*: "The potential for mental function and social integration of this child, as of all infants with Down's Syndrome, is unknown." Thus nobody knows how "imperfect" Doe would have been. But we must assume that his parents decided that his life would not be "meaningful," at least to them.

Dr. Schaffer and others attempted by legal means to save Doe's life, but were thwarted by a judge, who was, incredibly, supported by the Supreme Court of Indiana, which presumably has never read the Fourteenth Amendment to the U. S. Constitution. But the attempt produced a furor heard by Ronald Reagan and the by now Surgeon General Koop; the President ordered enforcement of federal regulations protecting the handicapped, and Dr. Koop became a key man in seeing that these "Baby Doe regulations" were enforced.

This bare-bones description of the many-faceted Baby Doe case could of

course be greatly expanded (this review has already printed many thousands of words on it), but our point here concerns not the facts of the case but rather the medical profession's *reaction* to it.

Virtually all the major medical organizations and associations quickly and adamantly *opposed* enforcement of the Reagan Administration's "regs"—led by the same American Academy of Pediatrics (supposedly, as Dr. Koop said, the prime "advocate for the lives of children"), which went straight to court in a so-far successful attempt to halt enforcement.

Here again, the details would fill a large book, but they cannot obfuscate the reality: the New Future advocates who now clearly dominate the American medical profession have declared that the old "sanctity of life" ethic is as dead as Doe; that "good medical practice" now includes life-and-death power over patients, and that *nobody* should interfere with "medical judgments" even when they prescribe what used to be called murder.

Other realities should be stated as well. For instance, every state in the Union has homicide statutes on its books which prohibit infanticide. Even if they did not, the Fourteenth Amendment should provide legal protection to "All persons born" under the jurisdiction of the United States against deprivation of life "without due process of law" and also denial of "equal protection" under state or federal law? The reality is that the laws are not being enforced, certainly not against those "medical professionals" who now believe themselves to be above the law, and entitled, literally, to get away with murder.

All this conjures up some grotesque ironies as well. Did not anti-abortionists predict that *Roe v. Wade* would produce just such lethal results? Have the pro-abortionists—most of whom publicly deplore the revival of Capital Punishment—noticed that the latest "humane" method of carrying out the execution of those judged guilty—just as in the execution of the innocent unborn—is by "medical professionals" thoroughly practiced in administering lethal injections?

The sad fact is that the Administration's Baby Doe regulations invoke only the *weakest* sanctions against infanticide. If the courts ever *do* allow enforcement (an unlikely event: as their myriad pro-abortion decisions have demonstrated overwhelmingly, the great majority of our judges are also willing converts to the New Future religion), the "regs" would do more than threaten *possible* cut-offs of federal funds to a hospital or practitioner who denied treatment to an "otherwise qualified handicapped individual"—the entire wording is extremely vague, and could easily be circumvented by any reasonably clever "health care provider," never mind a *determined* one. And

that is the point: the cultists of the new ethic *are* determined to enforce *their* regulations as to who qualifies for a “meaningful life,” and their loud opposition to even ineffectual regulation merely demonstrates their total rejection of any interference whatever.

Too harsh? Well, consider the words of Dr. James E. Strain, the current president of the American Academy of Pediatrics [in the July '83 issue of the Academy's own newsletter]. He writes: “It is clear that there are certain infants with handicaps who should have full treatment. There is another group whose handicaps are so severe that any treatment other than supportive care would be inhumane and only prolong pain and suffering. There is a third ‘in between’ group where [*sic*] indications for unusual medical or surgical care are uncertain. It is the management of the third group of infants which should be reviewed by an ethics committee at the local hospital level. A model for this type of review is the institutional review committee that protects the rights of research subjects.”

Medical jargon aside (not that it isn't worrisome: do you want your doctor to “manage” you in your hour of need?), Dr. Strain is plainly setting up his own *triage* situation, without bothering to mention that the prototype of *triage* was a horror justified (*if* it was justified) by emergency *battlefield* conditions, whereas most American babies are born in the best-equipped and lavishly-funded hospitals known to history.

He is doing a great deal more: he is announcing that “humane” people would condemn to death *severely* handicapped babies—just as, of course, they would save the category deserving “full treatment”—but that we must establish an “ethics committee” to handle a new category of “in-between” babies; all this will be done without reference to a born citizen's *legal* right to life if he *can* be saved from death.

Now we are again brought face to face with the grim truth. Illegal infanticide is being widely practiced now, with little if any opposition from public prosecutors. Clearly the votaries of the “quality of life” ethic could go *on* with the killing, with little risk of prosecution. They could simply pay lip service to the Administration's attempt to enforce the weak regulations, while being a little more careful in “hard cases” like that of poor Baby Doe. Why don't they?

Well, President Reagan's intervention *has* of course focused public attention on infanticide, at least momentarily, thus raising the risk of prosecution *and* the terrible possibility of losing federal money. But the broad phalanx of “professional” medical opposition is also based on that indignant rejection of *any* attempt to retard the New Future. More, Dr. Strain, for one, evidently

sees in the “regs” controversy an opportunity to take a giant step “forward,” i.e., to vault the whole question right over any legal or governmental barriers and drop it entirely into the hands of extra-legal “professionals” who would dominate his proposed “ethics” committees.

Indeed, the AAP has already issued a proposal for the make-up of such “local” (a nice reassuring note) review boards; the suggested name is Infant Bioethical Review Committee. In typical authoritative language AAP states flatly: “The IBRC shall consist of at least 8 members and include the following”—it then mandates a “practicing physician,” a hospital administrator, a “staff” member and a nurse, so that at *least* half the board can be right there in the hospital—plus representatives from the “legal profession,” the “lay community,” and a “disability group” and, most important of all, “an ethicist or a member of the clergy.”

The inclusion of a “disability group” member is more than merely interesting: as the AAP well knows, it is the Association for Retarded Citizens and allied “disability” organizations that have joined the Administration in the court battles for enforcement of the Baby Doe regs. Needless to say, all “imperfect” Americans have a life-and-death stake in the whole controversy. If today the “professionals” can kill them at birth, what awaits them in the looming New Future? Just as surely as the Supreme Court’s “meaningful life” rationale for abortion is now being applied to infanticide, it can and undoubtedly will be extended (Who would be surprised to discover that it is *already* happening?). Indeed, the AAP *qualifies* its description of the disability-group representatives: he might also be a “developmental disability expert”—read another New Future professional—or a “parent of a disabled child.” In short, the prototype would allow for someone *not* disabled, such as Baby Doe’s father.

Clearly the AAP intends these extra-legal tribunals to hand down the final solutions to hard cases. Further, AAP-type professionals would control their *actual* make-up *and* have the power to enlarge the “at least 8 members” by additional “safe” members. The possibilities seem limitless, up to and including the kind of murderous “mercy killing” advocated by many German medical professionals *before* Hitler, and which they diligently practiced under the Nazi regime. I know: even to mention the Nazi experience is to invite “extremism” charges. Yet the historical record is clear (cf. the definitive study by Leo Alexander of “Medical Science Under Dictatorship,” which appeared in the July 14, 1949 issue of the *New England Journal of Medicine*). And to say that “it can’t happen here” is fatuous: pre-Hitler Germany was ranked *very* high among civilized nations, and was also the veritable fount of the

reigning scholarship and wisdom in many if not *most* sciences, not least medicine. It is indisputable fact that German medical “scholarship” of the 1920’s—*in re* euthanasia, genetics and more—laid the foundations for Nazi genocide. The Thousand Year Reich’s brief dozen years of power, however malignant in intention, could not have “succeeded” without the groundwork the medical professionals laid for it.

But weren’t Nazi atrocities (*including*, remember, forced abortions) condemned for all time at the Nuremburg war-crime trials? Yes indeed.

Malcolm Muggeridge has long contended (several times in the pages of this journal) that the only reason the “advanced” German doctrines on euthanasia and genetics did not spread throughout the Western world is that Hitler “gave them a bad name” and thus inadvertently slowed down the process that the legalization of abortion has now re-accelerated. But charges of extremism will still be leveled at anybody who invokes the Nazi precedent, and understandably so.

The notion that such horrors *will* happen strains ordinary credibility. Who could seriously want to go *that* far? Surely our doctors are still humane, dedicated men? Surely they would agree. Here, alas, another of those not-to-be-mentioned Nazi precedents is germane. Dr. Karl Brandt was the highest-ranking doctor in Nazi Germany, a well-respected professional who joined the Nazi hierarchy literally by chance. He was tried and convicted for war crimes at Nuremburg, and duly executed. He of course readily admitted that the Nazis had gone too far—but that was his *only* defense. Both before and during Hitler’s regime, Brandt had in fact endorsed (indeed, helped formulate) the basic policies of euthanasia and experimentation on living humans (his argument—familiar?—was that animals were not “adequate subjects”). In his final statement, the condemned man said: “I am fully conscious that when I said ‘Yes’ to euthanasia I did so with the deepest conviction . . .” His defense of the special category of “child euthanasia” is even more relevant here; he based it on the desire to avoid long-term difficulties for the *families*, saying “We wanted to kill and put an end to these deformities as soon as possible after they had been born.”

No, it is not necessarily the case that the new quality-of-life votaries fully understand or intend what they in fact advocate, or all the possible results thereof. After all, it *did* take a Hitler to “overdo” the humane intentions of German doctors. *That* could never happen here. Maybe not. But Hitler “happened” as a result of a disastrous social situation brought on by military defeat. Our nation is now spending far beyond its means on social welfare, much of it *medical* costs. Could we not face, perhaps soon, a disastrous

situation that would force cut-backs now unthinkable? And even now, isn't it sensible to "allocate" scarce monies to saving only "meaningful" lives?

Such "cost-benefit" arguments already appear regularly in the medical journals (just as, from the beginning, it has been argued that great "savings" result when the "poor" abort their children). Predictably, these arguments will grow with the cost-pressures—not least because the medical profession is the prime financial beneficiary of the multi-billions now being spent on "health-care," abortions, and the rest. Need we add that euthanasia (especially "pulling the plug" on anybody judged near death) is also openly advocated? As with infanticide, we must assume that such "adult" killing is already widely practiced.

But let us return to Dr. Strain's review boards, and focus on what will undoubtedly be the key member: "an ethicist or member of the clergy." Surely his will be the prestigious, persuasive advice? Who will dare go against the sage counsel of the "professional" expert in ethics, especially when the board is already stacked with the hospital's own staff? The "lay community" member? The whole point is to determine whether it is moral to kill; the resident "ethicist" will be looked to for the "right" answer.

So the crucial point is this: What kind of ethicist is likely to sit on such boards? As it happens, we have a good idea of the type Dr. Strain favors. He is, as noted, current president of the American Academy of Pediatrics (AAP), and thus its official journal, *Pediatrics*, can be presumed to reflect his views (if it does *not*, he has not told us so). Well, in July—while the Reagan Administration was asking for public commentary on its proposed Baby Doe regs—*Pediatrics* did indeed publish an editorial statement strongly attacking the Administration's proposals. Given both the timing and content of the statement, it must be assumed that it is endorsed by Dr. Strain and the AAP.

The content is simply incredible, and must be read to be believed. Suffice it to say here that it might be aptly described as the "Son of California Medicine"—it starkly repeats the sanctity-of-life v. quality-of-life conflict—with abortion again the key issue—and calls upon us to "put aside the obsolete and erroneous notion of the sanctity of all human life" so that we can "look at human life as it really is: at the quality that each human being has or can achieve. Then it will be possible to approach these difficult questions of life and death with the ethical sensitivity *that each case demands*" [*emphasis added*]. To provide us with an idea of such sensitivity, the author writes: "If we compare a severely defective human infant with a nonhuman animal, a dog or a pig, for example, we will often find the nonhuman to have superior capacities . . ."

Who would write such stuff? *Pediatrics* describes the author as Peter Singer, MA, BPhil, FAHA, of the Centre for Human Bioethics, Monash University, Victoria, Australia. Perhaps we should note in passing that it is odd (or clever?) for the official trade journal of America's "baby doctors" to employ someone who is not a member of the AAP, not a doctor—not even an American—to promulgate what amounts to an official position of the Academy?

Who is this Professor Singer? Well, no doubt about it, he is a bright young (only 37) man, educated at Oxford, a visiting professor at elite universities, a prolific author of books and articles—plus countless letters-to-editors, and much more. Nor does he tout pigs and dogs by chance. His best-known book is *Animal Liberation*, written in 1975; its main point is that we are guilty of "speciesism," which he describes as "the tyranny of human over nonhuman animals."

True, the book contains some noble sentiments, e.g., that "We have to speak up on behalf of those who cannot speak for themselves" and "The less able a group is to stand up and organize against oppression, the more easily it is oppressed." The description certainly fits the unborn and Baby Doe perfectly—but of course Singer means animals. (Unfortunately the thing is evidently out of print in this country—understandably, there is only a limited market for such bizarre stuff—but given Singer's sudden prominence as a spokesperson for the AAP, it deserves wide attention.)

Singer also comes out vehemently against inflicting *pain*—on animals, of course. Yet in his attack on the regs, he says nothing about Baby Doe's six-day agony. But I think I have the answer to that seeming-contradiction: those who promote infanticide would gladly do the killing not only painlessly but *instantly*; however—as the *California Medicine* editorialist noted about the new ethic itself—they do not think the general public is quite ready for that kind of thing. (Besides, there is an important legal distinction involved: starving Doe was "merely" withholding treatment; giving him a lethal injection would have been another matter.)

The reader will recall that Dr. Strain's model for an "ethics committee" was the existing type that "protects the rights of research subjects." As it happens, Prof. Singer got into that controversy too a few years back and, typically, he had some strong views to expound. The whole thing was and remains vastly complicated and, yet again, directly involves abortion, which obviously produces "ideal" living human subjects. Many "old ethicists" cannot condone experimentation on living "fetuses" for *any* reason. Singer wrote a review of several volumes on the subject (for the *New York Review of Books*, August 5, 1976) and of course approved such research, and expected all

sensible people would too “Once we accept that the only interest the aborted fetus has is in not suffering . . .” (As noted, Baby Doe’s case does *not* fit that principle.)

Some, among them Princeton’s noted medical-ethicist Professor Paul Ramsey, wrote letters strongly objecting to Singer’s inhuman views. Singer answered even more strongly (see the *NYRB* of Nov. 11, 1976). Quoting an ethicist who had said “all of us would be horrified” at the idea of dissecting living fetuses, Singer replied that *once* (read here, in the days of the old ethic) “one could have sat” on various commissions and “spoken with equal confidence of the horror ‘all of us’ would feel at the thought of open homosexuality, teenagers using marijuana, complete racial integration, full frontal nudity on stage and screen, and abortion on demand. Now, when people oppose any of these, we demand reasons instead of an appeal to feelings of horror. In particular, we are likely to ask: ‘What harm does it do?’ In the absence of sound arguments to the contrary, many of us have come round to the view that these things are not so terrible after all, and that some of them are positively good.” (He did not specify which ones.)

Obviously Mr. Singer has strong views on a wide variety of controversial questions, and is evidently still adding to the list: back home in Australia, he has recently argued “The case for Prostitution” (in *The Age* of Sept. 18, 1980); “We should recognize,” he writes, “that those who earn a living by selling sexual services are fulfilling a socially valuable function.” And, anyway, “Most fundamentally, they do not cease to be people entitled to our respect.”

The really fundamental question is: Why would an official medical journal choose anybody with Singer’s flabbergasting intellectual baggage to put its case against the Baby Doe regs? The obvious answer is—must be—that Dr. Strain and his associates agree with Singer. Oh, but only *in re* Baby Doe, surely not all the rest of it? Well then, let the AAP officially repudiate Singer. But we do not expect to see any such repudiation. Singer *does* represent the New Future, which is indeed committed to new ethics in *all* these matters. Consider: it is not enough to merely *have* the “freedom” to abort babies, you must make others agree that it is *good* to do so; leaving homosexuals alone isn’t enough, you must agree that theirs is merely an “alternative life style,” and so on, on and on. The arguments become almost identical in all cases—are we not asked to agree that infanticide is really done for the good of the child?—because all such “social issues” are part and parcel of the new ethic, which is why Singer sees nothing wrong with lumping them all together at every opportunity.

Lest the reader think we exaggerate his views, be sure that there is much

more (and worse) available: Singer is on record on just about every “ethical” question known to man (and, of course, if animals could read, he’d hit the best-seller list). But our point here is that he is the *prototype* “ethicist” for those review boards; he holds just the “right” views, and we can expect to see him and his type much sought-after to answer the questions that are the heart of the matter, namely, Who shall live? and Who Shall decide?

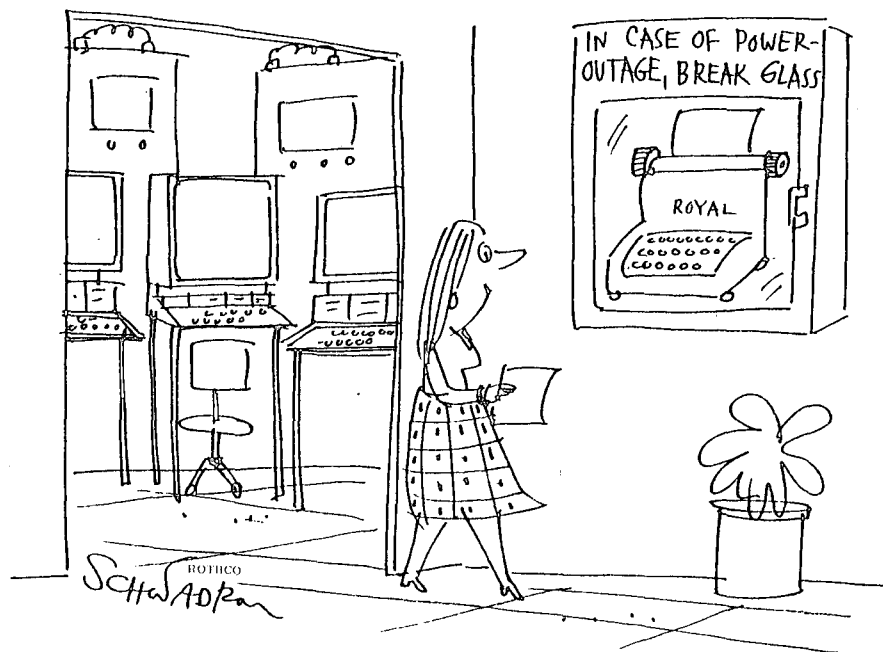
The New Future is even more awful than it seems. Even if the majority of Americans *knew* about what is involved, they would find it impossible to transfer Singer’s inhuman notions to their family doctor. The grand strategic factor in the current War Between the Ethics is that the apostles of the New Future *know* precisely what they are doing—never mind what they may *say*—while the mass of Americans don’t yet realize there *is* a war, and those who do can scarcely believe that the enemy could seriously intend the predictable results. To be sure, the “old ethic” will not die: it is indeed based on the Judeo-Christian ethic, and it has been with us for thousands of years because, God knows, it is a *human* ethic. But of course it can be temporarily defeated, as it has been, often enough in history, whenever a militant, determined enemy has caught its defenders unprepared. Communism of course shows the lengths to which New Futurites can go—indeed, how “completely” they can succeed in setting up truly diabolical “utopias” ruled by inhuman New Men. But then Poland reminds us that, in the end, real men will remain, to rebuild human society. The urgent need now is to prevent things going as far as they *can* go, while there is still time to do so.

But we stray again. Grand allusions will not do the job. We need practical solutions. Obviously the old ethic—the sanctity of all human life—must be defended, and restored. It is by no means a lost cause as, symbolically at least, President Reagan’s stand *in re* Baby Doe should remind us. The immediate problem is to translate principles into results.

Here, we make a modest proposal which would undoubtedly sharpen not only the issues, but also the beliefs of the contending warriors. Let us ask our “medical professionals” to add a few more letters to their shingles: after John Jones, MD, let us see either SLE or QLE—sanctity or quality of life, each as he actually professes. It’s only fair, surely, that “patients” know *in advance* what their doctor really thinks about their worth, here and hereafter? Without doubt such an honest owning-up to one’s real “views” would become a prime tool in educating the masses to a problem that most certainly concerns them most personally. And of course doctors (all too many) who have been trying hard to straddle the two warring ethics would be forced to choose which side they are really on.

I have no doubt that the inspired reader can supply many more and better reasons for so simple a solution to a problem the greatest evil of which is that it is so hard to *pin down*. We need to know who really believes what. And, since our very lives are at stake, we deserve to know, do we not?

We began here with abortion, and all the evils it has spawned—just as slavery did—how can we end with anything less than a call for a Great Crusade to restore the sanctity of all human life? I am for such a crusade, of course, but I don't know how to bring it about. Not now, even though the handwriting is on the wall, because the majority of our fellow-citizens simply do not read it, or believe it if they do. They are much more likely to do so when it directly affects *them* (as abortion and even infanticide do *not*—we are beyond both). Our modest proposal would at least remind the New Futurites that they too are at risk. When his hour comes, will MD, QLE choose one of his fellows to “manage” his travail? Knowing what he knows about his views? Or will he (or she, of course, sorry) opt for one of the other guys, old-fashioned as he may be? As Dr. Johnson noted, the prospect of execution wonderfully concentrates the mind.



APPENDIX A

[The following column was first published in *The Wall Street Journal*, November 13, 1998. It is reprinted with permission of *The Wall Street Journal* © 1998 Dow Jones & Company, Inc. All rights reserved. Mr. McGurn is editor of the Taste page of the *Weekend Journal*.]

Princeton Defends Its Professor of Infanticide

William McGurn

When I was an undergraduate in philosophy I had a roommate who, having stumbled across Cicero's dictum that there is nothing so absurd that some philosopher hasn't said it, never tired of repeating it to me. He was more right than he knew. Princeton's decision to name animal-liberationist Peter Singer its prestigious DeCamp Professor of Bioethics suggests a new wrinkle in this old truth: Today's absurdity more than likely will boast not only a defending philosopher but an endowed chair.

Given Mr. Singer's belief that the moral difference between a human being and a horse is but a matter of degree, there is a delicious irony in that his appointment is to Princeton's Center for Human Values. After a colleague of mine, Naomi Schaefer, mused about the implications of Mr. Singer's values in an editorial-page article, Mr. Singer & Co. fired back with letters accusing her of distortion. Princeton President Harold Shapiro repeated the party line before a recent meeting with parents of incoming freshman. What matters, he told them, is not the ideas but whether they can be rationally defended.

This is orthodoxy in academe today, and it helps explain why enrolling in a university ethics course ranks as one of the most debilitating things that can happen to a young student's moral compass. And it helps illuminate the Singer appointment. Unlike Miss Schaefer, official Princeton prides itself on being not the least concerned with Mr. Singer's embrace of infanticide, his equating of animal with human life or the general drift of his utilitarian ethic. And oh, yes, Mr. Singer's defenders had great fun with Miss Schaefer's reference to Mr. Singer as "somewhat obscure."

I wonder if they also complained to the Princeton Alumni Weekly, which described Mr. Singer as "largely unknown" to the Princeton community. More to the point, parents and alumni might be interested to learn that the man chosen to clarify our thoughts on bioethics deems those who hold human life inherently more sacred than animal life as "speciesist," in thrall to a "prejudice no better founded than the prejudice of white slaveowners against taking the interests of their African slaves seriously."

Indeed, in his more candid moments Mr. Singer concedes that his "quality of life" ethic explicitly rejects the "sanctity of life" view that has defined the Western canon for roughly the past 2,000 years. It is precisely that which Boston University's John Silber had in mind when, at a meeting of 3,000 philosophers this past August, he lambasted the profession for its rejection of ultimate truth and the consequent relativizing of all values. Ours, after all, is a nation founded upon a conception of

man derived from “the laws of nature and nature’s God”—the same conception enshrined in Latin under the Princeton crest: *Dei Sub Numine Viget* (“We will flourish under the command of God”).

Mr. Singer likes to say that his conclusions are highly qualified and usually taken out of context. but the conclusions are there. E.g., “we should certainly put very strict conditions on permissible infanticide, but these conditions might owe more to the effects of infanticide on others than to the intrinsic wrongness of killing an infant.” In other words, people are not ends but means. Surely the point is that once each human life is not deemed inherently sacred, there are any number of plausible reasons that might be advanced for doing away with them.

Mr. Singer responds by saying that, unlike his critics, he is willing to debate the challenges presented by technology and does not flinch from more controversial conclusions. We are all for debate. But normally when changing circumstances challenge our principles we look to adapt them. The Internet, for example, has made things easier for pedophiles. But we do not conclude that our view of pedophilia is old-fashioned. It is similarly difficult to believe that the path to a healthy debate begins with a man whose own starting point is the jettisoning of the understanding of man’s dignity that has defined Western civilization for two millennia, and who apparently can’t conceive of someone who could both understand him and disagree.

Which leads us back to Princeton. Its spokesman told me that the Singer appointment represented the university’s decision that he falls on “this side of the moral divide between moral debate and Nazism.” Hmmm. Is Nazism evil because it cannot be defended rationally (fascism had many defenders, after all, in a society considered the cream of developed Europe) or because of its founding assumptions? Was the Gulag more palatable because Marx was an intellectual? Might David Duke expect a welcome at the Center for Human Values were he to have a Ph.D. along with his white hood?

The official line is that Mr. Singer is but one of many voices. But Mr. Singer is not just one man on bioethics; he is Princeton’s point man. His specialty, moreover, as the title of his most famous work implies, is practical ethics. Which leaves us with one of our most elite universities anointing an ethicist who can at once argue for the killing of infants while teaching that drawing a moral distinction between child and chimp is mere prejudice. And then we wonder why so many of our best and brightest have such a hard time telling right from wrong.

APPENDIX B

[George Will, a well-known author and television commentator, is a nationally-syndicated newspaper columnist. The following article appeared in the Washington Post (December 3, 1998) and is reprinted with permission (© 1998, The Washington Post Writers' Group).]

54 Babies

George F. Will

CHINO HILLS, Calif.—Where Route 71 crosses over Payton Drive, at the bottom of the steeply sloping embankment, two boys, who were playing nearby, found the boxes. The boys bicycled home and said they had found boxes of “babies.”

Do not be impatient with the imprecision of their language. They have not read the apposite Supreme Court opinions. So when they stumbled on the boxes stuffed with 54 fetuses, which looked a lot like babies, they jumped to conclusions. Besides, young boys are apt to believe their eyes rather than the Supreme Court.

The first count came to a lot less than 54. Forgive the counters' imprecision. Many fetuses had been dismembered—hands, arms, legs, heads jumbled together—by the abortionist's vigor. An accurate count required a lot of sorting out.

The fetuses had been dumped here, about 30 miles east of Los Angeles, on March 14, 1997, by a trucker who may not have known what the Los Angeles abortion clinic had hired him to dispose of. He later served 71 days in jail for the improper disposal of medical waste. Society must be strict about its important standards.

What local authorities dealt with as a problem of solid waste disposal struck a few local residents as rather more troubling than that. They started talking to each other, and one thing led to another, and to the formation of Cradles of Love, which had the modest purpose of providing a burial for the 54 babies.

The members of Cradles of Love—just a few normal walking-around middle-class Americans—called them babies, and still do. These people are opposed to abortion, in spite of the Supreme Court's assurance in 1973 that abortions end only “potential life.” (Twenty-five years later the Supreme Court has not yet explained how a life that is merely “potential” can be ended.)

Some will say the members of Cradles of Love, who are churchgoers, have been unduly influenced by theology. Or perhaps the real culprit is biology. It teaches that after the DNA of the sperm fuse with those of the ovum a new and unique DNA complex is formed that directs the growth of the organism. It soon is called a fetus, which takes in nourishment and converts it to energy through its own distinct, unique organic functioning, and very soon it looks a lot like a baby.

Anyway, theology or biology or maybe their eyes told the members of Cradles of Love that there were some babies in need of burials. So they asked the coroner to give them the fetuses. Then the American Civil Liberties Union was heard from.

It professed itself scandalized by this threat to . . . what? The ACLU frequently works itself into lathers of anxiety about threats to the separation of church and state. It is difficult, however, to identify any person whose civil liberties were

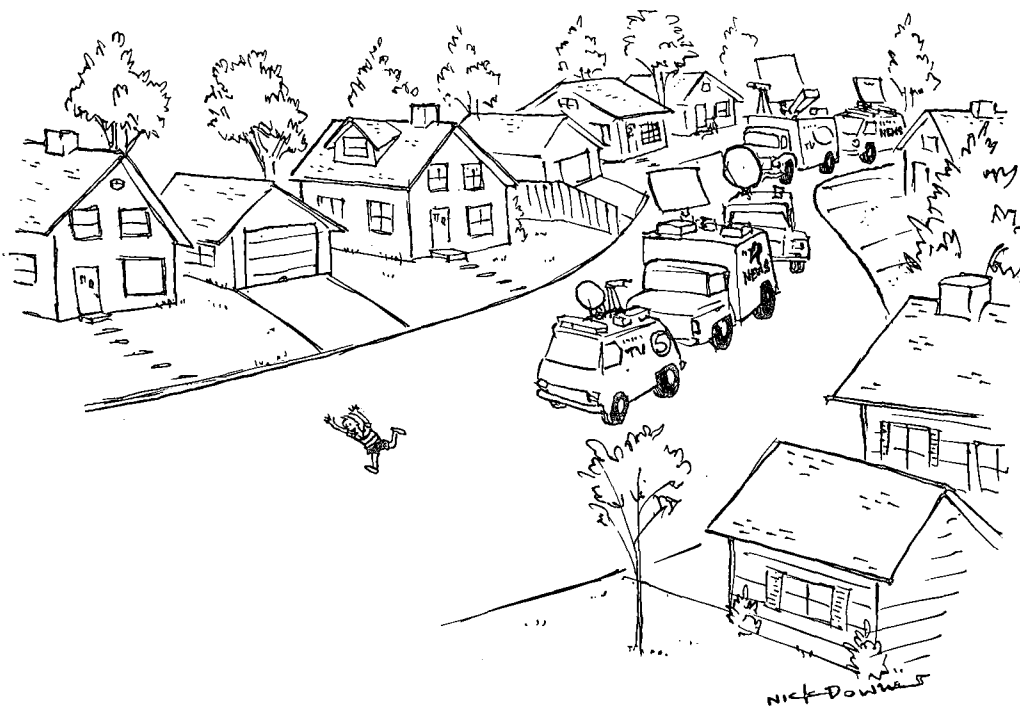
going to be menaced if the fetuses were (these are the ACLU's words) "released to the church groups for the express purpose of holding religious services." The ACLU said it opposed "facilitation" of services by a public official.

The ACLU's attack on the constitutionally protected right to the free exercise of religion failed to intimidate, and in October the babies were buried in a plot provided at no charge by a cemetery in nearby Riverside. Each baby was given a name by a participating church group. Each name was engraved on a brass plate that was affixed to each of the 54 small, white, wooden caskets made, at no charge, by a volunteer who took three days off from work to do it. Fifty clergy and four persons active in the right-to-life movement carried the caskets. Each baby's name is inscribed on a large headstone, also provided at no charge. Fifty-four doves, provided at no charge by the cemetery, were released at the services.

The ACLU trembled for the Constitution.

We hear much about the few "extremists" in the right-to-life movement. But the vast majority of the movement's members are like the kindly, peaceable people here, who were minding their own business until some of the results of the abortion culture tumbled down a roadside embankment and into their lives.

Which is not to say that this episode was untainted by ugly extremism. It would be nice if the media, which are nothing if not diligent in documenting and deploring right-to-life extremism, could bring themselves to disapprove the extremism of the ACLU, which here attempted a bullying nastiness unredeemed by any connection to a civic purpose.



"The media circus is in town! The media circus is in town!"

APPENDIX C

[John Leo is a nationally-syndicated columnist. The following column appeared in the Washington Times, November 4, 1998, and is reprinted here with Mr. Leo's permission.]

Beneath verbal 'climate' cover

John Leo

Here come the "climate" arguments implicating conservative religious and political leaders in the murders of Barnett Slepian, the Buffalo, N.Y., doctor who performed abortions, and Matthew Shepard, the homosexual student in Wyoming. The contention is that the leaders are morally responsible for the murders because they created an atmosphere that produced and incited the killers.

A good example is the comment by Polly Rothstein of the Westchester (N.Y.) Coalition for Legal Abortion. She said that the pope, the bishops and conservative Protestant clergymen "didn't pull the trigger," but the blood of Dr. Slepian and Mr. Shepard "is on the hands of religious leaders who have, with vitriolic language, incited zealous followers to murder abortion doctors and gays and lesbians."

Herblock, the political cartoonist, made his own climate argument in The Washington Post by showing a shooter standing behind a suit-and-tie abortion protestor. The protestor, carrying an "Abortions are murders" sign, says, "What me, an accomplice?"

I don't think we should call women and doctors "murderers" for coming to different moral conclusions about abortion. On the other hand, a CBS-New York Times poll reports that 50 percent of Americans think abortion is murder. This raises the interesting question of whether it is incitement, climate-wise, to use a word that half the country says is accurate.

The Nation magazine published the most overwrought of all "climate" editorials. Written by gay playwright Tony Kushner, it said Pope John Paul II "endorses murder" of gays. He went on to say the pope and Orthodox rabbis are "homicidal liars," and the Republican Party, by purportedly endorsing discrimination, "endorses the ritual slaughter of homosexuals."

Similar arguments, a bit more coherent, are everywhere in the media. Katie Couric focused on "climate" arguments twice on the "Today" show. On ABC's "Politically Correct," host Bill Maher said the Republican Party has created an anti-sexual atmosphere that unstable borderline personalities hear and pick up on. Gloria Feldt of Planned Parenthood said the "anti-choice" movement has created a "social climate in which those who are extreme and violent feel they have permission to do what they are doing." Gay activists and letters to the editor in newspapers say they see a climate of hatred and fear pushing fanatics to shoot.

The first thing to note is that the "climate" argument is a familiar political device. Newt Gingrich's anti-Washington rhetoric was blamed for the Oklahoma City bombing. Columnist Carl Rowan once wrote that "a lot of the blood of race war victims" will be on the hands of Limbaugh and Howard Stern. Jesse Jackson said it wasn't just a few individuals who were responsible for the church burnings

in the South in 1995 and the murders of 23 black people in Atlanta in the early 1980s. No, in each case it was “a cultural conspiracy” that created an atmosphere conducive to violence, Mr. Jackson said.

(Later we learned that the vast majority of the church burnings weren’t racially inspired, and the killer of the 23 blacks turned out to be black himself.)

Professor and author Marvin Olasky once said that the “climate” argument reminded him of the days when newspaper tycoon William Randolph Hearst urged his reporters to jump on any disaster and tie it as closely as possible to his political enemies.

It’s useful to remember that “climate” arguments were once commonly used against the left. During the 1960s, the most crazed and violent anti-war radicals were depicted as representing all anti-war sentiment, just as the wildest anti-abortion zealots are depicted as representative of a broad mainstream movement that opposes all killing.

Now, of course, “climate” arguments are used almost exclusively by the left. In different form, these arguments show up in speech codes, sexual harassment doctrine and some of the loonier politically correct rules on campus. (The ban on “inappropriately directed laughter” at the University of Connecticut, for example, reflects the idea that apparently innocent laughing can create a climate that results in real harm to minorities. People who draw a straight line from “Seinfeld” jokes at the water cooler to persecution of women in the office are essentially making the same argument.)

The political advantage of using “climate” arguments is that you can discredit principled opposition without bothering to engage it. All you have to do is connect the pope, your local rabbi or any other adversary to a gruesome murder and your work is done. Seen through the lens of “bias” (often no more than disagreement with the value system of the cultural left), the pope and the shooters start to merge in the minds of rational people, just as they do in the minds of Tony Kushner and the editors of the Nation.

Beware of arguments based on climates or atmospheres. Most of them are simply attempts to disparage opponents and squelch legitimate debate.

APPENDIX D

[Yale Kamisar is the Clarence Darrow Distinguished University Professor at the University of Michigan Law School. The following article is a composite he kindly prepared—at our request—of two op-ed pieces which originally appeared elsewhere; one in the *New York Times* (November 4, 1998), the other in the *Detroit News* (November 5, 1998).]

Why the Proposal To Legalize Physician-Assisted Suicide in Michigan Failed

Yale Kamisar

Some commentators and participants in the national debate over physician-assisted suicide (PAS) made much of the fact that in 1997 Oregon voters reaffirmed their support for assisted suicide by a much larger margin than the initial 1994 vote. The state legislature had put the initiative (which had initially passed by a 51-49% vote) back on the ballot for an unprecedented second vote. This time the initiative was reaffirmed overwhelmingly, 60-40%.

Barbara Coombs Lee, Executive Director of Compassion in Dying (an organization that counsels people considering PAS and one of the plaintiffs in *Washington v. Glucksberg*, 1997), hailed the second Oregon vote as “a turning point for the death with dignity movement.” David Garrow, a frequent writer on the subject, called the landslide vote “a good indicator of where America may be headed.” Still another commentator (Winifred Gallagher, writing in the *New York Times Book Review*) viewed the lopsided vote as a demonstration of “[h]ow far, and how fast, public opinion is moving on this issue.”

But the overwhelming defeat, last November, of Proposal B, the Michigan initiative to legalize physician-assisted suicide, has stopped the idea for now. Combined with the failure of Washington state and California ballot measures for “aid in dying” in the early 1990s, proponents of assisted suicide have done quite poorly in the public arena. Their records look especially anemic when one considers none of the bills proposing the legalization of the practice in more than 20 states have gone anywhere.

Oregon appears to be a striking exception to this trend. The most plausible explanation for the large margin by which Oregon voters supported assisted suicide the second time around was their resentment that the state Legislature had forced them to vote on the issue again after it was narrowly approved 51-49 percent initially. This was the first time in state history the Legislature had tried to repeal a voter-passed initiative.

Several months before the Michigan vote, polls indicated that Proposal B would pass by a comfortable margin. The same thing happened in Washington and California. What changed the tide of public opinion in these situations?

Proponents of Proposal B complain that they were overwhelmed by the TV ads of their much better-funded adversaries. This explanation would seem to make sense. The initiative was opposed by 30 groups, including the Catholic Conference, Right to Life, the state medical society, the state hospice association and a disability rights group.

Money, though, is not the whole story. The Michigan experience—where the proposal to legalize PAS failed by more than 40 percentage points—shows that it is much easier to sell the basic notion of assisted suicide than to sell a complex statute making the idea law.

The wrenching case where a dying person is suffering unavoidable pain is the main reason there is so much support for the concept of assisted suicide in this country (as opposed to support for specific laws). All too often, a reporter thinks the way to treat the issue in depth is to give a detailed account of someone who is begging for help in committing suicide. But such cases—which are relatively rare—blot out what might be called societal or public policy considerations, like how to tell if the patient actually has treatable but hard-to-detect depression.

When pollsters ask about the issue, most people, I suspect, focus on the poignant case. But when people are asked to approve a complex 12,000-word initiative, as in Michigan, the focus shifts.

Now people start worrying about whether the measure provides too few procedural safeguards, or too many. They worry about whether it would impose too many burdensome requirements on dying patients and their loved ones, or whether, on the other hand, it would permit too much abuse.

When Ed Pierce, the retired Ann Arbor physician who led the group that got Proposal B on the ballot, realized a few weeks before the election that support for the measure was eroding, he tried to explain why his cause had lost momentum. He argued that opponents' "attack ads" were "ignoring the central issue"—whether a terminally ill person should have the right to physician-assisted suicide.

But the idea of assisted suicide was no longer the central issue. The main debate had shifted—it was now about how the complex measure would actually work in a state where more than a million residents have no health insurance. Another concern became whether and how the proposal would change the way seriously ill patients and their loved ones view their lives—and the "hastening" of their deaths.

Many Michigan voters seemed disturbed that the proposal included no requirement that family members be notified of a patient's decision to seek assisted suicide. Critics argued that a daughter might go to visit her father in a nursing home, only to discover that he had committed suicide the previous day. But if the proposal had required that all members of the immediate family be informed, that provision, too, would have been criticized as unduly burdening a person's right to assisted suicide.

Perhaps a few opponents of the measure acted in bad faith. But not all.

The Detroit *Free Press* and the Ann Arbor *News* have consistently supported the basic idea of physician-assisted suicide. But alarmed by various provisions in the measure, both newspapers urged their readers to reject it. Newspapers all over the state especially disliked exempting the committee that would oversee the procedures from the state's Open Meetings and Freedom of Information acts, exemptions which would promote secrecy and a lack of accountability to the public.

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Other states likewise have had difficulty creating what they believe is a “workable” assisted suicide law. Although some members of the New York Task Force on Life and the Law regarded assisted suicide as ethically acceptable in exceptional cases, all 24 members concluded that “constructing an ideal or ‘good’ case is not sufficient for public policy if it bears little relation to prevalent medical practice.” Many task force members were deeply moved by the sufferings of some patients, but ultimately were convinced these patients could not be provided publicly sanctioned assistance in committing suicide without endangering a much larger number of vulnerable patients.

Proponents can discuss compelling cases and talk majestically about the rights to define one’s own concept of existence. But as Michigan shows again, the debate changes significantly when those favoring assisted suicide propose specific statutes to cover everyday situations. As the eminent ethicist Sissela Bok recently observed:

“No society has yet worked out the hardest questions of how to help those patients who desire to die, without endangering others who do not. There is a long way to go before we arrive at a social resolution of those questions that does not do damage to our institutions.”



“It appears to be a hotel pillow mint.”

APPENDIX E

[Wesley J. Smith, an attorney for the International Anti-Euthanasia Task Force, is the author of *Forced Exit: The Slippery Slope from Assisted Suicide to Legalized Murder* (Times Books). This article first appeared in *The Weekly Standard* (December 14, 1998) and is reprinted with permission (© 1998, *The Weekly Standard*).]

Lying About Dying

Wesley J. Smith

When Jack Kevorkian appeared on *60 Minutes* the Sunday before Thanksgiving to explain his killing of Thomas Youk, a man with Lou Gehrig's disease, Kevorkian justified his crime to Mike Wallace by claiming Youk was scared to death of choking on his own saliva. Wallace, a vocal euthanasia supporter, accepted this excuse at face value rather than digging more deeply. Had Wallace done his job as a journalist and asked a competent doctor about the proper care of patients with Lou Gehrig's disease, the 15 million people who watched Youk die would have learned that the very symptoms he feared most—choking and suffocation—could have been virtually eliminated with proper medical care.

Lou Gehrig's disease, also known as amyotrophic lateral sclerosis (ALS), is the red flag waved most vigorously by propagandists for so-called mercy killing. The media predictably rise to the bait because this neurological disorder is devastating, causing progressive debilitation, paralysis, and death. But it doesn't have to be the excruciating death by choking or suffocation that euthanasia activists luridly depict. Given the likelihood that the millions of viewers who watched Kevorkian kill Youk almost certainly included patients with the same disease and their families, it was unconscionably cruel of Wallace to allow Kevorkian's propaganda to go unchallenged.

One expert Wallace could have interviewed is Dr. Walter R. Hunter, a medical director of the Hospice of Michigan (located in the county where Kevorkian lives) and chairman of the ethics committee for the National Hospice Organization. Hunter was appalled at the depiction of Lou Gehrig's disease presented on *60 Minutes*. "No one with ALS should be allowed to choke," Hunter told me. "We have medications that control secretions substantially. If more is needed, we can teach the patient's family to use a simple suction device, similar to that used by dentists." But what about suffocation? As the disease destroys the body's muscular ability, the diaphragm weakens, and it becomes progressively harder for patients to breathe. "A small dose of morphine is a godsend to patients experiencing shortness of breath," Hunter says. And it doesn't mean consigning the patient to a drug-induced haze. "I recently started a patient with late-stage ALS on morphine," Hunter says. "She is the wife of an anesthesiologist. He was worried about that and the slowing of her breathing. But once we started with the morphine, he couldn't believe how comfortable it made her. The key is to find a doctor who is an expert in such care."

Morphine isn't always necessary to treat breathlessness in patients with Lou Gehrig's disease. There are other palliatives, too, including a machine that forces

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air up the patient's nostrils to make breathing easier. According to Hunter and other experts, with proper treatment, no ALS patient should feel that they are suffocating. Nor should they choke. Indeed, the British physician, Dame Cicely Saunders, the creator of the modern hospice movement, has written that she has treated hundreds of patients with Lou Gehrig's disease, and not one of them choked or suffocated to death. Indeed, Hunter says, in the typical progression of the disease, "the body is unable to clear carbon dioxide from the blood. There is a slow buildup and the patient sleeps more often. Death comes in the patient's sleep. It is quite gentle and painless."

I can vouch for that. It is how my good friend Bob died of Lou Gehrig's disease—peacefully, in his sleep. Bob was my most recent patient at a hospice where I volunteer. Once a week, for about a year and a half, I visited Bob for several hours. During that time, he did begin to feel breathless. To treat his discomfort, he was prescribed the breathing-assistance machine, which did not extend his life but eliminated the feeling of suffocation. Toward the end of his life, he also used small doses of morphine. People like Bob are the ostensible beneficiaries of the euthanasia movement. But Bob despised it. I remember his anger in January 1997, after *Nightline* aired a program about a Rhode Island patient with ALS who was asking for assisted suicide. (He too, would later die naturally and peacefully.) Bob was devastated by the program. He put it to me this way: "They are trying to push me out of the well-lit boulevard into the dark alleys. They make me feel like a token presence in the world."

After Bob became ill, he began to write a novel, first by hand and when that became physically impossible, by dictation to a computer. So when he asked me what he should do about the *Nightline* show, the answer was clear. "You're a writer," I said. "A writer writes." Bob's article, "I Don't Want a Choice to Die," was published in the February 19, 1997, *San Francisco Chronicle*. "Too many people," he wrote, "have accepted the presumption that an extermination of some human lives can be just. . . . Where has our sense of community gone? True, terminal illness is frightening, but the majority of us overpower the symptoms and are great contributors to life. . . . In my view, the pro-euthanasia followers' posture is a great threat to the foundation on which all life is based. And that is hope. I exhort everyone: Life is worth living, and life is worth receiving. I know. I live it every day."

Bob, like millions of other disabled and terminally ill people, lived fully and with dignity until his natural death. The facts of their lives and deaths are not far to seek, and are routinely lied about by the likes of Kevorkian. Mike Wallace and *60 Minutes* could easily have found that out. But they were apparently too busy congratulating themselves for their supposed journalistic courage to do so.

APPENDIX F

[Mona Charen's syndicated columns appear in many newspapers throughout the country. The following was posted on the web site of Jewish World Review on Dec. 2, 1998 and is reprinted here with permission (Copyright 1998, Creator's Syndicate).]

Dangerous ground

Mona Charen

It is a lucky thing that Jack Kevorkian is such a ghoul. If he looked and sounded like Marcus Welby, the movement for euthanasia would have made much more significant progress than it has.

Is "ghoul" too strong a word? Only those who haven't had the pleasure of viewing Kevorkian's artwork would flinch from that description. One of his paintings, titled "Very Still Life," features, in the New York Times account of his show a couple of years ago, "a blue flower blossoming though the gaping eye socket of a skull with a twisted lower jaw." Another painting depicts a severed head, blood dripping from the neck. The hands holding the head are Nazi on one side and Turkish on the other.

In yet another painting, titled "Paralysis," Kevorkian rendered a man whose brain and spinal cord have been ripped from his body and hang above him from chains.

This is not the imagination, it seems safe to say, of your run-of-the-mill humanitarian. Some may wonder why, in his latest defiance of the Michigan law banning assisted suicide on CBS' "60 Minutes," Kevorkian decided to deliver the poison himself rather than let the suicide pull the string that would release the deadly chemicals.

The answer is that Kevorkian is after far more than simply challenging the assisted suicide law. That's old hat. He has already "assisted" more than 100 people to kill themselves, and the authorities in Michigan have been able to do little about it. Three juries have acquitted him.

No, Kevorkian's goal is larger than that. His is a eugenics project. He would like to see those with disabilities, those who are ill and those who are troubled eliminated, preferably by their own hands but by his or others' if necessary. "The voluntary self-elimination of individual and mortally diseased or crippled lives," Kevorkian once wrote, "taken collectively, can only enhance the preservation of public health and welfare."

It is sound prosecution for the authorities in Michigan to indict Kevorkian. But much more important is for the society that imagines he is opening a "dialogue" on the treatment of the terminally ill and the nature of autonomy to think again.

Many support Kevorkian out of the mistaken belief that his is the only answer to machine-prolonged, painful deaths with tubes and wires doing the work of our hearts, lungs and kidneys for weeks or even months.

There are two answers to this. The first is that the more widespread use of living wills—in which a healthy person specifies ahead of time in a legally binding

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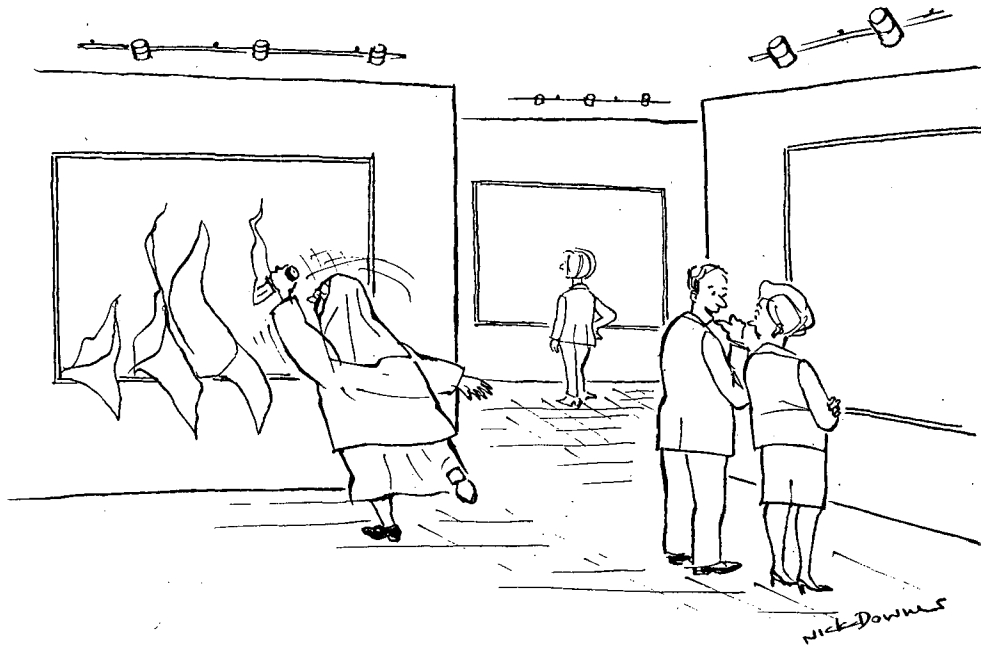
document what extraordinary measures he desires or rejects if he becomes incapacitated—has reduced the numbers of people subjected to such suffering. The second is the alternative of hospice care.

In the face of a terminal illness, millions of Americans choose hospice, or palliative care, over traditional therapy. The purpose of a hospice is to make the patient as comfortable as possible—physically, psychically and spiritually—at the end of life. That is the humane answer to suffering, not a shove into the grave. Dr. Kathleen Foley, a pain specialist at Sloan Kettering Medical Center in New York, has noted that once patients' pain is under control, requests for death diminish drastically.

Think hard, think very hard, before endorsing assisted suicide or euthanasia. It isn't as simple as helping those who can look forward to nothing but weeks or months of pain and agony. One of Kevorkian's victims, Rebecca Badger, a 39-year-old woman who came to him claiming to have multiple sclerosis, turned out not to have been sick at all, at least not physically. The coroner found no evidence of MS.

Others of those Kevorkian has hurried to the cemetery were ill, but not terminally. All, it is safe to say, were depressed. One of the women Kevorkian euthanized had been beaten by her husband in the week preceding her request for suicide. Some of his "patients" are dead within 24 hours of laying eyes on him. Is that time enough to establish anything?

This is very dangerous ground, ripe for abuse. The blinkered endorsement of "autonomy" will come at the expense of compassion, justice and mercy.



"Say—isn't that Sister Wendy Becket?"

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[Philip Johnson is the home affairs editor of the London Daily Telegraph. This article first appeared in the London Spectator (November 21, 1998) and is reprinted here with permission. Copyright 1998, The Spectator (1828) Limited.]

Death Becomes Them

Philip Johnson

For many years, Dr. Ben Zyllic ran the only hospice in Holland, a converted former hunting lodge near Arnhem, dedicated to the care of the terminally ill and modelled on those in Britain established by Dame Cicely Saunders in 1967.

His institution is no longer alone. The Dutch government has recently provided £10 million to set up a proper hospice movement and soon Holland will boast five palliative care academic centres. This is a significant development in the only country in the world where euthanasia is practised on a routine basis. It is happening at a time when Dutch GPs are to get even greater latitude to dispatch their patients, a development that has so alarmed 10,000 Dutch men and women that they have taken to carrying "please-don't-kill-me" cards.

Dr. Zyllic, who is visiting Britain shortly to apprise a House of Lords gathering of the perils of placing a foot on the slippery slope to euthanasia, would like to think the development of a hospice movement marks a turning-point in Holland, but he knows better than that. "The problem is that the government sees palliative medicine as acting in concert with euthanasia, not as a replacement," he says. "I have a feeling that the government is paying us this money to keep our mouths shut."

The truth is that most Dutch people support their country's "voluntary" euthanasia laws, and it is conceivable that Britain is about to go the same way. Indeed, an issue that has been largely dormant in this country is shortly to be reawakened.

In the new year, the trial will take place of a Newcastle GP accused of murder. The case of Dr. Dave Moor has become a *cause célèbre* on Tyneside. At a preliminary hearing, hundreds of supporters marched through the city and gathered outside the court demanding that the charge be dropped. The 51-year-old doctor is accused of killing an 85-year-old patient, retired ambulanceman George Liddell, in July last year. Dr. Moor is being supported by the Voluntary Euthanasia Society, which sees the case as a potential legal watershed.

The British Medical Association is to hold a special conference to decide if doctors should help terminally ill patients to end their lives. Last month, a group of doctors formed a new campaign of opposition to euthanasia. Its leaders warned that "many thousands of people" would be at risk if doctors were legally allowed to hasten death either by administering or withholding drugs.

Even the government is making tentative moves in this area. The Lord Chancellor, Lord Irvine, is planning to place "living wills" on a statutory footing, while at the same time offering assurances that euthanasia will not be made legal in Britain. Yet it is often forgotten that it remains an offence in Holland.

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The basis of current practice was laid down 25 years ago, when the Royal Dutch Medical Association for the first time accepted that euthanasia should be allowable. There followed a succession of legal actions, effectively protecting doctors from conviction provided they observed certain guidelines: the patient should be in unbearable pain; the death request should be voluntary; alternatives should be available; and more than one person should be involved in the decision.

In the 1980s, the Dutch Supreme Court held that a doctor who in certain circumstances kills a patient may successfully invoke the defence of necessity to justify his action. This defence is unique: normally, necessity is invoked as justifying a breach of the law in order to save lives—for instance, pushing someone out of the path of an oncoming car—not to end them.

One of the doctors involved in the landmark cases of the 1980s is Pieter Admiraal, an anaesthetist now living in retirement in The Hague. He has become the country's best-known campaigner for euthanasia, and oversaw many deaths even before he admitted to prosecutors in 1982 that he had carried out the killings.

"It is still illegal," said Dr. Admiraal. "You are always guilty. But my case and others were tests of whether doctors should be punished. In my case, involving a multiple sclerosis sufferer who could not swallow, it was decided she was suffering unbearably, and the prosecution was stopped."

The courts accepted that patients did not necessarily have to be in a terminal phase of their lives for euthanasia to be allowed. Five years ago, this was extended in a celebrated court action involving a doctor who killed a patient suffering from depression, but who was otherwise physically healthy. Hilly Bosscher, 50, said she wanted to die after the deaths of her two children and the subsequent break-up of her marriage.

For Dr. Admiraal, this is not a "slippery slope," however it may look from outside. He says the rules prevent doctors dispatching people who may have merely become a nuisance to their families, though there have been stories to suggest this is happening. He believes euthanasia should be fully legalised to avoid doctors being criminalised. Although it is a requirement that they inform the public prosecutors when euthanasia is performed, many of them do not.

This secrecy means it is difficult to know exactly how many cases of euthanasia are performed each year. A report by an official committee established by the Dutch government in 1991 estimated that 2,300 people died annually as a result of doctors killing them upon request, 400 by physician-assisted suicide, and more than 1,000 were killed without requesting euthanasia. Dr. Admiraal reckons the numbers have not changed a great deal in the meantime. He said there were about 4,500 cases of voluntary euthanasia each year, though he conceded that less than half were reported. Most of these cases, about 80 per cent, were cancer patients, and the remainder were suffering from Aids or neurological diseases, or were elderly.

"Pain is not the main reason that people ask for euthanasia," said Dr. Admiraal.

“It is a factor but not the only one. From the moment we realised we could not stop suffering with the best palliative care available, we proceeded to euthanasia.”

Dr. Admiraal regards the position in Britain—where doctors are permitted to administer drugs that may shorten life, provided the intention is to relieve pain, not to kill—as hypocritical.

“I don’t see any difference. I know the law of murder is defined by intention, but it makes no difference to the patient. Who has the authority to say whether it is ethical or not? Ethics are changing every day. We are confronted with ethical problems today that we never realised we would have 50 years ago. If the family of a lung-cancer patient struggling for air comes to me and says, ‘Is this the way he has to die?’ then I think I have the right to stop this senseless struggle.

“I am a non-believer. I have nothing to do with a God who has your life and mine in his hands. In 50 years time, you will see euthanasia accepted all over the world. It will be used with patients suffering from Alzheimer’s who are otherwise kept alive for five or ten years. The time will come when we say that this costs money, and if you are demented for one year, we will kill you. I see it not as the answer to the growing elderly population but as the exercise of the right of self-determination.”

Dr. Zylic, however, believes the drift to euthanasia in the Netherlands is a result of the absence of a hospice system independent of the palliative care available in hospitals. He feels the development of medicine and palliative care in Holland has left many doctors in an intolerable position. “I find it immoral and unethical that a GP in this country needs to take very heavy decisions of this sort entirely alone with no support from anyone. Often it is just the patient and the GP together, and it is from this situation that many of the thoughts about euthanasia are born.

“The GPs feel helpless and don’t know about alternatives. They are forced by circumstances into euthanasia and feel it is their duty to do it. They aren’t performing euthanasia in the Netherlands because they like it or find it right. They are forced into it because they lack the knowledge available in hospices about how to look after terminally ill patients.”

Dr. Zylic fears the country has lapsed into a “euthanasia mentality.” He added, “Of the people who perform it, 80 per cent say never again. It changes your whole mentality towards life and death, disease and medicine. Many doctors say you are never the same again after the first time you perform euthanasia. But if you do it twice or three times, you become more positive towards it. Then it becomes very dangerous. The doctors become less selective, they become less creative about how to care for people, they don’t try to solve difficult problems any longer. This is pulling out the cornerstone not just of palliative medicine but of all medicine. Once you accept euthanasia is morally right, the boundaries get pushed back further and further.”

In all the years Dr. Zylic has run his hospice, only two patients have requested discharge to a hospital to undergo euthanasia. He even had one man referred to

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him by a hospital on the grounds that “the patient refuses euthanasia.” He survived for a further three years.

During the last war, Holland was the only country occupied by the Germans whose doctors refused to participate in a Nazi euthanasia programme. Physicians openly defied an order to treat only patients who had a good chance of full recovery, and some paid for their disobedience with their lives. Yet, as Malcolm Muggeridge once observed, within a generation “a war crime had been transformed into an action of compassion.”



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