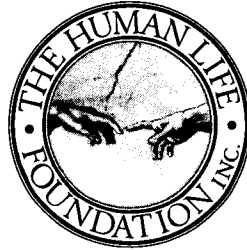


the HUMAN LIFE REVIEW



WINTER 2000

Featured in this issue:

William Murchison on "The Party of Death"
Austin Ruse on UN Pro-life Lobbying
Peter Hopkins translates A Nun's Testimony
Rita Marker on Kids and Euthanasia
Rebecca Messall on . . The Evolution of Genocide
Leon Kass on The Moral Meaning
 of Genetic Technology
Sandi Merle on Life, the Law, and Roses

Also in this issue:

Hadley Arkes • Mona Charen • Gilbert Meilaender • Mark Pickup
Wesley Smith • Richard Stith • Gerard Bradley • Chris Weinkopf
Frederica Mathewes-Green • Meredith Berkman

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ABOUT THIS ISSUE . . .

. . . after a period of flying below the media radar screen, the abortion albatross reappeared with a vengeance during the now over (if not finished) primary season. Perhaps most bizarre was the battle between Al Gore and Bill Bradley to establish once and for all who, as Senior Editor William Murchison puts it, “was the pro-est of them all” (“The Party of Death,” page 7).

Meanwhile, despite a lot less media fanfare (in fact, practically none so far), the Beijing+5 conference at UN headquarters in New York (March 6-20) is sure to see another clash between pro-lifers and the global pro-abortion juggernaut. The raucous 1995 Beijing conference *did* make headlines; after all, Hillary Clinton was there to promote “reproductive rights.” But it’s easy to forget, in the rough and tumble of domestic politics, that a plethora of abortion-mongering NGOs (non-governmental organizations), largely based in Western countries, are waging constant battle on the world stage. In “UN Pro-life Lobbying: Full Contact Sport,” new contributor Austin Ruse provides a unique, bird’s-eye view: Mr. Ruse is President of C-Fam (Catholic Family & Human Rights Institute), the *only* full-time pro-life/pro-family organization based at UN headquarters. C-FAM publishes the Friday Fax, again the only source for important UN-based pro-life/pro-family updates. For more information, you can e-mail Mr. Ruse at austinruse@c-fam.org.

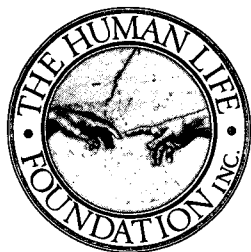
Globalism also figures big in the burgeoning biotech business: our thanks to *Commentary* magazine for permission to reprint Leon Kass’s cautionary essay, “The Moral Meaning of Genetic Technology” (page 76).

Another growing (and grisly) business has been in the news lately: illegal trafficking in fetal body parts. Hadley Arkes (“Millennial Blues, Cautious Hopes,” page 99) even produces a price list (e.g., Gonads, \$550). Thanks again to *Crisis* magazine, which features Prof. Arkes’ monthly “Life Watch” column. For subscription information, call (800) 852-9962.

Two pieces in this issue originally appeared in *National Review*: Gilbert Meilaender’s “Strip-mining the Dead” (page 105), and Gerard Bradley’s “The Fantasy Life of Judges” (page 119). Our thanks as always to *NR*. If you’d like to know more about the magazine, write *National Review*, 215 Lexington Avenue, New York, NY 10016. Or you can visit their website at nationalreview.org.

Finally, thanks to Nick Downes for remembering to send us a selection of hilarious cartoons every three months.

ANNE CONLON
MANAGING EDITOR



the HUMAN LIFE REVIEW

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Editor

Maria McFadden

Senior Editors

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Faith Abbott McFadden

John Muggeridge

William Murchison

Managing Editor

Anne Conlon

Consulting Editor, Europe

Mary Kenny, London

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Rita Marker

William McGurn

George McKenna

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Ray Lopez

Circulation Manager

Esther Burke

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Edward A. Capano

Founding Editor

J.P. McFadden

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INTRODUCTION

WELCOME TO THE FIRST *Review* of 2000. Now that the “Y2K” hype has come and gone without disaster, we’re left with a reality both comforting and, for some, perhaps a bit anti-climactic—we’re all still here and, spanking new millennium aside, nothing much has changed. *Plus ça change*, . . .

This is much the case, as Senior Editor William Murchison writes in our lead article, with the Democratic party and abortion, particularly in the case of Al Gore. The recent flap over Gore’s pro-choice voting record is more *déjà vu*: the same facts (about his anti-abortion votes) were exposed in ’92, and Gore lied then as he is lying now. He has *not* “always” supported *Roe v. Wade*—as a matter of fact, he once got an 84 percent *favorable* rating from National Right to Life for voting to protect the unborn—but, as the Democratic party became, says Murchison, more firmly “in bondage to the pro-abortion movement,” Gore realized that a candidate “When advised by the pro-abortion movement to jump” must respond “with enthusiasm, real or feigned: How High?” So he learned the “dodge and twist,” which he is busy performing now, and which won him backing of the National Abortion and Reproductive Rights Action League (NARAL) over Bill Bradley, whose pro-abortion record is virtually unsullied (Bradley’s consistency ranking lower than Gore’s ability to be expediently evasive “for the cause”).

In Murchison’s evocative terms, the real problem for America is the Democratic party’s “Babylonian captivity” to its crucial constituency, white feminists, who have made abortion “the great Democratic litmus test.” Obviously this is a problem for the “Republicans and for the pro-life movement, whose initiatives the Democratic party manages continually to thwart,” but it is also a great moral problem for America, as the “Democrats make up one of our two alternative cultures of governing.” When one of the two insists on deceit and the moral vacuity of choice, where lies the future of leadership?

America’s pro-choice agenda is not limited to national affairs. In our next, powerful, article Austin Ruse, who is president of the only full-time pro-life lobbying group based at United Nations headquarters, outlines for us the struggles taking place in the UN over the exporting of “choice” abroad, a movement which has radical support from the Clinton Administration. But Ruse begins his piece with a compelling account of his own work “in the field”—his trip to Albania to investigate charges of human rights abuses being committed in the name of “reproductive rights” against the refugees by members of UNFPA (United Nations Population Fund), whose “one and only re-

sponse" to the refugee crisis was to send, not desperately needed food or water, but hundreds of thousands of "reproductive health kits." As you will see, Ruse's discoveries on his trip add evidence to support the possibility of a disturbing cooperation on the part of UNFPA with the Milosevic regime to thwart the high fertility rate of the Kosovars—in direct contrast to the Serbs, who have "the highest abortion rates and the lowest fertility rates in Europe." While insisting on "helping" them with their "rights," was the UN also "aiding Milosevic in his desire for fewer Kosovars"?

In the second part of his article, Ruse explains the "full contact sport" of UN pro-life lobbying, and the up-hill battles the pro-life factions are facing. One example: the use in planning documents of the phrase "enforced pregnancy," which the radical feminists insist refers only to rape, as in the context of the horrible rapes committed against the Bosnians by the Serbs, but which, says Ruse, is actually being *used* to make "the simple fact of a woman's being pregnant an element of a crime," and *has* been used in a Utah case in which "enforced pregnancy" meant simply that a woman could not get an abortion.

Next we have a startling companion piece about a *true* enforced pregnancy; the horrifying real testimony of a nun in Bosnia raped by Serbian soldiers. It's a searingly difficult story to read: this woman has endured many of the atrocities of war, not just her hours of torture but the violent deaths of her loved ones. And yet she, who was by her own account "nearly mad with despair," has decided to accept her child, "born of violence," with love. She sees this as the only way to "break the chain of hatred" that has destroyed so much. Here is a woman who has suffered the hardest of hard cases, and yet, for her, an abortion would only perpetuate the cycle of violence.

We next shift to another "life issue" that is being debated on the international scene: euthanasia. And you might be appalled at the subject of this latest piece by our esteemed contributor Rita Marker, head of the International Anti-Euthanasia Task force: Euthanasia for *Children*. Unheard of? Sadly, as Marker reports, No. Although the world was shocked by a recent attempt in the Netherlands to legally give children between the ages of 12 and 16 the "right" to request death, the failure of the new Dutch proposal to pass "merely maintains the situation as it has been for well over a decade: euthanasia, even for children, remains technically illegal but will not be prosecuted."

Marker attended a conference of right-to-die advocates in Arizona, and reports for us on the ghoulish gathering and its keynote speaker, one Dr. Philip Nitschke, the Australian "Dr. Death," who publicly advocates euthanasia for kids (as well as "do-it-yourself" death kits). And, lest we seek comfort in thinking "still, it can't happen here," she tells us that such proposals *already* have a history in the U.S.

Our next article is by a new contributor to the *Review*, Rebecca Messall, who tackles a weighty subject, and one that has enormous implications. The recent controversy in her state of Kansas over the proposed "national science

education standards" for the teaching of evolution, led Messall to investigate whether the teaching of evolution as "science" (not as a theory) involved issues that are important for the pro-life movement. What she found surprised her (and may you), and led her to argue that "evolution by natural selection" has been the *key* pro-life issue since Darwin himself, because his arguments paved the way for a scientific-sounding rationale for eugenics and even genocide.

Messall *has* done a yeoman's job of original research, and she takes as one of her reference points Mary Meehan's two-part series, *The Road to Abortion: How Eugenics Birthed Population Control* (Fall '98, Winter '99 *HLR*). Messall examines how theories about the "survival of the fittest" gave birth to eugenics, and contends that the same anti-religious beliefs that contributed to plans of "racial hygiene" in pre-Nazi Germany are alive and well today—insidiously present in some of our most "mainstream" scientific organizations. Furthermore, these same organizations have been the driving forces behind the "national standards" proposed as a model for our children's scientific education.

Messall's research also uncovers the roots of the current "disciplines" of "evolutionary psychology" and "sociobiology," which we have discussed in recent *Reviews*; notably in our symposium on Professor Steven Pinker's claim that "neonaticide" is perhaps an impulse left over from our "survival of the fittest" genetic programming (see *Infanticide Chic*, Winter '98 *HLR*). Pinker wrote, "To a biologist, birth is as arbitrary a milestone as any other," and he goes on to ponder a question (*open* for him) about *when* a human being achieves the status of personhood—at which time his or her killing would be morally prohibited. As Messall outlines, this "new" understanding of biology is not at all new: she reminds us of a deadly statement made by Deputy Nazi Party Chief Rudolf Hess: "National Socialism is nothing but applied biology."

The discussion about biology and genetics continues in *The Moral Meaning of Genetic Technology*, a typically superb essay by Dr. Leon Kass (which originally appeared in *Commentary*). It provides a sound moral backdrop against which to view the amazingly rapid rate of technological development. Kass thinks the public "is right to be ambivalent about genetic technology," because of the potential threat it raises to human freedom. For example, the pressures to "limit reproductive freedom" in the "name of the well-being of children." On this Kass quotes an important figure in Messall's article, Bentley Glass (a former president of the American Association for the Advancement of Science, one of the key groups involved in the national science standards) who said in the 1970's: "No parents will [in the future] have the right to burden society with a malformed or mentally incompetent child." Kass warns that the issues involved in genetic technology go "beyond the notorious case of evolution versus biblical religion What chance have our treasured ideas

of freedom and dignity against the teachings of biological determinism in behavior . . . the belief that DNA is the essence of life, and the credo that the only natural concerns of living beings are survival and reproductive success?" What chance indeed . . .

Finally, on a more hopeful note, we conclude with a reflection by Sandi Merle, a woman who has been called "the female, Jewish voice of the pro-life movement"—though hers is often a lonely voice, she has moved mountains. Merle founded STOP, Standing Together to Oppose Partial-Birth, an organization of Jewish women in the arts who were galvanized into activism by the horrific practice of partial-birth abortion. Merle tells us how and why she became involved in the pro-life movement, and where it has led her (and it has led her in some surprising directions, as you'll see: our favorite story is the one about Senator Joseph Lieberman's mother . . . but I won't give it away). You'll enjoy reading her unique story.

* * * * *

We have an impressive number of appendices in this substantial issue. We begin by taking up again the subject of partial-birth abortion (and revisiting the personage of Joseph Lieberman) but now with an added gruesome twist (hard to believe it can get worse). Professor Hadley Arkes marks the beginning of a new millennium by asking how we, an "enlightened" society, can bear to do what we are doing: brutally kill babies in the process of being born and then *sell their body parts*. These horrible facts are only just coming to public light—most proliferators have known about this gory business for some time, as Sandi Merle attests—and they have penetrated the public consciousness thanks largely to the efforts of Mark Crutcher, of the prolife organization Life Dynamics. One former clinic worker whose testimony Crutcher used to help expose fetal-parts trafficking is "Kelly" (a pseudonym), whose account is cited in Mona Charen's column, "Body Parts for Sale" (*Appendix B*).

Appendix C is another look at how we as a society deal in body parts—this time, it's a thought-provoking piece by Professor Gilbert Meilander on the moral choices involved in "Strip-mining the Dead" for organ transplants. And following him is a moving column by Mark Pickup, who, himself disabled, is a disability-rights activist. He writes about the embryonic stem-cell research, and why, though he might benefit from such research, he couldn't bear to profit from the "new ethic," which promises "new life, but at the expense of another."

Anti-euthanasia advocate Wesley Smith follows (*Appendix E*) with a macabre report on the "Self Deliverance New Technology Conference" held in Seattle last November, where suicide guru Derek Humphry unveiled his new suicide contraption, "the debreather." As Smith writes, this conference "cast a much-needed light on the twisted mindset behind the assisted suicide move-

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ment,” as Humphry and Dr. Nitschke (to whom Rita Marker introduced us) gathered to exult in the display of their bizarre death devices.

Appendix F is a bit of a departure. Our friend Professor Richard Stith sent it to us, explaining that he had written it during his last year at Yale Law School (incidentally, Bill and Hillary were his classmates), right after the *Roe* decision, and that it had never had wide circulation. We found it fitting to publish in this millennial issue, as it is a terrific essay on how *Roe* ushered in a nightmare world right from the start, one in which “irrationality and violence are casually accepted.” The passage of time has only made his piece more apropos. For example, Stith wrote “the problem they [abortion advocates] face is that those attributes of human life which the fetus lacks (e.g. ability to talk or to hope) the infant also lacks”—which is exactly what infanticide advocates are currently arguing.

In *Appendix G*, Professor of Law Gerard V. Bradley also writes about the unreal world the Supreme Court justices have created, beginning with the *Griswold* decision on contraception and the “far-fetched talk of ‘emanations’ of rights from ‘penumbras’ of the Constitution” and continuing down the road of sexual license and “optional” religion with the *Roe* and *Casey* decisions. Chris Weinkopf writes next (*Appendix H*) on the recent 27th anniversary of the *Roe* decision, and how it coincided with a “recurrent feud about flying the Stars and Bars over South Carolina,” reminding us that “‘pro-life’ and ‘pro-choice’ arguments have been at war long before 1973.” The conflict over slavery that resulted in the bloody Civil War was another example, along with the current struggle over abortion “rights,” of a society “adept at rationalizing barbarity.” In another look back at American history, Frederica Mathewes-Green writes about Susan B. Anthony, and why this “hero of the feminist movement” believed abortion was “a most monstrous crime.” This fact was, incidentally, glaringly missing from the recent Ken Burns documentary “Not for ourselves alone: The story of Elizabeth Cady Stanton and Susan B. Anthony” (Cady Stanton herself called abortion “infanticide”).

Finally, (phew! this is quite an issue) we close with a column from the New York *Post*’s Meredith Berkman, which is an example of why we keep at it. Berkman considered herself “pro-choice”—until she heard her unborn child’s heart beat. That “eerie racing noise” did for her what we hope our arguments will do for someone “out there”: it opened her mind and heart to the possibility that we, “the other side,” might just have the truth.

We thank once again Nick Downes for his priceless cartoons—many a weighed-down psyche has been refreshed when his envelope arrives in the mail—and we wish you good reading, until next time.

MARIA MCFADDEN
EDITOR

“The Party of Death”

William Murchison

Emergency, emergency! There he was in New York City, when his cell phone rang. Major mischief brewing. Crucial Senate vote coming up. At stake: truth, justice, and the American way of life.

Like an old fire horse, Albert Gore, Jr., understood the urgency of summons. His nostrils flared.

He interrupted his campaign for the presidency and grabbed a commercial flight for Washington, girding himself, should the occasion arise, to cast the decisive vote on—a *bankruptcy* bill?

A bankruptcy bill. But not just any bankruptcy bill, you understand. This one had an abortion angle, as almost everything seems to these days.

Plans were in the offing to give the bill a pro-choice spin. Democratic Sen. Charles Schumer of New York was proposing an amendment that said no one convicted of a crime against an abortion clinic could evade the financial penalty by filing for bankruptcy. Democratic leader Tom Daschle's sensitive nose smelled trouble. The amendment, opposed by most Republicans, was in difficulty. Sometime Republican presidential contender and all-the-time Senate heavyweight Orrin Hatch was fomenting opposition.

Daschle to Tony Coelho, the Gore campaign chairman: Get Al.

When his cell phone rang, Al was shaking hands with early-morning commuters in Grand Central Terminal. Sorry folks, gotta run. Off to LaGuardia. Not a minute to lose. That US Airways shuttle on time? Whew!

Whisked to Capitol Hill, Vice President Albert Gore, Jr., earnestly, conspicuously eased himself into the Senate presiding officer's chair. The roll was called; breaths were held—and quickly expelled. The Schumer amendment carried 80-17. Hatch and other Senate Republican leaders had called off their dogs. The leading Democratic candidate was not to be allowed the opportunity of boasting he had cast the tie-breaking vote in favor of Closing Escape Hatches to All Who Would Undermine the Right to Choose.

This was of course what the dash to Washington had been about in the first place—as was instantly recognized everywhere. “Lest anyone question Al Gore's commitment to abortion rights, he demonstrated that commitment today . . .” began the New York *Times*' story about the day's activities.

The demonstration drew the expected applause. Said a grateful Kate

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* (1998, Spence Publishing Company, Dallas).

Michelman, speaking for the National Abortion and Reproductive Rights Action League (NARAL). “Without the vice president’s willingness to stand up for the health, safety, and reproductive rights of American women, this vote would never have been possible.” Two weeks later came the first installment of Gore’s payback: NARAL endorsement of his candidacy in preference to that of Bill Bradley, with his virtually perfect pro-choice voting record.

So an amendment passes, an endorsement comes down. And something of still greater consequence happens: A fact of modern politics becomes clearer than ever before, if such is possible. One of America’s two governing parties is inextricably in bondage to the pro-abortion movement, which, on the question of questions—who lives, who dies?—calls all the shots.

A national Democratic aspirant—like Gore—hardly wastes time batting around the pros and cons of a legislative proposal designed to bolster, even in the faintest way, the constitutional right laid down in *Roe v. Wade*. When advised by the pro-abortion movement to jump, such an aspirant is likely to reply with enthusiasm, real or feigned: How high?

Indeed, as with Gore, Daschle, and Coelho, such a suggestion would seem superfluous. A well-plugged-in Democrat need not be informed of his duty. He knows a litmus test when he sees one.

Abortion is the great Democratic litmus test. Unless you’re for it—or have a habit of sinking front teeth into lower lip when the subject comes up—your prospects for success, let alone leadership, within the Democratic Party are nil. Not just truncated or circumscribed—nil is the word. Al Gore, on the mad dash to Washington, proved how perfectly he understands this truth of modern politics.

Well, to be sure, there exist lesser Democratic litmus tests, applied in lesser circumstances. One such is support for affirmative action, or, more broadly, for whatever Jesse Jackson may be cooking up in a given week. Gay rights may in due course become another litmus test. No other test, even so, can match abortion—“reproductive choice,” in the approved lingo. Support of “a woman’s right to choose” signifies solidarity with what may be the Democratic coalition’s crucial constituency—white feminists. The party’s Babylonian captivity to these folk—its refusal so much as to consider a competing or contrasting viewpoint—is the major datum about the Democratic Party.

In their 1996 platform, the Democrats spaciously proclaim “the right of every woman to choose, consistent with *Roe v. Wade*, and regardless of ability to pay. . . . The Democratic Party is a party of inclusion. We respect the individual conscience of each American on this difficult issue . . .” Well,

hmmm—*difficult* issue. Maybe that's the courtesy bow to the differently minded. We Democrats, you see, know how hard this thing is. (On the other hand, we've got it all worked out.)

In 1996, 61 percent of delegates to the Democratic National Convention believed abortion should be permitted in all cases. The percentage that believed abortion should never be permitted was so tiny—if such a “Republican” position enjoyed any representation at the convention—it could not be measured.

It stands to reason. Whereas more men identify themselves as Republicans (36 percent) than as Democrats (32 percent), women Democrats outnumber women Republicans, 43 percent to 31 percent—a “gender gap” of 16 percent. On congressional races, the gap favors Democrats by 11 percent. With pardonable certitude, EMILY'S List, the self-described “political network for pro-choice Democratic women,” boasts that “the strength of the Democratic Party heading into Campaign 2000 continues to be built on support from women voters.” Or, anyhow, “women voters” defined a certain way.

The most revealing evidence of pro-choice's newly sacred character among Democrats: those Bradley-Gore wrangles over who was the pro-est of them all. Me, said Bill, campaigning in New Hampshire. Whoever didn't believe it should just consider Mr. Gore's woefully mixed record on abortion. Mixed? Why, how was that, huh? Mr. Bradley was only too glad to wise up the unwary who might suppose the vice president had some shred of conscience respecting the extinction of unborn life.

Let him just tell you about this guy. Back in 1987, when Gore was a young-pup senator, he answered a constituent letter (from Dayton, TN, where—Bradley might have noted with dark meaning—they tried John Thomas Scopes for teaching evolution!). Gore claimed in his reply that he had “consistently opposed federal funding of abortions.” And why would he do any such thing? “In my opinion, it is wrong to spend federal funds for what is arguably the taking of a human life. Let me assure you that I share your belief that innocent human life must be protected, and I am committed to furthering this goal.”

Actually, as a House member, Gore voted on various occasions against financing abortions with federal revenues. His first such vote, in 1977, was for, of all things, the Hyde Amendment, which blocked the use of federal money on abortions save where the mother's life was in danger. During Gore's tenure in the House, the National Right to Life Committee bestowed on him an 84-percent favorable rating. NARAL for the same period gave him a lousy 23 percent.

What about this? the Bradley campaign wanted voters to ask themselves

and each other. "This is not an issue you can straddle," said Bradley himself (NARAL rating: 99 percent), addressing supporters. "This is not like changing your position on whether taxes should go up from 10 cents to 15 cents." A Bradley commercial made the point that always—always—Bill Bradley had backed abortion rights. "You can't be on both sides," said the ad. Implications don't come much clearer. "Taking of a human life"? Stuff and nonsense.

In truth, Bradley was no more than putting the bellows to some old sparks. The Conversion of Al Gore was a lively topic during the 1992 campaign—raised in various public forums. Gore by then, of course, had changed horses, knowing the old nag he rode in 1987 was fit at best for the glue factory. But it would hardly do to say so. Some might accuse him of insincerity—which some did anyway, despite the clouds of rhetorical smoke in which he sought to lose his questioners.

ABC's Sam Donaldson, gasping and puffing, tried to pin him down. Where did the senator really stand on federal funding of abortion? The senator was for it—under "a comprehensive national health insurance program" such as "the Clinton-Gore team wants to give the American people." There had been no such program back when he cast those votes that people were talking about, and that made everything completely different, see? To CBS' Bryant Gumbel, Gore made the same point.

It was not much of a point. ("Taking of a human life" is OK under national health insurance? But not OK outside it? Socrates, call your office.) Nonetheless, it was the point Gore had to make. He wanted to become Bill Clinton's vice president. There wasn't the slightest chance that an unrepentant yea-sayer to the Hyde Amendment would receive such an honor.

A public recantation might have served some, so to speak, moral purpose. ("Once I resisted the full implications of that wondrous, liberating decision, *Roe v. Wade*. But then the scales fell from my eyes, and I saw . . .") But a recantation at such a moment would have excited more, and probably louder, accusations of hypocrisy than Gore faced anyway. It was better, apparently, to dodge and twist.

Dodging and twisting was all the rage that year anyway, thanks to the top man on the Clinton-Gore ticket. The Clinton acrobatics were not due to accusations of marital infidelity, draft-dodging, and pot-smoking. Bill Clinton, during his tenure as Arkansas governor, was hardly known as a fuming foe of feminism. In 1986, the year before Gore's subsequently famous letter, Clinton wrote a subsequently embarrassing letter of his own. In it he endorsed a state right-to-life amendment. The point the governor made to

Arkansas Right to Life was similar to the one Gore had enunciated: "I am opposed to abortion and to government funding of abortions. We should not spend state funds on abortions because so many people believe abortion is wrong."

Just before New York's Democratic primary, in 1992, Clinton was asked whether he had in fact supported the amendment. He replied: "Well, no, I opposed the vote of the people to ban public funding on that." Maybe it was a case of what the meaning of "oppose" is. In any event, the checkered past of the Democratic Party's presidential and vice presidential candidates bothered the party not at all. The candidates were willing enough, on command, to tug at their forelocks and make all the right noises. They appeared to know what was good for them.

The Babylonian captivity of the Democrats is a problem, naturally, for the Republicans and for the pro-life movement, whose initiatives the Democratic Party manages continually to thwart. But it is a problem for Democrats, also; and, because the Democrats make up one of our two alternative cultures of governing, the captivity affects American culture as a whole.

First, concerning the Democrats. The shackles are newly forged. The party was not always—as Gore's and Bradley's careers and pilgrimages remind us—the party of abortion.

In 1972, Richard Nixon labeled the Democrats "the party of acid, amnesty, and abortion"—the party, in other words, of draft-dodging bums, drug-taking Woodstockers, and irresponsible hippie chicks. This was of course the year before *Roe v. Wade* came down.

Hubert Humphrey, the 1968 presidential nominee, told 1972 audiences forthrightly, "I am not for [abortion]." Neither did Edmund Muskie, Humphrey's 1968 running mate and a Catholic, favor it. Muskie complained that "[Abortion] compromises the sanctity of human life." You could say such things then and get away with it. The future orthodoxy was not even latent. It was void, and without form. The women's movement, such as it was, was new: a collection of bra-burners. No political party was going to let such as these dictate to it.

Not even the Democrats' eventual nominee, George McGovern—widely regarded as the most radical nominee since William Jennings Bryan, if not more so—stood firmly in the pro-abortion camp. "You just can't let anybody walk in and request an abortion," McGovern told *Time* magazine. What should be done? The states should decide. The states! Many pro-life Americans today would clutch eagerly at such a formula.

Indeed, McGovern's original running mate, Tom Eagleton—best remembered

now for an untimely and untidy withdrawal from the ticket after revelations about past electric shock treatments—was Roman Catholic and robustly pro-life. (I am indebted to Ohio's John M. Ashbrook Center for Public Affairs for marshaling this summary.)

The consequences of the Democrats' Babylonian captivity are obvious enough in the realm of legislation—pro-life initiatives throttled, pro-choice judges nominated, etc., etc.—but the matter goes beyond the legislative sphere. There are moral implications.

Moral? did I say. Sorry, sorry; we're not supposed to talk like that. The abortion question is *beyond* morality. As to this "difficult question," Democrats "respect the individual conscience of each American." Why should it go further? But it does. Some preliminary thoughts on this matter:

First, the Babylonian captivity gives birth to a culture of deceit. Of—at the very least—non-forthcomingness and evasion. A pro-life voting record of 84 percent might commend itself to various Americans, on grounds apart from those the Gore campaign has chosen to emphasize—e.g., environmentalism, gun control, gay rights, "fair" tax cuts, and so on. In Babylon you don't own up to such a record. You deny it. Your captors insist, as a matter of fact.

Thus Gore: "I've always supported *Roe v. Wade*. I have always supported a woman's right to choose" (Jan. 29, 2000). "I have always strongly supported the principles embodied in the *Roe v. Wade* decision" (July 13, 1992). "My position has never changed. I've always held the same position and hold the same position now" (July 13, 1992).

Dragging out of Gore the admission that in his impetuous youth, "always" meant something less than ALWAYS!!!, was equivalent to digging out wisdom teeth. The shame and the scandal is that, in a position such as Gore's, deceit struck him as the only remedy—if indeed he considers it deceitful to cover up for the sake of A Good Cause.

He wants to be president. But you don't get so much as the go-ahead from your own party without first making your kow-tow to those who control its abortion policy. Oh, Great Ones! Oh, All-Knowing Ones! This worthless lump of bones and dust would kiss your feet!

You don't have to be running for office to practice evasion. Dishing out the endorsement of Gore, NARAL's Michelman served up a morsel of her own concoction. She and NARAL don't want abortion used as "a wedge issue between two pro-choice candidates." To avoid such a possibility, we'll take the word of the one who did less for us in the past but stands to do more in the future (now that—shhhhh—it looks like he'll be the nominee). She means, the wedge has already done its work. Let's return it to the tool box.

What hope, under such circumstances, for rational assessment of *Roe v. Wade*, and of the abortion culture it ushered in? No great hopes in the political arena, where the gathering of votes is the great purpose. For now the human life question, such are the political commitments it exacts, is closed to discussion. How such a state of affairs can be healthy for democracy (much less for unborn babies) seems a good question but hardly a touchable one. In a democracy, political questions are supposed to be open—at least wide enough for conversation. The Democratic Party, whose name would seem to suggest a commitment to democratic principles, has closed down the discussion tight as a sewer cover.

Not without some cost to itself—which is my second consideration. The Democratic Party's decision to make over its image in pro-choice terms is the decision to make over the party. Parties evolve, yes. Blacks forsook the "party of Lincoln," Southerners and conservatives broke and ran from the old Franklin Roosevelt coalition. In no previous case, however, had one political party or the other made central to its personality, its cult, the defense of a lifestyle choice.

The old assumption (before there was such a word as "lifestyle") was that not all choices were of equal worth and weight. Some were better than others; some *righter*.

The present stand, in Democratic circles at least, is that no stand is the right stand. But "no stand" as to what? A claimed right to take life. This is without precedent. The Democratic party's agnosticism (however cynical) concerning "choice" vacates its moral authority on other questions. Saying that any choice is right is the same as saying no choice is wrong. If there are no "wrong" choices concerning abortion, how can it be said there are "wrong" choices on guns, on cigarettes, on the environment, on anything?

We have deceit, then, and we have moral vacuity—both at large among the Democrats, thanks to the way they have chosen to handle abortion. Strains and stresses are starting to show—as in Margaret O'Brien Steinfels' powerful article, "Democrats and Catholics," in the Fall 1999 issue of *Dissent*. Here Steinfels—a liberal Catholic and bred-to-the-bone Democrat—laments that she is "coming to think of the Democratic Party not as the party of the people, or the party of the poor and vulnerable, but as the party of death." She sees the right to abortion as "here to stay," yet she objects strenuously that Democrats and liberals are making abortion "the lens through which candidates and issues must be scrutinized"—an effect not on view even in the feverish gun-control debate.

The Babylonian captivity of the Democratic Party, however dangerous to

the party, is likely to last a while longer. The party's chains may actually suit right now the public mood of active ambivalence about abortion. But deceit tells after a while on individuals. How much more so on a powerful human entity with which millions identify themselves, and which exercises power over all these and millions more.

Here's a watchword you don't hear much unless you travel in morally engaged circles: The day of reckoning is coming. You can lie, but you can't hide. And, no, you can't lead, either, not if those to whom you appeal are looking for a wholly different product: the truth.



"I'M SORRY. I MEANT WE'RE BANKRUPT IN THE MORAL SENSE."

UN Pro-life Lobbying: Full Contact Sport

Austin Ruse

Last March more than 800,000 ethnic Albanians crossed the border between Kosovo and Albania. Running from Serb soldiers and NATO bombs, the refugees settled into camps organized hastily all over Albania—in schools, churches, abandoned factories, and tents put up in fields. The whole world watched as frightened, wounded, hungry refugees reached out for help. And just about the whole world responded, including a UN agency called the United Nations Population Fund (UNFPA).

UNFPA is a \$295-million-a-year agency dedicated to population control or, as it is now euphemistically known, “reproductive rights.” In the early days of the emergency, what the refugees desperately needed was food and medicine. However, UNFPA’s one and only response was to send enough “reproductive health kits” to last 350,000 people in the field for six months. These packages of contraceptive devices included something called a “manual vacuum aspirator,” used for performing abortions in the field.

At the request of the Population Research Institute (PRI), I traveled to Albania to investigate charges of human-rights abuses being committed in the name of “reproductive rights.” The concern was that the refugee women were being coerced into sterilizations and even abortions. This type of abuse goes on all over the world and generally involves bribing women with food or medicine, while not fully informing them of all the complications of these procedures. With the highest birth-rate in Europe, the Kosovar women are a juicy target for the population-control ideologues at UNFPA and its aggressive field partners, the International Planned Parenthood Federation (IPPF) and Marie Stopes International.

For eight days last June, I traveled with an Albanian translator and a driver over what must be the worst roads in Europe. We traveled into the far north, to a mostly Catholic town called Durrës, and into the far south, to a town on the warm Ionian Sea called Vlora. Over this eight-day period I visited more than a dozen camps and interviewed more than a hundred refugees and aid workers.

I discovered some good news and some bad news.

First, UNFPA seems to be something of a paper tiger. While it has lots of money to spread around and is able to reach out and intimidate governments,

Austin Ruse is president of C-FAM (Catholic Family & Human Rights Institute), the only pro-life/pro-family organization working full-time at United Nations headquarters in New York City.

it is basically a “headquarters” operation and does not have the personnel to run many programs on the ground. I discovered a small and only marginally motivated staff in the Albanian capital of Tirana. The staff seemed only occasionally to have left their comfy offices.

However, UNFPA must rely on partners to run its population-control programs, which allows it a great deal of “deniability.” UNFPA, for instance, insists that its manual vacuum aspirators are only for assisting at live births or for completing botched abortions. Yet the head of the Vlora office of the Albanian Family Planning Association, a part of IPPF, told me they were used “only for abortion.” When confronted with this, UNFPA spokesmen say they cannot be held responsible for the way their partners use UNFPA equipment.

In the eight days I was there, I discovered only one case that could be considered an abuse. A peasant woman in Vlora had been given an abortion at the government’s regional hospital and not been told of the negative medical consequences to her. As to bribes with food and medicine, I saw none. Except for the earliest days of the crisis, the country was awash in assistance. The streets and highways were clogged with new white all-terrain vehicles belonging to governments, non-governmental organizations (NGOs), and intergovernmental agencies. In this situation, women did not have to bargain away their fertility for food or medicine.

And their need would have to be great, for I discovered almost no interest among the Kosovar women in the “reproductive health” technologies of UNFPA and its partners. Kosovars remain committed, at least for now, to large families. Indeed, an American nurse told me that “telling a Kosovar woman she is pregnant is like making her whole world.”

On my last day in Albania, I visited the UNFPA-UNICEF compound not far from the nearly abandoned U.S. Embassy in dusty downtown Tirana, to interview the head of UNFPA’s operation in Albania. Roseanne Murphy had just arrived from the United States and had taken a whirlwind tour of the country by helicopter. I told her that UNFPA was very disorganized—for example, I had found only one “reproductive health kit” in a regional hospital in Vlora, and it was still wrapped. She angrily agreed and wanted me to “tell them in New York [at UNFPA].” I reported to her what I had learned about Kosovar women’s love of large families. She said, “That is just the boys talking.” I told her that, even with the rumors of widespread rape of Kosovar women by the Serbs, I had discovered no more than a dozen abortions in the camps and hospitals. She expressed surprise.

By this time, the war in Kosovo had ended, so I asked her what was next for UNFPA. She told me she intended to “plant the UNFPA flag in every

region of Kosovo.” She said UNFPA intended to follow the targeted population back to their homes and villages.

Critics of UNFPA say it is a very aggressive agency that horns its way into countries that don’t want its reproductive wares. UNFPA insists it never goes anywhere without an invitation by the host government. Upon returning to New York, I asked Stirling Scruggs, head of external communications for UNFPA, who had invited UNFPA into Kosovo. He said that UNFPA was invited into Kosovo by the Yugoslav government. Moreover, he said UNFPA had already been there a few months before, to do a “needs-assessment survey” with a view to later doing “regular programs.” He left this on my office voice mail. I saved the tape.

The Yugoslav government alluded to by Scruggs was none other than the Milosevic regime, the same entity that had spent the previous several months trying to kill off Kosovars. After years of Soviet-style rule, Milosevic’s Serbia has among the highest abortion rates and the lowest fertility rates in Europe. So the Serbs hated the Kosovars not just for religious reasons, but also for reasons of demography. UNFPA was only too happy to assist the Serbs with the demography question. UNFPA has long been charged with cutting human-rights corners in cozying up to oppressive regimes like China’s and Peru’s. And here it was clearly aiding Milosevic in his desire for fewer Kosovars.

I reported this finding in *PRI Review* and in *Catholic World Report*. This was during the time that UNFPA’s request for \$25 million was being debated in the U.S. Congress, an idea fought vociferously by pro-life lobbyists and conservative congressmen. The last thing UNFPA needed was charges of playing footsie with a genocidal lunatic, indeed that it was helping him carry out ethnic cleansing, via manual vacuum aspirators instead of Russian-made rifles.

UNFPA immediately started spinning tales. Tale number one was that my report was a lie, that Scruggs had not said UNFPA had been invited in by the Yugoslav government. I had saved the tape. The next tale came from UNFPA spokesman Corrie Shanahan, who said UNFPA wasn’t invited by the Milosevic regime; rather, UNFPA “invited itself.” The final and most improbable story came from yet another UNFPA flack, Alexander Marshall, who claimed that UNFPA personnel sneaked into Kosovo without permission or invitation. This is supposed to have happened late in 1998, while NATO was dropping bombs and Serb troops were committing atrocities. Apparently these were some very dedicated prophylactic salesmen.

The story was picked up by New York *Post* columnist Rod Dreher, and it carried quickly to the media all over Kosovo. Another PRI investigator sent

to Kosovo reported that the locals were calling the UNFPA “reproductive rights” intervention the “white plague.” Pro-life lobbyists on Capitol Hill widely distributed my tape of the Scruggs admission, and PRI put it on its website. UNFPA charged me and PRI with killing women in Kosovo. After a bitter fight, UNFPA was refunded by the U.S. Congress.

To date, UNFPA’s programs continue in Kosovo, and without doubt the abortion rate in Kosovo has begun to rise. If UNFPA stays in place, the Kosovar birthrate will surely decline precipitously within the next five years.

Interventions like the one in Albania and Kosovo do not happen by accident, nor do they happen in a vacuum. While this story exhibits the sharp knife-edge of the UN’s obsession with “reproductive rights,” the real story begins with UN documents that are used with brutal efficiency against target populations. The Albania-Kosovo intervention could not have occurred without written directives. Indeed, every official memo I read in Albania was replete with references to UN documents.

This is the story of how these UN documents are negotiated, and how the pro-life world has finally engaged the river of death at one of its key sources. This still unfolding Kosovo tragedy really began in quiet and carpeted conference rooms at UN headquarters in New York City.

II.

Half a dozen feminist lobbyists surround a Vatican diplomat, berating him for the Church’s position. A well-connected radical feminist shakes her finger in the face of a conservative western diplomat, threatening his job. A UN bureaucrat pushes a pro-life lobbyist away from the photocopier she was trying to use. A supporter grabs a well-known Catholic journalist, demanding to know her identity. Uniformed UN security officers detain and beat a Muslim pro-life journalist and permanently bar him from the UN.

As the sun rises, a Catholic priest stands in a dark UN conference room, reading the prayers of exorcism. Gray-haired women wander through a UN conference, their lips moving almost imperceptibly, praying for the success of the pro-life effort. A platoon of “prayer warriors” hole up in a monastery in The Hague asking for confusion among the pro-abortion forces.

On both the physical and spiritual planes, pro-life lobbying in the United Nations is a full contact sport.

All this is quite new. Though some at the UN have long dabbled in abortion and population control, the battle was not joined by pro-life forces until 1994, when John Paul II made a universal call for people of faith to descend

upon Cairo, Egypt, for the International Conference on Population and Development.

At Cairo, battle lines were drawn that exist to this day. On one side, pushing the radical agenda, are the liberal western states—the US under Bill Clinton, the European Union, and Canada. On the other side, defending life and family, stands what the Left calls the “unholy alliance” of the Holy See, some Muslim and Arab states, and a smattering of Catholic countries in Latin America. Sprinkled on both sides are the lobbyists and NGOs, but most heavily—about a thousand to one—on the pro-abortion side.

Until the fall of the Berlin Wall, the UN’s work was largely submerged in the power politics of the Cold War. Both the Soviet Bloc and the Western Alliance kept everyone’s attention focused on that crucial struggle. When the Wall fell, all the pent-up desire for sexual liberation broke forth, drowning most UN debates in talk of “reproductive rights.”

More than two hundred people answered the Pope’s call in the spring of 1994 and went to Cairo. They knew next to nothing about what they would find there. They had no friends among the diplomats, and UN documents read like hieroglyphics to them. They were the most ordinary of heroic citizen-lobbyists, housewives mostly, who only knew this: that something bad might happen there and that they were needed. The UN pro-life movement was born at Cairo, and those citizen-lobbyists, working with the “unholy alliance,” beat back the radicals on a number of important points.

The most significant victory came on the question of “reproductive rights.” The radicals were deadly intent on naming abortion as an international human right. Instead, what they got was an explicit exclusion of abortion as a method of family planning. The “Cairo Exclusion” still rankles them. More than anything else, they intend to overturn the Cairo Exclusion, to direct all governments to liberalize their laws on abortion. The radicals began their long march through the UN conferences, an honor roll of place names—Rio, Istanbul, Rome, Copenhagen, Beijing—that have been battle grounds in the war between the Culture of Life and the Culture of Death. All along the way, the radicals were met by the citizen-lobbyists for life.

What UN conferences do is produce documents. Cairo produced the Program for Action; Beijing, the Platform for Action; Rio, Agenda 21; and so forth. The first thing to know about these documents is that they are merely aspirational statements that are wholly non-binding upon governments. And yet the backdrop of exotic locales and thousands of participants invests the documents with a kind of authority they do not actually possess.

These non-binding documents cause problems in several ways. First, proponents promote them as binding and use them as clubs to beat weaker

states into submission. They are used this way by radical NGOs, but also by powerful international institutions like the World Bank. In recent months, the World Bank has been telling some small nations (which must remain nameless for fear of retribution) that they must change their laws relating to gender in order to get much-needed development loans. The World Bank is using a purposeful misreading of the Beijing document in doing this.

A related problem is even more serious because it's more insidious. Without trying to claim that the documents are binding, proponents still promote them as international "standards," which countries are finding increasingly difficult to resist. Moreover, through the repeated use of key phrases and ideas, these "standards" are producing a new kind of "customary law" to which national courts are already referring. So, we have the specter of non-binding UN resolutions entering into legal systems as somehow binding.

Another problem is one of interpretation. Even after governments negotiate a meaning into a document, UN bureaucrats reinterpret it to mean almost anything they desire. The UN High Commissioner for Human Rights, the former president of Ireland, Mary Robinson, will tell anyone willing to listen that the Universal Declaration of Human Rights allows for homosexual marriage. Of course, it does no such thing.

The UN negotiations themselves are messy enough. UN conferences happen on many levels and in many locales, and it is easy to miss the real action. Pro-lifers often press their noses against the glass without truly getting to the inside of the debate.

While a UN conference eventually leads to a Special Session of the UN General Assembly, this is mostly a pro-forma ratifying session. All the real input begins long in advance with "regional" or "technical meetings" at far-flung locales that only the very well-funded can attend. The currently ongoing five-year review of the Beijing Conference held "regional meetings" in Lima, Geneva, and Bangkok. Funded heavily by mega-foundations like Ford, Gates, and Soros, radical feminists have no trouble attending even the most remote meetings.

Regional and technical meetings lead to one or more preparatory committee (prepcom) meetings in which governments actually begin negotiating the document. And this is one of the great mysteries of UN conferences. A proposed document is written long in advance by—well, we really don't know. We believe these documents are written by UN bureaucrats, so-called "experts," with some input from a small group of UN delegates called the "bureau." The "bureau" changes with each conference, as do the bureaucrats who draft each document.

A document is kept absolutely under wraps until shortly before the opening of the final prepcom. It is even withheld from UN delegates until the very last minute, the better to keep pro-life delegates and NGOs in the dark, off-guard, unorganized.

Actual UN debates go like this. First the US speaks, then the European Union, then the Group of 77, then Canada. The Holy See speaks, but only at the most important moments. That is generally it. Nations inside a bloc rarely speak outside it. Thus an outsized portion of the behind-the-scenes action at a UN conference takes place at the spirited meetings before the official sessions where the various blocs hammer out their positions.

The 15 states of the EU negotiate together and speak with one voice. The 135 nations of the developing world, where the best friends of life and family sit, negotiate and speak under the name of the G-77. However, the pre-session negotiation sometimes includes threatening attempts to break apart the larger and more fractious and less powerful G-77.

The pressures at these negotiating sessions can be powerful. So you see the pro-life nation of Ireland, afraid of losing billions in EU money, never speaking up, always allowing the EU, driven by the Scandinavian countries and Germany, to promote the most anti-life and anti-family policies imaginable. You also see conservative countries that desire EU membership, like Poland, only rarely opposing radical initiatives.

At its barest essentials, UN pro-life lobbying works like this. Pro-lifers get the document, generally from a friendly delegation, and scour it to find all the tricks of language, all the traps and bogeys. They then write counter language and then go hunting for diplomatic friends to fight for their language.

NGO lobbyists have full access to almost all UN negotiating sessions. This is one of the great blessings and great curses of the place. At almost any time, NGO lobbyists can walk right into the conference room, generally one of three enormous basement rooms with 50-foot windows overlooking the East River at UN headquarters in New York City.

NGO lobbyists need to move quickly to make friends in delegations; conferences only last an average of ten days. So, much of a UN conference is taken up with this constant hunting for friends. A pro-life lobbyist will just walk into a delegation and begin talking. Pro-lifers do not try to fly under any ideological radar. They are quite straightforward as to who they are and what they want. This because time is short and friends must be found. And not just friends, but brave friends who are willing to speak. A friend who does not speak might just as well sit in the opposing camp. Only audible voices can change a UN document. Silence is acquiescence.

The UN works by consensus, which supposedly means that every nation must agree to every jot and tittle. Theoretically this means any single delegation can kill any piece of language it finds objectionable. Of course, the reality is quite different. Very few single delegations have the incredible courage to stand up to the entire world. Terrible pressure is brought to bear upon recalcitrant delegations. They are berated by other delegations, by radical NGOs, by senior UN bureaucrats, by the press. Still, it frequently happens that a small group of delegations can band together for safety and beat back some bad language. On questions of life and family this courageous coalition tends to be those states first brought together at the Cairo conference: Muslim Arab states, Catholic states from Latin America, and the Holy See.

This coalition is not easy to maintain. Most nations need massive unilateral and multilateral financial assistance. This is the threat—to lose financial aid and be considered an outcast in the international community. Only a few states can stand that kind of heat. They tend to be states that many consider outcasts already, those that won't ever receive western aid, like Iran, Libya, and the Sudan. And indeed, in the just completed Cairo+5 process, these were almost the only states that vigorously stood up to the feminist onslaught. During the final prepcom for Cairo+5, at the start of a late-night session that promised to be particularly bloody, a Christian lobbyist went to the Sudanese negotiator (the Sudanese currently countenance the enslavement of Christians in their own land) and informed him that when the debate turned ugly, he should know that right over in the corner, 20 Christian lobbyists would be praying for him. The Sudanese Muslim was visibly moved, and that night he rose to the promise and repeatedly and aggressively intervened for life and family and explicitly allied himself with Christian NGOs.

Because pro-life delegations tend to come from small and poor nations, the support of Christian NGOs is vital to this effort. And the nature of that support has changed over time. The amateur citizen-lobbyists of the first Cairo conference, who knew neither diplomats nor documents, have become professional. They now provide vital staff services for small and under-funded delegations. Furthermore, the pro-life team has been in place and working together for many years, and now has experienced pro-life lawyers and veteran lobbyists. Small delegations eagerly await the pro-life analysis and use it freely during the debate. The pro-life team sits near the conference floor with laptop computers funneling new language to friendly delegations. This working relationship has grown so effective that at Cairo+5, a very powerful UN bureaucrat ordered Muslim delegations to stop working so closely with Christian NGOs.

Although the game has changed in terms of the depth of experience now possessed by the pro-life side, the fight is the same. It is over language used by the other side to disguise positions that could not carry the day if they were put forth honestly.

Take the central term “reproductive rights.” Until the first Cairo conference, the term was rarely used. A UN bureaucrat admitted as much at a briefing for the European Parliament a few months ago. He said “population control” had become discredited as too authoritarian, so at Cairo they changed the term to “reproductive rights.” This term has become the steadiest drum-beat at the UN: After all, the line goes, only the most backward and ignorant people could be against a woman exercising her “reproductive rights.” The other side insist the term has nothing to do with abortion, and pro-life delegations have fallen for the argument. But, according to the official definition issued by the World Health Organization, “reproductive rights” includes the right to fertility regulation, which explicitly includes the right to abortion.

This is where repetition of language becomes so insidious. “Reproductive rights” has been used so many times in so many documents that it is now part of the international wallpaper.

Then there is the lying. Pro-life lobbyists and delegations have been fighting for almost two years over the phrase “enforced pregnancy.” In Rome during the summer of 1998, 120 nations voted in favor of establishing an International Criminal Court (ICC) that would try individuals in four broad areas: genocide, war crimes, crimes against humanity, and aggression. The US, India, China, and many other states either voted against it or abstained. The ICC is distinct from the World Court in The Hague, which hears only cases arising from disputes between nations. The ICC would be a permanent Nuremberg-style war-crimes tribunal for individuals.

Supposedly to be used against crimes of the most outrageous nature, the ICC has from the start offered radical feminists an opportunity to put very sharp teeth in their desire for social engineering on a very broad scale. What’s more, most of the western nations have ceded partial control of the negotiating process to these radical feminists. In private negotiating sessions, diplomats from the most powerful nations are heard to exclaim, “But what will the Women’s Caucus say about this?”

More than a year ago, radical feminists introduced the term “enforced pregnancy” in two contexts: “war crimes” and “crimes against humanity.” These feminists maintain that the term relates only to the sort of thing that happened during the darkest days of the Bosnian conflict when Bosnian

women were repeatedly raped and impregnated by Serb soldiers as a way of humiliating their enemies and changing the ethnic composition of the Bosnian people. But part of the proposed statute makes the simple fact of a woman's being pregnant an element of a crime.

Pro-lifers see this as a dangerous precedent, an opening for international abortion on demand. Indeed, the phrase has been used in a court case in Utah that had nothing to do with rape. In the Utah case, "enforced pregnancy" simply meant that a woman couldn't get an abortion. Feminist law-review articles use the term in this way, too.

Veteran pro-life lobbyists spent the entire spring of 1998 convincing the Muslim and Catholic delegations of the true meaning of this phrase. After four months of steady lobbying, finally, at the Rome conference, lonely Qatar insisted upon the narrowest Bosnian definition. In subsequent meetings, however, the term has again come up for debate; the question will not be finally decided until the fall of this year. It may actually happen that the fact of a woman's being pregnant will be an element of a criminal offense in the new ICC.

This sort of thing is a language problem in a more basic sense. While the UN translates the negotiated documents into many different languages, and while the UN provides immediate voice translation into half a dozen languages, the concepts come almost exclusively from the West, and are almost totally foreign to diplomats from the Middle East, the Far East, and Africa. Furthermore, the most controversial parts of documents are saved for sessions at the ragged end of the conference, often late at night when the translators have gone home. So you have diplomats forced to negotiate, in a foreign language, concepts that are more foreign still.

The prospects for the UN pro-life movement in the coming months and years are both good and bad. The first thing to take into account is that none of this—Cairo, Beijing, Rio, Istanbul—would have happened if it were not for the Clinton Administration. In our country, foreign policy is almost the private preserve of the President. This is especially true in the backwater of the UN. Moreover, there is no record of the speeches here, and the US delegation can proclaim almost any radical notion it wishes. The Clinton Administration feels completely free to advance ideas at UN conferences that would never fly in domestic political discourse.

The near-term plans of the UN pro-life movement are to attempt to soften the negotiating position of the European Union. Working with national legislators in a few European countries, and with what may be more than one hundred pro-life members of the European Parliament, pro-lifers will

attempt to slow the radical juggernaut of the EU. Pro-lifers are also reaching out to senior government officials in the Middle East and Latin America. They believe they can build a more permanent opposition to the pro-abortion position at the UN, but only by working through home governments talking to national legislators, foreign secretaries, and even presidents of countries.

But even if these two efforts are successful, pro-life delegations will remain vastly outnumbered. Pro-life NGOs will remain outnumbered a thousand to one, and outspent a million to one. So the UN pro-life movement will remain in a defensive posture, only able to stop the most radical provisions and rarely able to initiate language that overtly supports life and family.

But the prospects for our movement at the UN rest chiefly on the outcome of the next US presidential election. If the next US administration is pro-life, everything will change. If not, the disaster continues.

Testimony of A Nun

Translated by Peter Hopkins, L.C.

[Editor's note: Father Peter Hopkins, L.C., came across this extraordinary letter in an Italian newspaper. Written by a young nun named Sister Lucy Vertrusc, who was raped in 1995 during the war in the former Yugoslavia, it was published at the behest of her Mother Superior (J.S.V.), who wrote the introduction which accompanies the letter.]

Your kingdom Come!
Where there is hatred,
let me bring your love

I spoke to them about peace, about the vocation of Christians. I made them pray slowly in the Prayer of Saint Francis.

The commentary that surprised me on the way out was, "Look, everything that you have been telling us and that prayer you made us recite is just . . . celestial music. Don't you understand that this is a 'step on or be stepped on world, the law is 'rob or be robbed.'" Those words have been engraved in my memory ever since.

I am publishing this letter of Sister Lucy Vertrusc, a victim of the war in Bosnia-Herzegovina. In hopes of it finding the eyes of that girl of few years back so that she can see that her objection was misled and that this prayer of St. Francis is both heavenly music and Christian reality.—J.S.V.

Testimony of a Nun raped during the War in the former Yugoslavia

I am Lucy, one of the young nuns raped by the Serbian soldiers. I am writing to you, Mother, after what happened to my sisters Tatiana, Sandria, and me.

Allow me not to go into the details of the act. There are some experiences in life so atrocious that you cannot tell them to anyone but God, in whose service I had consecrated my life nearly a year ago.

My drama is not so much the humiliation that I suffered as a woman, not the incurable offense committed against my vocation as a religious, but the difficulty of having to incorporate into my faith an event that certainly forms part of the mysterious will of Him whom I have always considered my Divine Spouse.

Only a few days before, I had read "Dialogues of Carmelites" and spontaneously I asked our Lord to grant me the grace of joining the ranks of those

Father Peter Hopkins, L.C., is the director of the Legionaries of Christ's Thornwood Education Center in Thornwood, New York.

who died a martyr of Him. God took me at my word, but in such a horrid way! Now I find myself lost in the anguish of internal darkness. He has destroyed the plans of my life, which I considered definitive and uplifting for me, and He has set me all of a sudden in this design of His that I feel incapable of grasping.

When I was a teenager, I wrote in my Diary: Nothing is mine, I belong to no one, and no one belongs to me. Someone, instead grabbed me one night, a night I wish never to remember, tore me off from myself, and tried to make me his own . . .

It was already daytime when I awoke and my first thought was the agony of Christ in the Garden. Inside of me a terrible battle unleashed. I asked myself why God had permitted me to be rent, destroyed precisely in what had been the meaning of my life, but also I asked to what new vocation He was calling me.

I strained to get up, and helped by Sister Josefina, I managed to straighten myself out. Then the sound of the bell of the Augustinian convent, which was right next to ours, reached my ears. It was time for nine o'clock matins.

I made the sign of the cross and began reciting in my head the liturgical hymn. *At this hour upon Golgotha's heights,/ Christ, the true Pascal Lamb,/ paid the price of our salvation.*

What is my suffering, Mother, and the offense I received compared to the suffering and the offense of the One for whom I had a thousand times sworn to give my life. I spoke these words slowly, very slowly: *May your will be done, above all now that I have no where to go and that I can only be sure of one thing: You are with me.*

Mother, I am writing not in search of consolation, but so that you can help me give thanks to God for having associated me with the thousands of my fellow compatriots whose honor has been violated, and who are compelled to accept a maternity not wanted. My humiliation is added to theirs, and since I have nothing else to offer in expiation for the sin committed by those unnamed violators and for the reconciliation of the two embittered peoples, I accept this dishonor that I suffered and I entrust it to the mercy of God.

Do not be surprised, Mother, when I ask you to share with me my "thank you" that can seem absurd.

In these last months I have been crying a sea of tears for my two brothers who were assassinated by the same aggressors who go around terrorizing our towns, and I was thinking that it was not possible for me to suffer anything worse, so far from my imagination had been what was about to take place.

Every day hundreds of hungering creatures used to knock at the doors of

our convent, shivering from the cold, with despair in their eyes. Some weeks ago, a young boy about eighteen years old said to me: *How lucky you are to have chosen a refuge where no evil can reach you.* The boy carried in his hands a rosary of praises for the Prophet. Then he added: *You will never know what it means to be dishonored.*

I pondered his words at length and convinced myself that there had been a hidden element to the sufferings of my people that had escaped me as I was almost ashamed to be so excluded. Now I am one of them, one of the many unknown women of my people, whose bodies have been devastated and hearts seared. The Lord had admitted me into his mystery of shame. What is more, for me, a religious, He has accorded me the privilege of being acquainted with evil in the depths of its diabolical force.

I know that from now on the words of encouragement and consolation that I can offer from my poor heart will be all the more credible, because my story is their story, and my resignation, sustained in faith, at least a reference, if not example for their moral and emotional responses.

All it takes is a sign, a little voice, a fraternal gesture to set in motion the hopes of so many undiscovered creatures.

God has chosen me—may He forgive my presumption—to guide the most humble of my people towards the dawn of redemption and freedom. They can no longer doubt the sincerity of my words, because I come, as they do, from the outskirts of revilement and profanation.

I remember the time when I used to attend the university at Rome in order to get my masters in Literature, an ancient Slavic woman, the professor of Literature, used to recite to me these verses from the poet Alexej Mislovic: *You must not die/ because you have been chosen/ to be a part of the day.*

That night, in which I was terrorized by the Serbs for hours and hours, I repeated to myself these verses, which I felt as balm for my soul, nearly mad with despair.

And now, with everything having passed and looking back, I get the impression of having been made to swallow a terrible pill.

Everything has passed, Mother, but everything begins. In your telephone call, after your words of encouragement, for which I am grateful with all my life, you posed me a very direct question: *What will you do with the life that has been forced into your womb?* I heard your voice tremble as you asked me the question, a question I felt needed no immediate response; not because I had not yet considered the road I would have to follow, but so as not to disturb the plans you would eventually have to unveil before me. I had already decided. *I will be a mother.* The child will be mine and no one else's. I know that I could entrust him to other people, but he—though I neither

asked for him nor expected him—he has a right to my love as his mother. A plant should never be torn from its roots. The grain of wheat fallen in the furrow has to grow there, where the mysterious, though iniquitous sower threw it.

I will fulfill my religious vocation in another way. I will ask nothing of my congregation, which has already given me everything. I am very grateful for the fraternal solidarity of the Sisters, who in these times have treated me with the utmost delicacy and kindness, especially for never having asked any uncaring questions.

I will go with my child. I do not know where, but God, who broke all of a sudden my greatest joy, *will indicate the path* I must tread in order to do *His will*.

I will be poor again, I will return to the old aprons and the wooden shoes that the women in the country use for working, and I will accompany my mother into the forest to collect the resin from the slits in the trees.

Someone has to begin to break the chain of hatred that has always destroyed our countries. And so, *I will teach my child only one thing: love.* This child, born of violence, will be a witness along with me that the only greatness that gives honor to a human being is forgiveness.

Through the Kingdom of Christ for the Glory of God.

Kids and Euthanasia

Rita L. Marker

Could children ever be eligible for euthanasia?

Even to ask such a question brands the questioner as a hysterical opponent of euthanasia trying to use emotion-laden scare tactics.

Euthanasia supporters have worked mightily and successfully to persuade the public that the typical recipient of legalized death would be an elderly person who, on his deathbed, freely chooses to die sooner rather than later. This image has been cemented in the public consciousness. Even opponents of euthanasia are affronted by any suggestion that young people would be among the targets were assisted suicide legalized.

This was readily apparent during a 1997 campaign to repeal Oregon's "Death with Dignity Act." In 1994, Oregon became the only place in the entire world where the law has transformed the crime of assisted suicide into a medical treatment. The law was held up in the courts and, before it went into effect, voters were faced with an attempt to repeal it. Television commercials were duly produced. One such commercial, intended to persuade voters to overturn the law, was the "Billy" commercial. It depicted a young man of about 19 or 20 who appeared frightened and desperate on receiving the diagnosis of a terminal condition and opted for the lethal dose. A voice-over explained that Billy's death from the drugs, far from being peaceful, could be lingering and painful.

The Billy ad was rejected by six television stations, including all three network affiliates in Portland. It was called "distasteful," "over-the-edge," "disgusting," and "unbelievable" by both sides. Although some of the rejection of the commercial's message centered on the claims about lingering death, most people were turned off by Billy's youth. No one could believe that someone who looked like a college freshman would qualify for doctor-assisted suicide.

The ad—although accurate—went too far. It violated a major tenet in the art of argument and persuasion: "If a listener *thinks* that you are speaking falsely about any fact, she will be less likely to believe other facts that you assert or inferences that you suggest should be drawn."¹

That is, not only is it important to tell the truth, it is also important to tell the *believable truth*. Until now, facts about euthanasia and children

Rita L. Marker, an attorney, is the executive director of the International Anti-Euthanasia Task Force and the author of *Deadly Compassion: The Death of Ann Humphry and the Truth about Euthanasia* (William Morrow, 1993).

have been clearly in the realm of *unbelievable truth*. But, last summer, a development in the Netherlands changed that ever so slightly.

Wake-up Call from the Netherlands

Euthanasia has been widely and openly practiced in the Netherlands for years, yet it has remained technically illegal. (The practice is justified under the legal doctrine of *force majeure*. Under this doctrine, it is deemed that physicians are caught between two duties—following the law and relieving patient suffering—and, thus, responsibility to the patient makes euthanasia permissible, if not legal.) In mid-August, the Dutch government published a proposal to formally legalize the practice.

According to the proposal, euthanasia would be legal if:

- The patient makes a voluntary request;
- The patient is suffering irremediable and unbearable pain (Note: *Dutch court decisions have found that either “psychic” (emotional) or physical pain can be used to meet the criterion of “unbearable suffering,” terminal illness has never been a requirement for euthanasia in the Netherlands*);
- All medical options have been exhausted;
- A second medical opinion has been obtained;
- The euthanasia death is “carefully carried out”; and
- The case is reported by the physician.²

These provisions would have received little attention—other than a report that technical legalization of a current practice was set to take place—had it not been for another aspect of the proposal: It also provided for legalization of euthanasia for children. World attention focused on that aspect of the plan: “The most eye-catching aspect of the bill, and one that has focused international attention on the Netherlands, is that it would give children between the ages of 12 and 16 the right to request euthanasia and—with the doctor’s consent—have their wishes prevail even if their parents object. Those 16 and above would be treated as adults.”³

In the public eye, this provision was astounding. True, it had been common knowledge for years that disabled newborns were being euthanized in the Netherlands. In fact, the Dutch Pediatric Association had issued guidelines in 1994 under which babies who were not terminally ill but who were mentally retarded or faced the prospect of living with chronic illness could be eligible for the “treatment” of death. According to Dr. Pieter Sauer, a co-author of the guidelines for pediatric euthanasia, it is up to the doctor to decide what is in the “best interests” of the baby.⁴

But the new bill was different. This wasn’t the decision of a doctor or a parent—adults who are presumptively experienced at weighing evidence and

making informed choices. This was a proposal that would permit a child to request and receive death by euthanasia.

Few advocates of euthanasia were willing to publicly support the idea. A notable exception was Dr. Philip Nitschke, an Australian euthanasia campaigner and activist. (Known as the Australian "Dr. Death," Nitschke legally practiced euthanasia in Australia during the few months in which the now defunct "Rights of the Terminally Ill Act" of the Northern Territory was in effect. He now conducts "how to" clinics throughout Australia and has been a featured speaker at right-to-die conferences in the United States.)

Nitschke said he believed that Australia should move down a track similar to that of the Netherlands since he couldn't see any principle that should preclude young children from the benefits of euthanasia. "I think the Dutch government has taken a very courageous step and recognized the reality that children suffer very debilitating, serious, suffering diseases."⁵

Other right-to-die activists expressed their support on Internet mailing lists and in inter-organization discussions. "It has long been my view that any age cut-off point is unfair and discriminatory, when legalizing voluntary euthanasia," said one nurse.⁶

However, these sentiments did not prevail. It took less than six weeks for the Netherlands to bow to international disapproval. In early October, the Dutch government deleted the provision that would permit children between 12 and 16 to demand euthanasia without parental approval.⁷

Once again, kids and euthanasia dipped below the radar screen.

Forgotten, but Not Gone

With the withdrawal of the Dutch provision to legalize euthanasia on demand for 12-year-olds, it was assumed that children in the Netherlands would not be able to request and receive euthanasia. Nothing could be further from the truth. The change in the Dutch proposal merely maintains the situation as it has been for well over a decade: Euthanasia, even for children, will remain technically illegal but will not be prosecuted.

In 1987, when the Dutch government drafted guidelines for the practice of euthanasia while retaining laws against it, the guidelines initially included requirements that family members should be included in mercy-killing decisions. However, the Dutch Health Council (an official government body charged with advising the government, the medical profession, and health-care institutions) advised the Cabinet to drop family-participation requirements. The Council said that not only adults, but even children under 16, should be able to request euthanasia without family involvement. In asking for the change, the Council said that suffering is "not more bearable and

recoverable because the patient has yet to reach the age of 16.”⁸

That same year, articles began to appear, describing the practice of providing lethal doses of drugs to children that they could take when they felt so inclined. One such article described the practice of a Dr. Voute, the leading Dutch specialist in pediatric oncology, who acknowledged that he had supplied drugs to children for assisted suicide on an average of six times each year. He said that this was done without the parents’ knowledge.⁹

One of the few mentions of the practice occurred in 1988 when, in a letter to the editor of the *Journal of the American Medical Association*, a Dutch physician wrote that some doctors provide “self-help programs” for adolescents to end their lives.¹⁰

But coverage of euthanasia for teens and pre-teens was sparse, to say the least. Indeed, in the 1980s, euthanasia in general received only minuscule discussion in the major media, and few people really believed that it posed any threat in the United States. Euthanasia was not among the issues that the vast majority of people was concerned about.

Even after the 1987 guidelines, little reference was made in the popular press to children’s being given the right to request euthanasia in the Netherlands, although there were numerous references to mercy killings involving disabled babies.

In July 1992, the Dutch Pediatric Association announced that it was issuing formal guidelines for killing severely handicapped newborns. According to Dr. Zier Versluys, chairman of the association’s Working Group on Neonatal Ethics, “Both for the parents and the children, an early death is better than life.” Versluys indicated that euthanasia is an integral part of good pediatric practice.¹¹ Three of the eight centers of neonatology surveyed by the Dutch Pediatric Society were performing euthanasia on handicapped newborns when “bringing about a speedy death” was considered “the most merciful treatment.”¹² Infants who were deemed eligible for death included not only those who were terminally ill but those who were mentally retarded or faced the prospect of living with a chronic illness. The treatment of death was carried out if the doctor decided that it was in the “best interests” of the baby.¹³

As in the case of children who request euthanasia, mercy killing of infants in the Netherlands does not require parental approval. According to Evert van Leeuwen, a medical ethicist at Amsterdam’s Free University, parents may give input, but, in the end, the doctor has the final authority to determine whether the child is killed, even if doing so is against the wishes of the parents. “We call that medical treatment,” van Leeuwen said.¹⁴

So why, if such practices have been on-going, was there such strong reaction to the 1999 proposal?

The answer may be two-fold. First, the news of the proposal hit the front pages and was covered on nightly network news. Second, in the wake of Jack Kevorkian and ballot proposals in various states, more and more people have paid at least some attention to euthanasia and assisted suicide.

Does this mean, then, that discussion of euthanasia and children is something which truly resonates with the American public? Has it entered the realm of the "believable" in terms of what could possibly happen here?

Absolutely not.

No matter how horrified people may be when they hear of the situation in the Netherlands, such horror is inevitably followed by comments like "The United States is not the Netherlands" and "No one would ever propose euthanasia for children here."

In fact, such proposals have been made in the United States on a number of occasions.

Promotion of Euthanasia for Children

In the United States as in the Netherlands, discussions about euthanasia for children fall into two categories. The first is involuntary euthanasia, in which the death decision is made by parents or physicians. Victims of this type of mercy killing include severely disabled or seriously ill infants and very young children. The second is voluntary euthanasia, in which the child is considered capable of deciding that death is better than life.

The initial proposal for legalization of euthanasia in the United States was, in fact, aimed at permitting involuntary euthanasia.

On January 17, 1938, the *New York Times* reported the formation of the Euthanasia Society of America.¹⁵ Within a year the organization was ready to offer a proposal that would legalize "the termination of human life by painless means for the purpose of avoiding unnecessary suffering." According to Charles Nixdorff, the society's treasurer, the measure was limited to voluntary euthanasia because public opinion was not yet ready to accept a broad scope encompassing infants and incompetents. However, the article noted that the society "hoped eventually to legalize the putting to death of non-volunteers beyond the help of medical science."¹⁶ Dr. Foster Kennedy, the euthanasia society's president, declared that euthanasia was "needed mainly for defectives." He urged the "legalizing of euthanasia primarily in cases of born defectives who are doomed to remain defective, rather than for normal persons who have become miserable through incurable illness."¹⁷

In a 1941 poll of twenty-five thousand New York State doctors, conducted by the Euthanasia Society, 27 percent of respondents favored euthanasia for

severely disabled children. The poll did not differentiate between newborn and older children.¹⁸

The following year, Dr. Kennedy came up with a plan for child euthanasia. In an article for the *American Journal of Psychiatry*, he wrote: "I believe when the defective child shall have reached the age of five years—and on the application of his guardians—that the case should be considered under law by a competent medical board . . ." If careful board examination determined that the child had "no future or hope of one," he continued, "then I believe it is a merciful and kindly thing to relieve that defective—often tortured and convulsed, grotesque and absurd, useless and foolish, and entirely undesirable—of the agony of living."¹⁹

While Kennedy boldly stated the goal of the Euthanasia Society, the organization's public stance increasingly revolved around the more acceptable concept of voluntary euthanasia for adults.²⁰

Just as it is easy to dismiss what is happening today by saying, "We're not the Netherlands," it would be simple to describe proposals of the 1930s and '40s as aberrations of the past and declare, "That was a long time ago. No one would suggest such a thing today." But such things *are* being suggested today. The prospect of mercy killing for children entered the realm of "respectable debate" in the 1980s and '90s.

Pediatrics Ethics Survey

In 1993, 900 parents whose children were patients at several Cleveland-area health facilities, including the Cleveland Clinic Foundation and Metrohealth Medical Center, were asked to fill out a 30-question "Pediatrics Ethics Survey" that included lethal injections and mercy killing among the "options."²¹ Authors of the survey were Dr. Eric Singer of the Cleveland Clinic Foundation and Dr. Andrea Sperduto at MetroHealth Medical Center.

The cover sheet explained the survey's purpose:

This survey is being given to you because you are a parent. We would like your opinion on various issues pertaining to the health care of children. As you have probably been hearing on television, radio, reading in the newspaper, or even experienced, doctors have been using newer medicines and technologies to keep patients alive who may have died only a few years ago. Whereas this may be viewed as positive, it is also producing new problems for society: these advancements are very costly. A major issue of recent political campaigns has been who will pay for this increase in health care. The options have been to deny health care to those who can not afford it, or raise taxes and/or insurance premiums. *Questions have been raised on how our limited amount of health care dollars should be spent* [emphasis added].

If you are a parent of a healthy child, these questions may be the farthest thing from your mind. If you a [sic] parent of child who has been very ill or has died, you may wish that these issues would just disappear. If you elect to complete this survey,

you will be asked some very troubling and disturbing questions. As a parent, a person who almost by definition has a personal interest in the welfare of children, we want to get your opinion on these issues. By completing this survey, *you can help us to see how concerned parents may approach varying tragic situations* [emphasis added].

Following the initial eight questions that dealt with the standard demographic information requested in most surveys (age, education, income, etc.), participants were given scenarios such as:

If your child was seriously injured in an accident and the medical team tells you that, at best, your child would be severely brain damaged (but not in a coma) and be completely dependent on others for the remainder of your child's life, would you

- ☐ want "everything" done
- ☐ want a "DNR" order
- ☐ want withdrawal of potentially life sustaining machines
- ☐ want withdrawal of all support including nutrition
- ☐ want a lethal injection of a sedative to be given ("mercy killing")²²

If your doctor told you that your *newborn*²³ child had apparent severe brain damage and only had a 10% chance of normal intelligence, would you

- ☐ want "everything" done
- ☐ want a "DNR" order
- ☐ want withdrawal of potentially life sustaining machines
- ☐ want withdrawal of all support including nutrition
- ☐ want a lethal injection of a sedative to be given ("mercy killing")²⁴

In each of five scenarios, the lethal-injection option was given. The scenarios were followed by questions about how a sum of money could best be used. For example:

If \$100,000 was available to a hospital, would you want this money spent on

- ☐ general preventative health care (immunizations, education, safety programs) for the community
- ☐ a child that you do not personally know who is in an irreversible coma²⁵

The survey concluded with the questions:

Do you support physician-supported suicide (voluntary death)?

Yes or No²⁶

Do you support "mercy killing" (non-voluntary death)?

Yes or No²⁷

When asked why the lethal-injection option was included, Dr. Eric Singer, senior author of the survey, said the questions would have been considered "biased and censored" if that option had not been offered.²⁸

The Pediatrics Ethics Survey received no attention outside of the Cleveland area, yet its message to the 900 parents who were asked to participate was loud and clear: Euthanasia for a child is an "option" that deserves consideration.

Far more attention was focused in 1999 on the issue of killing children

when Australian philosopher Peter Singer (no relation to Eric Singer) became a professor of bioethics at Princeton University.

Princeton Embraces Proponent of Pediatric Euthanasia

In 1999, Peter Singer, a former professor at Australia's Monash University, became the Ira W. DeCamp Professor of Bioethics at the Princeton University Center for Human Values. At Princeton, Singer will be molding and shaping the views of future leaders in medicine, law, education, and business.

Singer's appointment was met with shock and dismay by those who were aware of his views. He is an outspoken advocate of infanticide and euthanasia. In a 1983 article Singer negatively compared the value of a handicapped newborn with that of a pig:

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, both actual and potential, for rationality, self-consciousness, communication, and anything else that can plausibly be considered morally significant. Only the fact that the defective infant is a member of the species *Homo sapiens* leads it to be treated differently from the dog or pig. Species alone, however, is not morally relevant.²⁹

The article was the result of findings from an Australian government research grant titled "Life or Death Choices for Defective Newborns" for which Singer and fellow philosopher Helga Kuhse³⁰ were the chief investigators. Singer had previously worked for a brief time at The Hastings Center, and support for the three-year Australian grant included an official letter of recommendation submitted by a Hastings Center colleague, who wrote of Singer, "He is clearly one of the most outstanding philosophers in the English-speaking world. He has been highly productive, has had a major impact, and has always written interesting and significant things. . . . he has a very clear sense of the state of the argument, and where that argument is likely to go in the future."³¹

Singer has honed his argument over the years. In 1997, the second edition of his *Practical Ethics* was published. In it, he based his espousal of pediatric euthanasia on a "replacement theory." According to this theory, many parents opt to have a specific number of children and such offspring are intended to bring happiness to the family. Singer suggests that disposing of a disabled child and replacing it with a new one could result in greater happiness for all.

He used the scenario of a woman who has decided to have two children. The firstborn is a "normal child." The second child has hemophilia. According to Singer:

The burden of caring for that child may make it impossible for her to cope with a

third child; but if the disabled child were to die, she would have another. . . .

When the death of a disabled infant will lead to the birth of another infant with better prospects of a happy life, the total amount of happiness will be greater if the disabled infant is killed. The loss of a happy life for the first infant is outweighed by the gain of a happier life for the second. Therefore, if killing a haemophiliac infant has no adverse effect on others, it would, according to the total view, be right to kill him.

The total view treats infants as replaceable, in much the same way as it treats non-self-conscious animals.³²

He went on to explain:

If disabled newborn infants were not regarded as having a right to life until, say, a week or a month after birth it would allow parents, in consultation with their doctors, to choose on the basis of far greater knowledge of the infant's condition than is possible before birth. . . .

[T]he main point is clear: killing a disabled infant is not morally equivalent to killing a person. Very often it is not wrong at all.³³

Prior to his Princeton appointment, Singer was far better known in Australia and in Europe than he was in the United States—except in academic circles. Some of his speaking engagements in Germany had been halted because of massive protests, leading Singer to describe himself as a latter-day Socrates who was being persecuted for merely questioning the received wisdom of the time.³⁴

When Singer was invited to address a Swedish book fair in 1997, Simon Wiesenthal, the world's leading Nazi hunter, wrote to the organizers saying, "a professor of morals who justifies the right to kill handicapped newborns . . . is in my opinion unacceptable for representation at your level."³⁵

Such opposition, however, did nothing to give pause to the powers that be at Princeton. The University's president announced Singer's appointment saying: "There is no question about Professor Singer's eminence in the field of bioethics. . . . In strongly recommending and endorsing Professor Singer's appointment at Princeton, our own faculty members have made it clear that while they may disagree with him on some issues, just as my colleagues in Economics may differ on issues of economic policy, they have deep respect for his scholarship and invariably find his work instructive."³⁶

Apparently the president of Princeton considers advocacy of infant killing to be in the same category as differing views on economic policy—just one more topic of academic debate.

And now, several months after he took up the post, it seems that Singer has comfortably settled in and that any opposition is behind him.

In an interview this January he explained, "There's only been one protest since my arrival in the US—I think there may have been one or two before.

And these protests have their good side as well. Certainly everyone knows that I've arrived in the country and that gives me the opportunity to talk about things that I want to talk about." He noted that he's "getting students to think."³⁷

Legal Killing of and by Children Proposed

With the exception of the Netherlands, it would appear from the preceding discussion that suggestions of euthanasia relating to children deal with involuntary euthanasia of infants and other very young children whose doctors or parents would decide that they would be better off dead.

But there has been actual and model legislation in the United States that would permit children, as young as elementary-school age, to demand death, with or without parental consent.

Wisconsin State Representative Lloyd Barbee of Milwaukee introduced such a law on October 22, 1975.³⁸ It was described as an Act "relating to establishing a right to die." If passed, the measure would have made an exception in the state's homicide law for killing upon request and it would have abolished the crime of assisting suicide.

Section 1 of the proposed law stated:

895.50 THE RIGHT TO DIE

(1) Except as otherwise provided in this section, *any person may request any person 14 years of age or older to terminate the life of the requestor.* Any such request may be either oral or written. Any person terminating the life of a requestor, pursuant to a valid request, shall not be civilly liable for his actions and shall not be considered in violation of ss. 940.01 to 940.09.

(2) Prior to requesting another person to terminate the requestor's life, the requestor, if married, shall notify his spouse of his decision. Permission from the spouse shall not be a condition precedent to making a valid request to die.

(3) (a) A person under 7 years of age shall not be able to make a valid request to have his life terminated under sub. (1).

(b) *A person 7 years of age or older but under 18 years of age shall notify his parents or guardian, whichever is applicable, prior to requesting another person to terminate the requestor's life. Permission from such parents or guardian shall not be a condition precedent to making a valid request to die.*³⁹

Barbee's bill was over the edge by any standard, yet it was a serious proposal. Since its quiet demise in the Wisconsin Assembly's judiciary committee, no bill with such blatant advocacy of euthanasia for children has found its way into any state's legislative hopper. In fact, it was over twenty years before another bill that would have permitted minors to request death by assisted suicide or euthanasia was introduced anywhere. The 1997 Illinois "Dignity in Dying Act" (which never made it out of committee) would have let physicians provide qualified adults and "emancipated minors" with

the "medical means to end their life."⁴¹

But a model law, permitting death on demand for very young children, was drafted in 1989 with the expectation that it would be used eventually by states throughout the country.

Model Law

In 1989, the University of Iowa College of Law, which is noted for drafting laws that subsequently receive serious consideration in legislatures, drafted a "Model Aid-in-Dying Act." In the Act, "aid-in-dying" is defined to include "administration of a qualified drug for the purpose of inducing death."⁴¹

Under the Act, aid-in-dying could be *demanded* for terminally ill⁴² children by their parents or by terminally ill children along with their parents:

§ 5-101 DEMAND FOR AID-IN-DYING FOR TERMINALLY ILL PATIENT

(a) Aid-in-dying for a terminally ill patient *may be demanded* under this section:

(3) *On behalf of a terminally ill patient under the age of 6* by the patient's custodial parents or, if only one parent has custody, by the custodial parent who has made reasonable efforts to consult with the noncustodial parent; or

(4) *Jointly by a patient who is a minor 6 years or older and the patient's custodial parents* or, if only one parent has custody, jointly by the patient and the custodial parent after the custodial parent has made reasonable efforts to consult with the noncustodial parent.⁴³

Such a *demand*, in which there is parental participation, would not be subject to review by others. However, if there is parental objection, the child of 6 years or older could still *request* and be granted death upon approval of a specially appointed Aid-in-Dying Board.⁴⁴ The comment to this section states: "Thus, when one of the custodial parents disagrees with the child's wish to receive aid-in-dying, that parent does not have an absolute veto over the child. Rather, the decision goes to the Board which in turn considers all of the competing interests involved."⁴⁵

Furthermore, first-graders who are "technologically dependent"⁴⁶ could receive aid-in-dying even if parents object: "Aid-in-dying for a technologically dependent minor is available only if a request for aid-in-dying is approved by an Aid-in-Dying Board. This section recognizes that minors have the right to request aid-in-dying whether or not their parents agree."⁴⁷

The final section of the Act emphasized the applicability of the proposal to children, stating: "Aid-in-Dying shall not be provided *or refused* on the basis of the patient's *age, gender, race . . .*"⁴⁸

Fortunately, the Aid-in-Dying Model Act has not been implemented. However, it and other proposals which would make assisted suicide and

euthanasia available to children and teens are waiting in the wings for a climate in which their acceptance would be possible. In the meantime, at least one of the drafters of that Iowa endeavor, Cheryl K. Smith, has been instrumental in bringing that day of acceptance a bit closer.

Within months of the publication of the Iowa Model Act, Smith became a staff lawyer for the Hemlock Society. She later served for a time as the organization's interim executive director. But it was in 1993 that she was able to make a significant impact on one state's law: She was a principal drafter⁴⁹ of the Oregon Death with Dignity Act, the only law in effect anywhere in the world that has transformed assisted suicide into a medical treatment. Commenting on the content of the Oregon law Smith wrote that it is a "narrow aid-in-dying bill" that "reflects lessons learned from previous attempts to pass similar laws."⁵⁰

Smith and most euthanasia proponents have learned their lesson well—patience does pay off. An incremental approach may take a while, but it is more likely to succeed in achieving goals.

However, some advocates of mercy killing are not so patient. Upset that, despite winning in Oregon, they have lost ground elsewhere, at least one contingent of the right-to-die lobby is gearing up to use shock and threats to push the euthanasia agenda.

Change the Laws, or We'll Sell Suicide Kits to Your Children

Plans to throw down the gauntlet were outlined at a November 1999 conference held in Phoenix and sponsored by Arizonans for Death with Dignity, an affiliate of the Hemlock Society. Failure to gain approval for assisted suicide in Michigan, the impending defeat of a legislative bill in California, and losses in the courts were discussed. Then conference participants were implored to put all available resources into passage of an initiative to legalize assisted suicide that will appear on the Maine ballot in November, 2000.

"Maine is our last hope," said Faye Girsh, executive director of Hemlock USA. "Hemlock has made a major commitment—hundreds of thousands of dollars. We've hired the man who did the two Oregon campaigns. He's been on the payroll since March."

But Girsh and her colleagues are concerned because of past failures. "We've gone into every state with over 70 percent support," but the lead has eroded. That, she said, must be prevented in Maine. "When you hear from Mainers for Death with Dignity, remember, it is not just for Maine. It's for Arizona, Hawaii, California, Colorado . . ." Maine, she said, is the last chance to gain approval for law change in the traditional way.

And if they fail in Maine?

The answer to that question was provided by Dr. Philip Nitschke, the keynote speaker and Australian physician who had commented so favorably on Dutch plans to legalize euthanasia for 12-year-olds.

Nitschke described his efforts to find what he calls the “holy grail” and others call the “peaceful pill.” Frustrated over the overturning of Australia’s euthanasia law and over the lack of progress in other legalization efforts, he has been working on a new way to make lethal substances which would circumvent existing laws and would be easy to obtain.

Nitschke said that “people are working on devices” and on combining the use of the plastic bag with deadly gasses. (He was referring to the “Self-Deliverance New Technology Conference” that had been held in Seattle the previous week which he, Girsh, and 26 other death experts had attended. There, attendees had come together for an induced-death “show and tell” session to see demonstrations of masks, tubing, and plastic bags that could be used in conjunction with substances available at hardware and novelty stores.⁵¹) In Arizona, Nitschke said, “But patients don’t say, ‘Look, doctor, I want to put my head in a plastic bag.’ What they really want is a tablet”—a single tablet or pill that can kill them.⁵²

He said he has been researching substances that had never been approved for patient use because they had been found to be harmful, even deadly. These, he claims, will form the basis for the new pill. Then these ingredients, he explained, along with directions on how to mix them together, could be sold in kit form over the Internet. (Girsh described the pill as one that could be made and kept until needed. “Then,” she said, “get the pill out of your closet. Pop it. And you’re gone.”⁵³)

Nitschke said he’s close to completing the project but is still working on making the home synthesis easier. He expects to have it available to introduce at the World Federation of Right to Die Societies Conference in Boston (which will be held in September, just two months before the Maine vote).

When a participant asked if, since teens would have access to it, there would be problems with marketing the kit over the Internet, Nitschke said it was unlikely that a teen would spend the time necessary to prepare the concoction.

But he went on to say that the possibility of teen access should be used to force politicians to adopt laws permitting assisted suicide. “Tell the politicians, ‘You’re looking down the barrel of a very anarchic and out-of-control environment’” if it becomes necessary to provide this means of assisted suicide. Teens will get it. There won’t be any way to control it.

The bottom line was: Pass the laws we want or we'll sell suicide kits to your kids.

The concept was a big hit. Participants asked where to send funds to help in the development of this kit. Nitschke provided the information and added that he's been "very kindly helped by Derek Humphry."⁵⁴

Girsh announced that "The Hemlock Foundation will make a donation for that purpose," and Earl Wettstein, president of Arizonans for Death with Dignity, chimed in that his organization would publicize the need for funds.

Bizarre? Yes. But also deadly serious and probably not illegal. And as outrageous as the plan to force the issue by threatening Internet sales of suicide kits may be, it could have an impact on the overall debate over assisted suicide.

By moving the boundaries in this manner, the Nitschke/Humphry/Girsh element of the euthanasia movement could make others in the movement seem reasonable by comparison. This "moderate middle" could then seize the high ground to promote the "need" to legalize the practice under careful guidelines so that abuses that would surely result from the sale of Internet suicide kits can be prevented.

Conclusion

As has been discussed, euthanasia advocacy over the years has not been limited to adults. Assisted suicide and euthanasia do pose a real threat to children. But little attention has been paid to this aspect of the debate.

One writer, however, has recently cautioned that consideration of how young people would be affected should not be overlooked. Susan M. Wolf, an associate professor of law and medicine at the University of Minnesota, has warned that a discussion of the pediatric implications of euthanasia and assisted suicide is necessary for a full debate of the issues. She observes that conducting such a debate without examining the consequences for minors ignores too much. In particular, she notes, it would be difficult to confine the practices to adults. She points to termination of treatment and abortion as areas that were initially applicable to adults only but have since been expanded to minors.⁵⁵

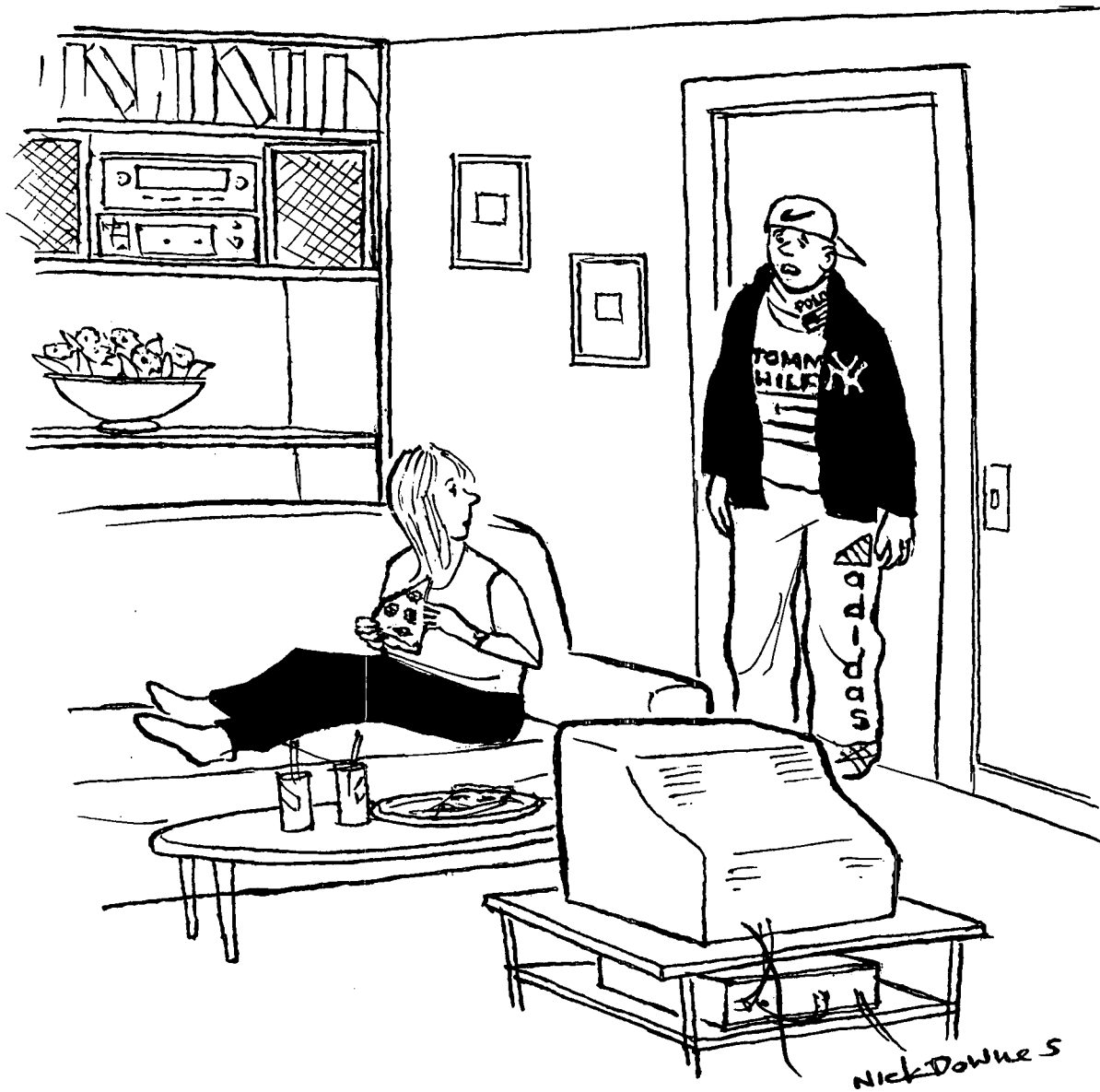
But as noted earlier, the public is not ready to consider the possibility, let alone the probability, of death on demand for children and adolescents.

This does not mean that this aspect of the debate should be ignored. On the contrary. For all who already oppose euthanasia, it should serve as a continuing reminder of what is really at stake. It shows the urgent need to effectively oppose legalization of assisted suicide and euthanasia.

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21. Pediatrics Ethics Survey is on file with author.
22. *Ibid.*, question 10, emphasis added.
23. *Ibid.*, (emphasis on "newborn" in original).
24. *Ibid.*, question 13, emphasis added.
25. *Ibid.*, question 17.
26. *Ibid.*, question 28.
27. *Ibid.*, question 29.
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43. Ibid., 163 (emphasis added).
44. Ibid., 165-166.
45. Ibid., 167.
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"DO MY LOGOS CLASH?"

The Evolution of Genocide

Rebecca Messall

Believing abortion is a stand-alone issue is like believing egg yolks appear by themselves without egg whites, shells, and male and female chickens. My greatest mistake as a pro-life person was in thinking *Roe v. Wade* arrived by itself. I didn't want to link abortion to other controversial subjects, which scared or confused me, detracting from the obvious atrocity of butchering a living, unborn child. Because of my narrow focus, I ignored the horrific world-view and the socio-political-financial machinery fueling abortion.

While reading the newspaper in May 1999, I noticed a headline about an evolution controversy occupying the Kansas State Board of Education. I flipped the page without reading the story. Like many pro-life people, I felt that the origin of the species was a matter of God's choice of methods—but not a pro-life concern. Busy in local pro-life matters, I believed evolution was an “education dispute,” a controversy I could, gratefully, sit out. When a metro-area newspaper reporter sought my opinion on the proposed science standards, my cautious response was, having not read them, to remind the reporter that evolution in the wrong hands had supported the bloodiest regimes in history. The reporter urged me to read the science standards, assuring me there was “nothing to offend.”

I did read them, and went on to research the history and content of the “national science education standards,” a national model on which the Kansas science standards are based. I realized that evolution by natural selection has been *the* fundamental pro-life issue since Darwin himself. His argument that biologically inferior people threaten to deprive intellectually superior people of food and resources established a scientific-sounding rationale for genocide, which is used today by the abortion-based population control and family planning establishments, as well as others bent to this day on improving the race by laboratory methods.

I contacted the reporter, and gave her some disturbing preliminary research to pursue about the groups involved with the science standards, in the belief that she would do investigative research, whereas I would continue my humble attempt to prevent abortions through our agency's maternity home, and likewise help people recover from the anguish of abortion aftermath through our post-abortion counseling.

But the reporter rebuffed me. So, perceiving the newspaper's political

Rebecca Messall, an attorney and mother of three, is also the Respect Life Director and Program Developer at Catholic Charities for the Archdiocese of Kansas City, Kansas.

commitments were set in concrete, I decided to document some basic information. The facts bear directly not only on my day-to-day efforts against the culture of death; they also concern public policy matters in science education, “family planning” and a host of issues about which the public has the right to know, and the duty to make right.

In 1871, Darwin argued that Thomas Robert Malthus’ earlier theory of scarcity was the mechanism that drove human evolutionary “progress.” In his book, *The Descent of Man and Selection in Relation to Sex*, Darwin wrote:¹

The early progenitors of man must also have tended, like all other animals, to have increased beyond their means of subsistence; they must, therefore, occasionally have been exposed to a struggle for existence, and consequently to the law of natural selection. Beneficial variations of all kinds will thus, either occasionally or habitually, have been preserved and injurious ones eliminated.²

Conversely, Darwin argued that charitable acts by civilized men lead to evolutionary degeneration:

With savages, the weak in body or mind are soon eliminated; and those that survive commonly exhibit a vigorous state of health. We civilized men, on the other hand, do our utmost to check the process of elimination; we build asylums for the imbecile, the maimed, and the sick; we institute poor-laws and our medical men exert their utmost skill to save the life of every one to the last moment . . . Thus the weak members of civilized societies propagate their kind. No one who has attended to the breeding of domestic animals will doubt that this must be highly injurious to the race of man. It is surprising how soon a want of care, or care wrongly directed, leads to the degeneration of a domestic race; but excepting in the case of man himself, hardly any one is so ignorant as to allow his worst animals to breed.³

On one hand, Darwin acknowledged, “Nor could we check our sympathy, even at the urging of hard reason, without deterioration in the noblest part of our nature.”⁴ On the other hand, Darwin proceeded to classify people as “weak” and “inferior” versus “intellectually superior,” in order to analyze why the “reckless, degraded, and often vicious members of society,” tend to increase at a quicker rate than the “provident and generally virtuous members.”⁵ Darwin himself evidenced how evolution made bigotry an academic exercise, when he quoted another writer on the Irish:

The careless, squalid, unaspiring Irishman multiplies like rabbits: the frugal, foreseeing, self-respecting, ambitious Scot, stern in his morality, spiritual in his faith, sagacious and disciplined in his intelligence, passes his best years in struggle and in celibacy, marries late, and leaves few behind him.⁶

And when he applauded the extermination of “savage races” and “anthropomorphous apes:”

At some future period, not very distant as measured by centuries, the civilized races of man will certainly exterminate and replace the savage races throughout the world. At the same time the anthropomorphous apes . . . will no doubt be exterminated. The break between man and his nearest allies will then be wider, for it will intervene between man in a more civilized state, as we may hope, even than the Caucasian, and some ape as low as a baboon, instead of as now between the Negro or Australian and the gorilla.⁷

Normal parents would be horrified to know the foregoing racist premise of a Darwin-based “science education” (surely now actionable against states under anti-discrimination and civil rights statutes).

Except for my curiosity about the science standards, I would never have known that a strong case can be made against Darwin’s natural selection. I doubt that the origin of the species evolved from non-living matter into living organisms through Darwin’s gradual means of natural selection in a struggle for survival. Darwinism has been carefully refuted by a soft-spoken biochemist, the author of *Darwin’s Black Box: The Biochemical Challenge to Evolution*.⁸

Dr. Michael J. Behe’s 1996 critique is so earth shattering that, rather than respond to the substance of his book, Darwinians pronounce that Behe’s points are *ipso facto* “religion,” the standard response to any evidence refuting evolution. In fact, however, Behe simply challenges evolutionary theory with the cold, unforgiving chemical facts, made visible using high-tech equipment.

In his book, Behe shows how, at the one-cell level, life is a self-contained system of indispensable moving, chemical parts, so mutually dependent on each other that absent even one part, the system would not exist. Behe named this observation “irreducible complexity.” By physical necessity, all of the molecules of even a one-celled life must have burst forth together as an integrated operating system.

Many Darwinists are left sputtering to save their theory. If a single-cell could not have originated by the gradual assembly of chemical “parts” over time, then Darwinists are tongue-tied to prove the complex diversity of all life, cell by cell, over time. Behe quotes Darwin’s own prediction that a discovery like irreducible complexity would cause the demise of his evolution theory: “If it could be demonstrated that any complex organ existed which could not possibly have been formed by numerous successive, slight modifications, my theory would absolutely break down.”⁹

Darwin’s Black Box will, for many readers, categorically seal the intellectual death of evolutionary biology. But the reading together of two independent works of historiography adds moral condemnation.

The first work, by Katharine O’Keefe, is a brilliantly simple, but momentous, alphabetical compilation,¹⁰ with *curricula vitae*, of the members of the

British and American eugenics societies, groups dedicated to genetic hygiene based on evolutionary biology. O'Keefe's work reveals that, throughout the twentieth century, eugenic philosophers held vast institutional influence over public policy, education, economics, science, medicine and law.¹¹ Significant too, she documents the groups' explicit strategy, after Nazism had exposed the deadly consequences of "applied biology," to conduct eugenic activities by using the names of other organizations.¹²

The second work, *Unifying Biology: Evolutionary Biology and the Evolutionary Synthesis*,¹³ by Vassiliki Betty Smocovitis, identifies Darwinians who worked feverishly in the 1940's, allegedly to prevent the theory of natural selection from being extinguished by the fast-developing hard sciences of physics and chemistry,¹⁴ but does not mention contemporaneous decisions to pursue eugenics under other names.

The leaders of the effort to "unify" biology and other sciences around natural selection were in fact, as revealed by O'Keefe's research, some of the century's leading eugenicists. According to Smocovitis, the key man who founded the unification, or "synthesis," effort was Sir Julian Huxley, whose life "was devoted to leading a crusade . . . to ground a humanistic philosophy in evolution."¹⁵ Julian Huxley was a central figure in the twentieth-century history of eugenics. He was a leader of the British Eugenics Society, the first president of UNESCO, a charter member of the Society for the Study of Evolution [SSE],¹⁶ discussed later, and the SSE's vice-president in 1948.¹⁷

Huxley wrote, "Evolution—or to spell it out, the idea of evolutionary process—is the most powerful and the most comprehensive idea that has ever arisen on earth. Above all, it unifies our knowledge and our thought . . . Thus the evolutionary idea must provide the main unifying approach for a humanist educational system, and evolutionary biology could and should become a central or key subject in its curriculum."¹⁸ Huxley had been alarmed about a decline in evolutionary studies, "in part because it undermined his evolutionary humanism and his progressive worldview."¹⁹

To eugenicists, "progressive" means "evolutionary progress." Huxley's "unification" effort was "to help extend and legitimate both evolution and biology."²⁰ To Huxley, that meant even replacing religion:

I believe that an equally drastic reorganization of our pattern of religious thought is now becoming necessary—from a God-centered to an evolution-centered pattern.²¹

Today the God hypothesis has ceased to be scientifically tenable, has lost its explanatory value and is becoming an intellectual and moral burden on our thought. It no longer convinces or comforts, and its abandonment often brings a deep sense of relief . . . once our relief at jettisoning an outdated piece of ideological furniture is over, we must construct something to take its place.²²

Huxley's 1942 book, *Evolution: The Modern Synthesis*,²³ emphasizing evolutionary progress, "offered an inquiry . . . into an ethical system, an ethos, grounded in evolution . . . with its fundamental principle of natural selection."²⁴ Referring to evolutionary humanism, Smocovitis observed that it bore "special signification for religious systems of thought . . ." and "represented an end to conventional Judeo-Christian thought . . ."²⁵

Besides Charles Darwin, his cousin Sir Francis Galton, Darwin's son Major Leonard Darwin,²⁶ and grandson, Sir Charles Galton Darwin²⁷ all carried the family's dynastic ideology long into the twentieth century—the idea that Malthusian scarcity in nature randomly determines genetic supremacy. Darwin's followers continued the general argument that superior traits are naturally selected when another gene dies in a life and death competition over "inadequate resources."²⁸

On how natural selection applied to humans, evolutionists seemingly ignored evidence of man's survival as being due to his purposeful, intelligent efforts to design habitats and develop resources favorable to human survival. Instead, as in the *Descent of Man*, eminent Darwinians continued to insist that human intelligence *interferes* with man's evolutionary progress.²⁹ Some evolutionists like Margaret Sanger denounced religious tenets of equality, compassion and charity, contending they cause genetic deterioration in the human race,³⁰ leading eventually to man's extinction: i.e., people vaguely deemed "unfit" and "unwanted" should die off instead of being helped to survive and possibly reproduce their kind.

It wasn't Darwin, but rather his cousin, Sir Francis Galton, who invented the name and the "science" of eugenics,³¹ endowing an academic chair for it in London in 1904.³² University recognition bestowed prestige upon eugenics, attracting the world's most highly educated and wealthiest bigots who were eager both to study eugenics and to support it financially. By 1922, scientists and blue-bloods had organized politely-named Eugenic Societies around the world. The global leadership was located in the United States, Germany and Great Britain.³³

The 1925 Scopes Trial in Tennessee supposedly commemorates the triumph of Darwin over religion. Perhaps it was chance that the case arose in the Deep South, where bigotry had been particularly institutional. In fact, the trial commemorated the legality of teaching the biological inferiority of certain races and classes of people.³⁴ The textbook on trial in that famous case, Hunter's *A Civic Biology*,³⁵ espoused white supremacy and the "science" of eugenics, thus bolstering through education the sterilization campaigns going on at that time by the "scientific" communities in the United States. The 1930's campaigns

in Germany, fashioned after American laws, are credited as the psycho-social beginning of the Holocaust.³⁶

Historical scholars in the 1990's published the connections between the American Eugenics Society, current family planning and population control systems and—the Third Reich. Members of the American Eugenics Society received thankful correspondence from Adolf Hitler, accepted honors from Nazi universities, applauded the Nazi regime, served as legislative inspiration for sterilization and anti-immigration laws, and rehabilitated German scientist Dr. Otmar Von Verschuer, collaborator with Josef Mengele, the Terror of Auschwitz. Researchers meticulously documented how, after World War II, members of the eugenics societies reinvented themselves to the public, under disciplines like family planning, demography, population studies, and others. Household names who advocated a government birth-control system, like Margaret Sanger, Alan Guttmacher, even two Rockefellers, were all members of the American Eugenics Society.³⁷

Not only does the toxic spill of eugenics poison federal family planning and population control systems, even federally funded genetic research, but now a Huxleyan eugenic vision forms the theoretical model of the *National Science Education Standards*.³⁸ Both the national and a modified Kansas version approach science as “unified concepts”—unified by natural selection, while emphasizing scarcity, heredity and population genetics.³⁹

The outline of the *NSES*’ “unified concepts,” teaches a point-of-view, a *philosophy* of science developed by groups, some of which have long histories of leadership by and affiliation with members of the American Eugenics Society. In fact, the standards expressly state that they de-emphasize facts, and instead stress abstract concepts.⁴⁰ The philosophy contained in the standards, even as modified by the state of Kansas, is incompatible with Christian beliefs—according to the admissions made, before there was a controversy, by the men who developed the standards.

Moreover, the science standards are corrupt *ab initio*; deleting a word or a phrase cannot salvage them. If the standards were likened to an unsafe building, then it would have to be completely rebuilt with a new foundation, stronger beams and new walls—not just more windows, ventilation and fire escapes. The boundary, the framework, the outline of the science standards which purports to define what constitutes scientific thought is fundamentally contemptible because it is

- constructed around eugenics, a world-view which is inherently racist, anti-religious and anti-democratic
- advocated by groups with long histories of leadership by and cooperation with eugenicists.

While the controversy in Kansas surrounded the book entitled *National Science Education Standards (NSES)*, this book was actually compiled by the cooperation of two powerful, out-of-state private groups, aided by the federal government and wealthy, private foundations.

The key groups drafting the science standards include:⁴¹

The American Association for the Advancement of Science in Washington, D.C. (AAAS), which operates with annual revenues of \$44 million. The AAAS initiative relating directly to the publication of the *NSES* book is known as *Project 2061: Science Literacy for a Changing Future*.⁴²

The National Research Council in Washington D.C. (NRC), which operates with annual revenue of \$180 million.⁴³ The NRC is a subsidiary of the National Academy of Sciences (NAS), a private, non-profit organization chartered by Congress to advise the government on scientific matters.

Funding for the National Research Council's work on the *NSES* project was from private, non-profit foundations and public tax dollars from federal agencies including the National Science Foundation; the U.S. Department of Education; the National Aeronautics and Space Administration; and the National Institutes of Health.⁴⁴

Funding for the AAAS' Project 2061 was by foundations including Andrew W. Mellon Foundation, The Pew Charitable Trusts, Hewlett-Packard Foundation, John D. and Catherine T. MacArthur Foundation, the National Science Foundation and the Carnegie Corporation of New York.⁴⁵

Clued by the phraseology of the science standards that they were attempting to define an "approved scientific thought," I investigated a curious catchphrase peppering the content of the science standards, "science is a way of knowing." The phrase turned up in the "for further reading" section of the national standards as the title of a book by John A. Moore.

Moore is a California biologist who is officially acknowledged for his contributions to the *NSES*.⁴⁶ In his book, *Science as a Way of Knowing: the Foundations of Modern Biology*,⁴⁷ he expresses personal admiration for the work of German biologist, Ernst Haeckel, whose work he analyzes in some detail.⁴⁸

Moore fails to mention, however, a critical piece of information about Haeckel, who was "a towering figure in German biology and an early Darwinian."⁴⁹ Haeckel was also "a racist, a believer in a mystical Volk, and a strong advocate of eugenics"⁵⁰ who "can be claimed as a direct ancestor" of the Nazi "euthanasia" project." Haeckel believed "wooly-haired Negroes" were not only incapable of higher mental development, but that they were "psychologically nearer to the mammals (apes and dogs) than to civilized Europeans . . . [and therefore] we must . . . assign a totally different value to their lives."⁵¹

Despite such a glaring historical lapse in a Harvard-published book purporting to be a history of biology, *Science as a Way of Knowing* is incorporated by reference into the *NSES*, at least twice for further reading, and the phrase is used and highlighted in the *NSES* text.⁵²

I was alarmed that the *NSES* relied heavily on Moore's book as a reference and even incorporated its title throughout the text. But it concerned me more that, on its dust jacket, his 1993⁵³ book bears official endorsements by, among others, the highest-ranking men in the groups overseeing the national standards and two other men with decidedly bio-philosophical points of view:

- the President of the National Academy of Sciences, Bruce Alberts
- F. James Rutherford, head of the AAAS Project 2061 education initiative
- an elderly Harvard evolutionist, Ernst Mayr, who was a central figure in founding a post-war group to promote the idea of a "unity of the sciences," called the Society for the Study of Evolution (SSE) and its journal, *Evolution*
- Paul Ehrlich, original population control advocate/author

Out of seven endorsers listed on Moore's book cover, four are contributors to the *NSES*.⁵⁴ Moore and at least four endorsers appear to have been colleagues in Huxley and Mayr's Society for the Study of Evolution, a group for which Moore is himself a past-president.⁵⁵

According to documentation in Smocovitis' *Unifying Biology*, it was Huxley and his contemporary, Ernst Mayr who formed the Society for the Study of Evolution as part of their move to "synthesize" or "unify" (some might say contaminate) all concepts of science with Darwin's doctrine of natural selection. Appearing to cap long-time career goals, Mayr is the lead endorser of Moore's book, while a Mayr essay appears in materials published by a textbook group, the Biological Science Curriculum Studies, whose president chaired the content committee of the national standards.

In fact, the *NSES* book and the Kansas Science Standards, as modified, do seem to promulgate the SSE's "unified concepts," as Mayr, Huxley and fellow SSE founders and members may have envisioned.

A quick review of three early members of the SSE reveals fatal flaws in placing reliance upon these men's vision of science. One charter member of the SSE was the infamous Alfred C. Kinsey,⁵⁶ "sex-researcher," now exposed for committing wholesale fraud in publishing his conclusions in 1948 and 1953, and for soliciting pedophiles to share with the Kinsey Institute their "research" on their child-victims.⁵⁷ Moreover, Kinsey was a self-avowed eugenicist.

Hermann J. Muller, a member of the American Eugenics Society, was a 1946 "Council Member" of the SSE, who became the SSE's vice-president

in 1952 and president in 1957.⁵⁸ After Muller had worked in Nazi Germany and Stalinist Russia on “genetics,”⁵⁹ he was a Kinsey colleague at the Kinsey Institute.

For many people, simply knowing that the fathers of the theory of “unified concepts” are eugenicists is enough reason to reject the science standards. In 1931, Huxley put his eugenic vision this way:

Man has become what he is by a process of evolution which has taken perhaps a thousand million years; there is no reason why that evolution should not continue . . . If the past with its crude methods has taken life from single cell, or whatever simpler units it at first inhabited, to man, what may not man do in the future with the aid of conscious reason and deliberate planning. On its negative side it becomes racial preventative medicine; on its positive side, racial hope . . . And once this is so, the pressure of public opinion to get something done will become so great that something will be done . . . We cannot yet see what those discoveries will be, or envisage the organization of a eugenic society. But knowledge will slowly grow, and ways and means can surely be found. And so man may take up his birthright, which is to become the first organism exercising conscious control over its own evolutionary destiny⁶⁰ [emphasis added].

Even though Hitler had been defeated, Huxley was more blunt in 1947 about the politics of his vision:

[E]ven though it is quite true that any radical eugenic policy will be for many years politically and psychologically impossible, it will be important for UNESCO to see that the eugenic problem is examined with the greatest care, and that the public mind is informed of the issues at stake so that much that now is unthinkable may at least become thinkable⁶¹ [emphasis added].

Moore’s failure to identify the relationship between the “foundations of modern biology” and the Holocaust is evidence of why education, when it is “standardized” or monopolized by any single publisher or government, can quickly be made a tool of despots. Historians’ assessment of Ernst Haeckel is available in bookstores in a still-published book, *Nazi Doctors*, by Robert J. Lifton (Basic Books 1986). Moore, purporting to write *Science as a Way of Knowing* about the historical foundations of modern biology, could not have avoided seeing racism in Haeckel’s *The History of Creation*. Moore’s book actually duplicates an illustration from Haeckel’s book,⁶² a book in which Haeckel stated:

The Caucasian, or Mediterranean man . . . has from time immemorial been placed at the head of all races of men, as the most highly developed and perfect . . . If we are to draw a sharp boundary between them, it must be drawn between the most highly developed and civilized man on the one hand, and the rudest savages on the other, and the latter have to be classed with the animals.⁶³

Science as a Way of Knowing not only fails to identify Haeckel’s significance

to the rise of Nazi eugenics, but Moore fails in the same way in writing about Sir Francis Galton. Moore does discuss Galton,⁶⁴ but fails to mention that Galton is the father of the eugenics movement. In England, as a matter of fact, the eugenics group is now called the Galton Institute.

It strains credulity to believe that Moore does not know Galton's and Haeckel's primary significance in the history of biology. Moore's omissions of material information should be viewed as fatal, whether it was done negligently, or intentionally. However, as will be explained, these are not the only "scientists" whom Moore references in his book, without disclosing their identities as eugenicists.

Moore's book, moreover, exudes anti-Catholic and anti-Protestant Fundamentalist bigotry. Moore, a biologist, spends nearly half of his book in poor explanation of different philosophies, with an entire chapter titled "The Judeo Christian World-View." In contrast to his admiration for Haeckel, and his nonchalant reference to Galton, Moore expresses stereotypes and disdain for Christians and the history of the Catholic Church. Throughout *Science as a Way of Knowing*, Moore regards his scientific worldview as distinct from, and incompatible with, his distorted definition of a "Judeo-Christian worldview."

For example, he says: "The Judeo-Christian worldview had been accepted as adequate for centuries—and remains so for many individuals today—but it leads to a very different view of nature than the one provided by modern science."⁶⁵ Rather than reconciling science and religion, Moore repeatedly goes out of his way to polarize them, saying for example, the discovery of fossils was to "involve science and the Judeo-Christian worldview in yet another confrontation—one that lingers to this day."⁶⁶

In his book, Moore calls biology a "conceptual science."⁶⁷ He states, "True belief requires the acceptance of some things and not the other."⁶⁸ Moore claims "the statements of science are derived ultimately from the data of observation and experimentation."⁶⁹ In contrast, he claims religious dogma "is interpreted by a *caste* of priests and is accepted by the multitudes on faith or *under duress* [emphasis added]."⁷⁰

Moore misrepresents the foundations of Christianity by singling out St. Augustine, whom Moore ridicules in the course of five pages.⁷¹ He also ridicules scripture and reports of miracles.⁷²

He says, "One might seek to blame the Judeo-Christian dogma of special creation for inhibiting thought about descent with change, and to some extent this blame is valid."⁷³ Moore asserts: "It is true that the attitudes of the Church prevented the development of science for more than a thousand years and inhibited it for centuries . . . the Church never was a supporter of open minds."⁷⁴

What kind of men does Moore view as open-minded? “Open mindedness” has a different meaning to Moore than to most people. Against his backdrop of religious bigotry, he elevates two men as being “eminent biologists,” Hermann J. Muller and Theodosius Dobzhansky.⁷⁵ He does not disclose that both Muller and Dobzhansky were avid eugenicists.

Hermann J. Muller trained under Hitler’s high-ranking Nazi scientist, Dr. Ernst Rudin, author of the 1933 Nazi sterilization laws. “. . . I acquainted myself with the genetic work of the Zoological Institute, and of the Institut fur Psychiatrie, under Dr. Rudin, whose very comprehensive material offers a nice field for the study of mutations in man, and of their inheritance.”⁷⁶

Rudin was director of the Research Institute for Psychiatry of the Kaiser Wilhelm Society in Munich.⁷⁷ In 1939, Hitler honored Rudin with a medal and a written statement celebrating him as the “meritorious pioneer of the racial-hygiene measures of the Third Reich.” Honored again in 1944, Rudin received a “bronze medal bearing the Nazi eagle from Adolph Hitler, who lauded him as the ‘pathfinder in the field of hereditary hygiene.’”⁷⁸

Serving as an advisor to the American Eugenics Society at least as late as 1938, Dr. Ernst Rudin, a psychiatrist, was chief architect for the “Law for the Prevention of Heredity Disease in Posterity,” which had taken effect in 1934.⁷⁹ According to one historian, Rudin demonstrates “in an extreme form, the attraction of the Nazi biomedical vision for a certain kind of biologically and genetically oriented scientist.”⁸⁰

The AAAS published an article by Muller in 1961, “Human Evolution by Voluntary Choice of Germ Plasm.”⁸¹ Writing then as a zoology professor with the Kinsey Institute in Indiana, Muller criticized a few colleagues in the American Eugenics Society as well as Germany’s Eugen Fischer, because they “brought such odium upon the whole concept of eugenics as to run it into the ground.”⁸²

It is noticeable, however, that Muller’s 1961 article does not renounce eugenics at all. Even though he criticized “racists and Hitlerites,” he also criticized scientists who viewed *all* eugenics as dangerous and who “held that genetics in man could be left to care of itself”⁸³ [emphasis added].

Like Alfred Kinsey, Muller called for an end to sexual boundaries:

“. . . adequate *implementation of eugenic policies* also required a clearing away of the ancient heritage of *superstition and taboos* that had so obstinately enshackled human usages and *preconceptions* in matters of *sex and reproduction*”⁸⁴ [emphasis added].

E. G. Conklin is another eugenicist esteemed in Moore’s *Science as a Way of Knowing* for his “careful and capable” work.⁸⁵ Conklin was a pre-war Advisory Board member of the American Eugenics Society.⁸⁶ Recently the website

for the American Association for the Advancement of Science, another group drafting the *NSES*, applauded Conklin who, as AAAS president in 1936, founded an international committee on “intellectual freedom.”⁸⁷

Conklin’s position on the advisory board of the American Eugenics Society is a point omitted by the AAAS website as well as by Moore’s book. In a possible chilling irony, Conklin’s “intellectual freedom” may have been intended for the “science” of eugenics. Listed in the eugenic society’s March-April 1936 journal, alongside Conklin’s name, are other Advisory Board members: rabid racists and anti-Semites, like Americans C. G. Campbell and Madison Grant, and *three German advisors* who were among the *highest-ranking Nazi scientists* in the Hitler regime: Eugen Fischer, Ernst Rudin, and Falk Ruttke.⁸⁸

In 1935, C. G. Campbell had publicly applauded Hitler in Berlin, at an International Congress for Population Science. His statements amounted to a public-relations favor for the Nazis, favorably reported by the *New York Times*⁸⁹ and *Time*⁹⁰ magazine. The Berlin Congress was “the apex of international support of Nazi race policies and represented a great success for the Nazi race propaganda machine.”⁹¹ Campbell served as the “senior representative of the American eugenics movement in Berlin,” delivering a glowing assessment of Hitler’s efforts:

It is from a *synthesis of the work* of all such men that the leader of the German nation, Adolf Hitler, ably supported by the Minister of Interior, Dr. Frick, and *guided by the nation’s anthropologists, its eugenicists, and its social philosophers*, has been able to construct a comprehensive race policy of *population development and improvement* that promises to be epochal in racial history. It sets the pattern which other nations and other racial groups must follow, if they do not wish to fall behind in their racial quality, in their racial accomplishment, and in their prospect of survival [emphasis added].⁹²

When I read Campbell’s words praising German population development and improvement, as a “. . . *synthesis* of the work . . . by . . . anthropologists . . . eugenicists and social philosophers. . .,” I shuddered. In my dictionary, the words “unify” and “synthesize” are synonymous. Both Huxley and Campbell, staunchly committed to eugenics, used the same description of an evolution-based synthesis; Campbell’s 1935 language in Berlin about “synthesis” was echoed by Huxley in 1942, and appears to be the same evolution-based worldview, merely renamed in the *NSES*, as “unified concepts.”

In the preface to his *Science as a Way of Knowing*, Moore disclosed that the book’s name and the material for it came from a lecture series of the same name. The project resulted in a series of essays published in a zoology journal between 1984 and 1990. According to one participant in the “science as a

way of knowing” project, “John Moore is the originator and guiding effort behind the entire (SAAWOK) effort.”⁹³

Also in the preface to *Science As a Way of Knowing*, Moore says the earlier project was stimulated by “the widespread feeling that human beings have become so numerous and are consuming resources so avidly that the earth cannot long continue to support our way of life.”⁹⁴ The SAAWOK project “sought to help remedy these problems by providing materials to assist in understanding.”⁹⁵

As a practical matter, the materials do “assist in understanding” what “remedies” Moore and his endorsers envision. For example, Moore recommended in the SAAWOK project that children be schooled in the work of Garrett Hardin.⁹⁶

Garrett Hardin was yet another member of the American Eugenics Society. In 1981, *Newsweek* magazine devoted an entire page to Hardin’s essay entitled “Toughlove Solution.” Hardin wrote: “The responsibility of each poor country is to keep the excess population from being produced.”

Then, possibly referring to instrument-rape of women to forcefully abort their children, he said: “China’s methods may not be acceptable everywhere, but the goal should be universal. Each country must choose the means that meshes with its culture.”⁹⁷

On another occasion, Hardin was even more ominous:

Coercion is a dirty word to liberals now. As with other four letter words, its dirtiness can be cleansed away by exposure to the light, by saying it over and over without apology or embarrassment.⁹⁸

Moore is on record stating that the schools are a vehicle for teaching his world-view. Moore believes “. . . we have to change the ways we live and breed. . . . These matters . . . must *direct the teaching of science*.”⁹⁹ In carrying his world-view into politics, Moore stated: “Examples of *scientific concepts are directly transferable to public policy and should be taught to students at the elementary, high school and college levels*”¹⁰⁰ [emphasis added].

In 1958, Moore joined with H. Bentley Glass, a Director of the American Eugenics Society,¹⁰¹ and others in founding a group which today claims to have unilaterally re-introduced evolution into classrooms after World War II, the Biological Sciences Curriculum Studies (BSCS),¹⁰² discussed below.

Glass, besides being Moore’s colleague at the BSCS, became president of the AAAS in 1970. He believed there should be an end to the right to marry and have a family, writing in 1970: “The once sacred rights of man must alter in many ways . . . It can no longer be affirmed that the right of the man and woman to reproduce as they see fit is inviolate.” Parents, he said, “must

voluntarily limit their children *or be compelled to do so*”¹⁰³ [emphasis added]. Glass also argued, “no parents will in that future time have a right to burden society with a malformed or a mentally incompetent child.”¹⁰⁴ In the same article, Glass envisioned compulsory eugenic selection through hereditary counseling clinics:

Unlimited access to state-regulated abortion will combine with now perfected techniques of determining chromosome abnormalities in the development of the fetus *to rid us of* . . . uncontrollable defects such as mongolism (Down’s syndrome) and sex deviants such as the XYY type. Genetic clinics will be constructed in which before long, as many as 100 different recessive hereditary defects can be detected in carriers, who may be warned against, or *prohibited from having offspring*.

. . . [I]f every couple were *permitted to have only two children* . . . *a mild eugenic practice* would be introduced that is [sic] probably all mankind is prepared to accept at this time [emphasis added].¹⁰⁵

Glass summed up the social practice of eugenics:

As long as our brave new world presents an abundance of choices and as long as we have freedom to choose, so long will human intelligence based on genetic diversity remain a primary requirement . . . As he acquires more fully the power to control his own genotype and to direct the course of his own evolution, he must produce a Man who can transcend his present nature.¹⁰⁶

The BSCS, founded by Moore, Glass, and others, was part of the effort to establish an evolution-centered “synthesis” of the sciences in the United States.¹⁰⁷ Moreover, the BSCS is a key player in writing the national science standards, its current Executive Director, Rodger Bybee, having chaired the Content Committee for drafting the national standards.¹⁰⁸ Bybee is acknowledged in the *NSES* Appendix with two other BSCS staff members, and he is quoted as a spokesman for the BSCS in a *Kansas City Star* article dated September 25, 1999.

The BSCS developed textbooks, teaching and curriculum guides that expressed the “unified concepts” long before “unified concepts” became mandatory by states adopting the *NSES*. According to Smocovitis, the BSCS drew on a number of biologists, but especially on . . .

some of the unifiers: G. Ledyard Stebbins, Jr. and G. G. Simpson, as well as Hermann J. Muller. Three colorful textbooks launched in 1960-61 (the “Green,” the “Blue,” and the “Yellow”) were *to discipline* an entire generation of emerging new professional biologists *to the belief* in biology as *unified science* [emphasis added].¹⁰⁹

The outline of one BSCS textbook, the “Blue Version, 7th edition” closely compares to the outline of the “unified concepts” of the national science standards (and therefore the Kansas Science Standards). The BSCS’ Green Version, and the Blue Version, in non-didactic terms, introduce students to

consider eugenics-related practices favorably, such as contraception, genetic counseling, genetic engineering, in vitro fertilization.¹¹⁰

It should be noted that government-mandated curricula would dramatically increase textbook sales for any company meeting the mandate. A company like the BSCS, with power to draft a state-mandated course outline, has the opportunity to draft the outline in a way favorable to its existing products, giving its own sales an advantage over other publishers. By itself, this unexplored appearance of a conflict of interest deserves investigation, notwithstanding the other egregious objections to the *NSES*.

The American Association for the Advancement of Science, one of the two primary groups responsible for the *National Science Education Standards*, has a century-long history of leadership by and promotion of members of the American Eugenics Society.

In fact, the AAAS today, unbelievably, maintains an official affiliation¹¹¹ with the renamed eugenics society. Since 1973 the AES has called itself The Society for the Study of Social Biology, becoming an official affiliate of the AAAS in 1975.¹¹² An expose of the pre-war American Eugenics Society, *The Nazi Connection*, by Stefan Kuhl (Oxford University Press 1994), identifies five members of the eugenics society who were also presidents of the AAAS.¹¹³ Additional checking has revealed at least nine more AAAS presidents who at some point were advisors or members of various eugenic groups.

By itself, the idea of national science standards is repugnant to ideas of democracy and academic freedom. A curriculum produced by a single, wealthy group like AAAS, however, is a case-in-point for Constitutional separation of powers between state and federal jurisdictions. By reason of the AAAS affiliation with, and historic open-door policy for a destructive, racist, misogynist, anti-religious field of pseudo-science like eugenics, the scientific credibility of the AAAS, if not wholly destroyed, is subject to deep skepticism, while its political motivations are exposed to the light of day.

The outrageousness of the current AAAS affiliation with the re-named American Eugenics Society is illustrated by an example of the AES' hideous *post-war* radicalism: its willingness to admit as a member, Dr. Otmar Von Verschuer¹¹⁴, the scientist who supervised the work of the terror of Auschwitz, Dr. Josef Mengele.¹¹⁵

Josef Mengele (Verschuer's former graduate student) served as his assistant at the Kaiser Wilhelm Institute for Anthropology, Human Genetics, and Eugenics. Mengele helped supply the institute with some of the "scientific materials" he had acquired at Auschwitz. Verschuer described the project:

My assistant, Dr. [Josef] Mengele (M.D., PhD.) has joined me in this branch of research.

He is presently employed as Hauptsturmführer and camp physician in the concentration camp at Auschwitz. Anthropological investigations on the most diverse racial groups of this concentration camp are being carried out with permission of the SS Reichsführer [Himmler]; the blood samples are being sent to my laboratory for analysis.¹¹⁶

After World War II, Verschuer contacted Hermann J. Muller, apparently already at Indiana University's zoology department, seeking help. He told Muller he was committed to restoring the reputation of "our science," and he asked Muller "to support him with a letter of recommendation for the United States . . ."¹¹⁷

Post-war members of the American Eugenics Society, such as H. Bentley Glass, who served as president of the AAAS, are not identified in Kuhl's *Nazi Connection*, mentioned earlier, nor are other eugenicists¹¹⁸ who became lower officers of the AAAS (like Garrett Hardin, President of the AAAS Pacific Division) or who acted in editorial capacities for the AAAS journal. One officer of the AAAS was Kingsley Davis,¹¹⁹ who was also a board member of the American Eugenics Society.¹²⁰ The AAAS, besides elevating eugenicists to powerful positions in the organization, also published articles for members of the American Eugenics Society, such as for Glass, Muller and Davis, below, and newsy items about individual eugenicists without naming the eugenics society.

For example, in a 1967 issue of the AAAS journal, *Science*, Davis urged that schools be targeted to promote what he called population policy:

[A] government has two powerful instruments—its command over economic planning and its authority . . . over *education*. The first determines . . . the economic conditions and circumstances affecting the lives of all citizens; the second *provides the knowledge and attitudes necessary to implement the plans*. The economic system largely determines who shall work, what can be bought, what rearing children will cost, how much individuals can spend. The *schools define family roles* and develop vocational and recreational interests; they could, if it were desired, *redefine the sex roles, develop interests that transcend the home*, and transmit realistic (as opposed to moralistic) knowledge concerning *marriage, sexual behavior, and population problems*. When the problem is viewed in this light, it is clear that *the ministries of economics and education, not the ministry of health, should be the source of population policy* [emphasis added].¹²¹

There are other good reasons to oppose the *National Science Education Standards*. The grandiose "unified concepts" outlined in the *NSES* are in fact an anti-God worldview, according to statements made by John A. Moore and his fellow architects of the post-war scientific effort to "unify" biology around Darwin's natural selection.

In a 1995 BSCS publication called *Developing Biological Literacy, A Guide to Developing Secondary and Post-secondary Biology Curricula*, John A.

Moore again emphasized his position that science and religion are incompatible:

This brings us to a comparison of science as a way of knowing with another dominant way of knowing—that provided by religion. . . . One account of creation, the so-called Priestly version, has a god creating the world and all its inhabitants in six days. That evidence has to be accepted, if it is, on faith alone . . . a scientist cannot accept unprovable statements . . .¹²²

Another essayist in this book is Huxley contemporary and SSE organizer, Ernst Mayr, who is also an endorser of Moore's *Science as a Way of Knowing*. Mayr was featured in a 1997 *New York Times* story, with a headline entitled: "Long Evolution of 'Darwin of 20th Century.'" Mayr's photo caption described him as at "the forefront of evolutionary biology thought at 92."¹²³

The *Times* story acclaims Mayr as "one of the pivotal scientists who shaped the intellectual watershed known as the evolutionary synthesis." The same story reported that Mayr was

one of the founders of the study of the history and *philosophy of biology*. As late as the 1960's, historians and philosophers, as well as physicists, viewed the only true sciences as being the physical sciences: physics, astronomy, chemistry . . . [Mayr] argues in his latest book that *biology, distinct from the physical sciences* offers unique insights into what science can be and *what it means to be human* [emphasis added].¹²⁴

Two weeks earlier, theologian John F. Haught had reviewed Mayr's 1997 book in the *Washington Times*:

Mayr unwittingly and unnecessarily places theology and evolutionary biology in a competitive relationship . . . It is clear that he considers theological explanation to be pre-scientific and anti-scientific rather than nonscientific . . . Mayr considers purposive discourse as *completely contrary to science*, rather than simply beyond the arena of its competence [emphasis added].¹²⁵

In *Unifying Biology*, dedicated to Ernst Mayr, the author describes the "unification of evolution and biology" as "positivism," which seeks a "unified theory of knowledge," as a "mentalité and also as a "worldview, framework, discursive mentalité, cosmologies narrative worlds, or weltanschauung."¹²⁶

Unifying Biology is an insider's account, a "contextual history" giving voice to the actors,¹²⁷ of how eugenics came to be renamed "evolutionary biology," undoubtedly to disassociate itself from the Aryanism Hermann J. Muller denounced and to focus on the population control Muller, Huxley and other eugenicists demanded in the Geneticists' Manifesto of 1939.¹²⁸

While Smocovitis identifies Julian Huxley as the leader who did the most to

create “unity in the ideological sciences,”¹²⁹ she does not disclose that he was a member of the British eugenics society. She writes: “For Huxley, a grounding in evolution and the construction of an *evolutionary humanism* became an imperative for the future of ‘modern man’¹³⁰ [emphasis added]. Both Huxley and Muller were signers of the *Humanist Manifesto*, stating “We can discover no divine purpose or providence for the human species. . . . Science affirms that the human species is an emergence from natural evolutionary forces.”¹³¹

At an AAAS meeting in 1939, Huxley, Dobzhansky, Mayr and another man suggested the creation of a new organization, which after the war became the Society for the Study of Evolution. Smocovitis writes:

Nor was Huxley the only evolutionist to uphold a view of evolutionary progress in the 1940's. Dobzhansky, Mayr, Simpson and Stebbins all came to subscribe to versions of evolutionary progress at the *same time that they made natural selection a mechanism* [emphasis added].¹³²

According to Smocovitis, Huxley called for recognition of a modern “synthesis of evolution” shortly after 1937, when “the first synthetic account of evolution had been written by Theodosius Dobzhansky in *Genetics and the Origins of the Species*.”¹³³

Dobzhansky, writes Smocovitis, synthesized “theoretical studies of evolution” from the “mathematical models” by Sewall Wright in the United States (member of the American Eugenics Society), R.A. Fisher and J.B.S. Haldane (members of the British eugenics society) and Dobzhansky’s own natural, population studies.¹³⁴

In 1946 Huxley was to take his modern synthesis of evolution to a still wider audience: the “United Nations” of earth. Becoming director-general of UNESCO, an emerging global political force, Huxley believed his drive to unify biology within an evolutionary worldview would aid the process of unifying a fragmented world in search of a common ground for political unity. By the 1950’s the “modern” synthesis of evolution had thus reached an international audience of the “modern” unified nation states.¹³⁵

Writing in 1961 in the AAAS journal, *Science*, eugenicist Hermann J. Muller, a past-president of the SSE, lamented that by 1936, the word “eugenics” had become associated with “everything vile.”¹³⁶

Yet, in 1939 Muller had joined with Huxley and other members of the British Eugenics Society such as J.B.S. Haldane, to sign a document entitled the “Geneticists’ Manifesto.” They called for a global system of birth control in order to increase the quality of the race. “All Could be Geniuses,” the headline read. Their Manifesto was re-published by the American Eugenics Society in 1946.

That leaders of the eugenics movement, by shifting into systematic birth

control systems, still continued their aims of racial hygiene is illustrated by the headline claiming “all could be geniuses.” The dangers of such systems are illustrated by a statement Hitler made, threatening to eliminate the Slavs by damming “their great natural fertility,”¹³⁹ and by the United States Code Title 18, section 1091, prohibiting genocide by the use of birth control against targeted groups. The post-war eugenicists shifted aim against women and the unborn, lying about the humanity of the unborn the way they had previously lied about the humanity of non-whites and Jews.

Smocovitis does not identify Muller as a member of the American Eugenics Society, nor mention that eugenics had become associated with “everything vile” by the time Huxley, Dobzhansky and Mayr met in 1939 to discuss organizing a new group. Smocovitis, however, does confirm in another way that evolutionary biology is not a science, but a philosophy. Writing an “approved” history of evolutionary biology, she repeatedly states that the Society for the Study of Evolution was only born out of growing threats by the fields of chemistry and physics to overwhelm “classical biology” with contradictory, hard proof.¹⁴⁰

Founded in 1946, the Society for the Study of Evolution included members of the American and British eugenics societies who also became SSE officers such as Ernst Mayr, J. T. Patterson, L. R. Dice, Julian Huxley, Sewall Wright, Theodosius Dobzhansky, J. B. S. Haldane, R. C. Lewontin, I. M. Lerner and T. M. Songbird.¹⁴¹

Moore’s group, the SSE, gives an annual award in honor of Ernst Mayr’s contemporary, Theodosius Dobzhansky,¹⁴² a former Director of the American Eugenics Society. In the July/August 1999 issue of *Archeology*, Dobzhansky was identified with Ernst Mayr as a principal architect of “evolutionary synthesis.”¹⁴³

Dobzhansky, in his 1967 book, *The Biology of Ultimate Concern*, credits his views of synthesis to Pierre Teilhard de Chardin, “a prophet and a metaphysician.”¹⁴⁴ He wrote: “What [Teilhard] tried to do was something entirely different, namely to create a coherent *weltanschauung*, including his mystical Christianity as well as his scientific knowledge.”¹⁴⁵

Dobzhansky professes that his own *Weltanschauung* arose when he became enraptured with “evolutionary biology” as a teenager.¹⁴⁶ “The German word *Weltanschauung* . . . [has] . . . no precise English equivalent. The usual translation, ‘world view,’ subtly betrays the meaning . . . There is a greater urgency about a *Weltanschauung* . . . It is most closely related to the ‘ultimate concern’ which [is considered] to be the essence of religion in the broadest and most inclusive sense.”¹⁴⁷

It is therefore not only John Moore's statements that indicate the *NSES* incorporates a philosophical worldview. Smocovitis' approved history defines the "synthesis" or "unified concepts" as a *Weltanschauung*, developed by men who other sources identify as leading eugenicists. Moreover, the careers of the men who created and endorsed the *NSES*, at the AAAS, the BSCS and especially at the Society for the Study of Evolution, and who each year honor the name of Dobzhansky—eugenicist and author of the concept of evolutionary biology as an "ultimate concern" or *Weltanschauung*—these are the men who demonstrate that the standards are intended to teach children a *philosophy of science*, not just science.

Moore made other disturbing statements in the 1980's "science as a way of knowing" project:

It is very important that we discuss these different modes of thought with students who often come to us believing that creationists and scientists have equally valid explanations for the origins of life and its changes over time. That being so, *the students often assume that one or other modes of thought may be selected with impunity*. In many instances, that can be a dangerous conclusion [emphasis added].¹⁴⁸

Also from Moore, "The concern is the development of ideas, *not to present a balanced history*, so the emphasis will be on key individuals and key concepts" [emphasis added].¹⁴⁹

For pro-life people and people who oppose eugenics, it is important to know that eugenics is the heart of evolutionary biology, and therefore influences the national science standards. Moore himself warned us when he said: "Most of these problems such as abortion, genetic engineering, right to life, environmental pollution, and overuse of natural resources, have no single solution . . . science can be invaluable in helping human beings make informed choices . . ."¹⁵⁰

Moore, having spent over fifteen years with the textbook and publishing group, the BSCS, was in a position to carry out his world-view there, as well as in his capacities at the National Research Council's "Coordinating Council on Education," the "Committee on Undergraduate Education," the "Committee on Science Education," and on the AAAS committee for Project 2061.¹⁵¹

He therefore served in influential capacities relating to the national science standards in three of the promulgating organizations (the AAAS, the NRC and the BSCS), besides having his book officially endorsed by heads of the two lead groups.

According to the 1959 president of the American Eugenics Society, Harry L. Shapiro, three essentials of eugenics are Darwin's natural selection, Malthus'

idea of scarcity, and Mendel's analysis of heredity.¹⁵² These are the elements of eugenics, whether or not it is re-named "unified concepts" or "evolutionary biology," or "synthesis." In fact the themes reinforced by the *NSES*' thirteen year long curriculum are population genetics, natural selection and Malthusian scarcity. Scarcity is taught as early as fourth grade.

Given Moore's and Kingsley Davis' statements about reaching into classrooms with propaganda and given Moore's work with Bentley Glass at the BSCS to actually reach the classrooms with textbooks and curriculum guides, given the activities of the AAAS in writing the science standards as well as the AAAS' longstanding influence by the pseudo-science of eugenics, and given the BSCS' direct involvement in the *National Science Education Standards*, the "standardization" effort can safely be characterized as an outrageous attempt to revive some of what everyone had hoped was buried in the rubble of World War II:

Racial hygiene works in the same way, namely, *the education of the student in a national sense* . . . It should be repeatedly emphasized that the biological laws operative in animals and plants apply also to man; for example, that the *knowledge acquired from studying the genetics of these organisms can, in a general way, be applied to man*. Thus, the teaching of animal breeding and plant cultivation can effectively prepare the way for conceptions of racial biology."¹⁵³

Secondary schools [under the Nazi's] were required to teach heredity, racial science, family as well as population policies. Intrinsic to each of these was an *ideological instruction in biology* [emphasis added].¹⁵⁴

We should remember the statement by the Deputy Nazi Party Chief, Rudolf Hess: "National Socialism is nothing but applied biology."¹⁵⁵

It is chilling that Ernst Mayr, in his endorsement on the back cover of Moore's book, invokes both the urgency of *Weltanschauung*, and biological solutions in the same comment:

At no previous time in history has an understanding of biology been more crucial than it is today. All our major *current problems are ultimately biological*: the population explosion, the greenhouse effect, the depletion of resources, unsolved medical problems, famines. *Solutions will have to be biological* as well as sociological. No one is better qualified to provide citizens with an understanding of the essential principles and concepts of biology than John A. Moore . . . [emphasis added].¹⁵⁶

* * * * *

To say it is time to end the eugenics means revolution. It is time to demand that evolutionists stop promoting a eugenics mindset. It is time to dismantle the population control system, first by ending federal funding, and then by redefining charity in terms of concrete items like food, clothing and shelter for

purposes of charitable tax status, not to include birth control, abortion or other tools of eugenicists.

Then, ending eugenics means remedies against the federal government and private entities who have lied in order to disguise the purposes behind eugenics measures. It means rejecting any “unified” theory of scientific knowledge created by eugenicists. It means limiting the longevity of trusts and breaking up interlocking relationships between for-profit corporations and foundations. It means accountability to survivors of abortion—siblings, mothers and fathers.

It means ending corporate dreams of making money from manufacturing human beings in the laboratory, and ending experimentation on and trade in unborn babies killed by abortion. It means re-establishing equal protection of the law for the unborn, the disabled and the sick. It means a new commitment of resources to help the weak, not to line the pockets of insiders. On and on it will go, until the last vestige of eugenics is stamped out.

The Congress, at the least, should pass a resolution apologizing to the Kansas State Board of Education for the political upheaval, time and expense that the Board suffered in fending off a scandalous, federally-backed initiative.

Other Congressional efforts to “colonize” the states’ education systems should be “unstrung” (meaning that either the puppet-strings attached to the money are removed, or the program is repealed) in order to return the education of children to local democracy.

The AAAS should require publication of a list of members of its affiliate, the Society for the Study of Social Biology, and then publicly sever all affiliation and activities with the SSSB.

The AAAS should either restrict itself to serving the science community, or if it ventures into domains outside its expertise, it should refrain from eugenics-based political indoctrination. The AAAS should make significant funding available to objective historians so that honest, arms-length research and writing (not an inside white-wash) can be conducted on the history of the AAAS membership during the twentieth century’s wars on “population.” Like the Congress and the NAS, the AAAS owes apologies to the Kansas State Board of Education, to minorities, and to women who have been irreparably harmed in the name of “science.”

Churches need to be far more skeptical of the “scientific” proof of Darwinism and Malthusianism, and not yield to intimidation. Science teaching in religious and public schools must include the bloody results of “survival of the fittest” politics and economics. Christians should stop assuming that a belief in Darwinism and Malthusianism is somehow mandatory as part of scientific

discussions. Instead, we should put ideas to the test, and do so with true scientific rigor. People of faith should plead for God's forgiveness to the extent that they have mixed Darwinism with religion in this just-ended eugenic century, using the excuse of "scientifically-proven necessity" to kill God's people.

NOTES

1. Darwin, Charles, *The Descent of Man and Selection in Relation to Sex*, (NY: D. Appleton and Company 1898).
 2. *Ibid.* at 47-48.
 3. *Ibid.* at 136. Darwin credits his remarks about natural selection in civilized nations to three men, including Sir Francis Galton.
 4. *Ibid.*
 5. *Ibid.* at 141.
 6. *Ibid.*
 7. *Ibid.* at 160.
 8. Behe, Michael, *Darwin's Black Box: The Biochemical Challenge to Evolution*, (NY: Touchstone Simon & Schuster 1998).
 9. *Ibid.* at 39, quoting Darwin, C. (1872) *Origin of the Species*, at 154 (New York University Press 1988, 6th ed.)
 10. www.toolan.com/hitler/index.html
 11. O'Keefe, Katharine, "Social History and the Eugenics Societies," *Social Justice Review*, 89:4-7 (1998).
 12. *Ibid.* at 6, citing a formal resolution adopted in 1960 at the annual meeting of the English eugenics society, and also citing the leading twentieth century American eugenicist, Frederick Osborn, speaking at the 1956 Galton Lecture in London.
- See also Blacker, "Eugenics in Retrospect and Prospect," at 25, 26 and 27, Occasional Papers on Eugenics, No. 1, The Galton Lecture 1945 at Manson House, London (The Eugenic Society and Cassell and Company Ltd., London 1950) (Three months before the war in Europe ended in 1945, Blacker, secretary of the English eugenics society for fourteen years, described how eugenics, "through events over which the Society had little control...got into disrepute; how it came to be regarded as a field for cranks, misguided enthusiasts and irresponsible propagandists. The hostility to eugenics seems to have come and gone in waves." On the subject of propaganda, Blacker explained the de-emphasis of eugenic propaganda: "I should like to say a word about the Society's attitude to propaganda. To this, in its early days, it devoted much of its time and energy...Lately, however, we have done much less propaganda...The Council has taken the view that if we can put forward a reasonable and convincing case that considerations of quality should be taken into account in devising a population policy, and if we can formulate sensible suggestions as to how, in practice, this can be done, many of these cognate organizations will do our propaganda for us. This campaign need not be specially conducted in the name of eugenics or of the society. Our primary object is not the glorification of the Society, nor even the glorification of the word eugenics; it is to get sound eugenics principles recognized, accepted and acted upon.")
- See also, Osborn, "Implications of the New Studies in Population and Psychology for the Development of Eugenic Philosophy," *Eugenics News, Current Record of Race Hygiene*, 22:104-107 at 106, 107 (Nov.-Dec.1937) (Frederick Osborn, leader of the American Eugenics movement between 1937 and 1974, undoubtedly referring to German events, wrote against imputing "superiorities or inferiorities of a biological nature to social classes, to regional groups, or to races as a whole," stating that "scientists are not at all sure that any races or social classes in this country are above or below others in biological capacity for developing socially valuable qualities." However, Osborn, possibly alluding to the introduction of birth control and abortion, does not denounce eugenics; he merely urges a new *public* emphasis, "Eugenics should therefore operate on a basis of individual selection...The public emphasis of eugenics should be on a basis of

- individual selection...The public emphasis of eugenics should be on a better distribution of births throughout the population. Such an aim is *sympathetic to existing social activities whose cooperation is essential to the wide-spread acceptance of eugenics* [emphasis added].")
13. Smocovitis, Vassiliki Betty, *Unifying Biology: The Evolutionary Synthesis and Evolutionary Biology* (NJ: Princeton University Press 1996).
 14. *Id.* at 175 ("Warding off reduction to the physical sciences became a primary concern for Ernst Mayr, the architect most sensitive to philosophy at this time."); and *see ibid.* at 176 ("In 1963, Simpson picked up and extended Mayr's argument for two biologies, not only to argue against reduction to the physical sciences, but also to argue for the centrality of biology in the drive to unify the sciences.")
 15. *Ibid.* at 138.
 16. *Ibid.* at 126.
 17. *Evolution*, 24:43-44 (Society for the Study of Evolution, Lawrence, KS: Allan Press 1970).
 18. Huxley, Sir Julian, *Essays of a Humanist* at 125-126 (NY: Harper & Row 1964).
 19. Smocovitis at 138.
 20. *Ibid.* at 146.
 21. Huxley, *Essays of a Humanist* at 220.
 22. *Ibid.* at 222.
 23. Huxley, Julian, *Evolution: The Modern Synthesis*, (George Allen & Unwin Ltd.: London 1942).
 24. Smocovitis at 146.
 25. *Ibid.* at 151.
 26. Darwin, "The Aims and Methods of Eugenical Societies," *Science*, 54:313-323 at 323 (1921) (From an address given by Major Leonard Darwin, as president of the British eugenics society for the prior ten years: "But science, whilst giving us good ground for hope, also issues grave warning concerning the danger of national deterioration resulting from the unchecked multiplication of inferior types...A determination that such a downfall shall not be the fate of this nation is a sentiment felt by every man who is animated by the eugenic ideal, an ideal to be followed like a flag in battle without thought of personal gain.").
 27. "Improving the Breed," *Time*, Jan. 17, 1955 ("Figuring out which families to encourage, confessed Physicist [Sir Charles Galton] Darwin, is a discouraging problem [quoting Darwin]: 'The breed of race horses has been improved indeed to a remarkable degree . . . We would like to do the same for humanity, but it is a very difficult business what human beings have won the race of life, whereas it is fairly easy to see which people can be classified in ending last.'")
 28. Huxley, "Heredity and Humanity," *Woman's Home Companion*, 59:20-21 at 21 (1932) ("And it seems it is these mutations which provide the raw material for real large-scale evolutionary change. In the pressure of the struggle for existence, the harmful changes are gradually weeded out, the favorable ones survive in large numbers and are incorporated into the race. The struggle has a sifting action on the mutations. This is what Darwin, seventy years ago, called 'natural selection,' and it is this sifting selection which, picking out the 'good mutations,' gradually pushes the race along its evolutionary path.")
 29. Blacker, "Birth Control and Eugenics," *The Nineteenth Century*, 111: 464-777 at 466 (1932) ("The effect of the advances in medicine and the improvement in our system of public health which have taken place in the period specified has been to lower the hurdles and to increase the individual's chances for survival. In consequence, many more persons than formerly of inferior resistance and physique now reach maturity and reproduce their kind.")
 30. Sanger, *Birth Control Review*, Vol. I, no. 12, at 7 (Dec. 1917) ("[C]ivilization has brought sympathy, pity, tenderness and other lofty and worthy sentiments, which interfere with the law of natural selection. We are now in a state where our charities, our compensation acts, our pensions, hospitals, and even our drainage and sanitary equipment all tend to keep alive the sickly and the weak, who are allowed to propagate and in turn produce a race of degenerates."), quoted by Human Life International, "Quotable Quotes from the Birth Control Review, Version 1.0, February 1997, www.HLI.org.
 31. Blacker, "Eugenics in Retrospect and Prospect," *Occasional Papers on Eugenics*, No. 1, The Galton Lecture 1945 at Manson House, London (The Eugenic Society and Cassell and Company Ltd., London 1950).
 32. O'Keefe, John Cavanaugh, "Introduction to Eugenics," (VA: American Life League 1995).
 33. *Ibid.*
 34. The author acknowledges, with high esteem and great appreciation, Kathy O'Keefe and her

brother, John Cavanaugh O'Keefe, for leading the scholarship in post-war eugenics, and in particular for pointing out this information.

35. Hunter, George William, *A Civic Biology Presented in Problems*, at 196 (NY: American Book Company 1914), claiming there are five races of man, "the highest type of all, the Caucasians, represented by the civilized white inhabitants of Europe and America." Foreshadowing the language and the concentration camps applied to the Jews and others in Germany, Hunter's textbook, at 263, taught school children that, like the unborn are called today, some people are "parasites" who need to be separated from society: "They not only do harm to others by corrupting, stealing, or spreading disease, but they are actually protected and cared for by the state out of public money. Largely for them the poorhouse and the asylum exist. They take from society, but they give nothing in return. They are true parasites....If such people were lower animals, we would probably kill them off to prevent them from spreading. Humanity will not allow this, but we do have the remedy of separating the sexes in asylums or other places and in various ways preventing intermarriage and the possibilities of perpetuating such a low and degenerate race. Remedies of this sort have been tried successfully in Europe and are now meeting with success in this country."
 36. Lifton, Robert J., *Nazi Doctors* (Harper Basic Books 1986).
 37. Kuhl, Stefan, *Nazi Connections* (Oxford University Press 1994); Meehan "The Road to Abortion (Part II): How Government Got Hooked," *Human Life Review*, 25:68-82 (1999); Meehan, "The Road to Abortion (Part I): How Eugenics Birthed Population Control," *Human Life Review*, 24:76-89 (1998); O'Keefe, "Social History and the Eugenics Societies," *Social Justice Review*, 89:4-7 (1998); Meehan, "Eugenics and the Power Elite," *Social Justice Review*, 88:167-170 (1997); Liagin, "Population Control in American Foreign Policy," *Social Justice Review*, 88:170-173 (1997); Waters, "The Ethics of Eugenics," *Social Justice Review*, 88:174-177 (1997); O'Keefe, "Introduction to Eugenics" (VA: American Life League 1995).
 38. *National Science Education Standards*, (Washington, D.C.: National Academy Press 1996).
 39. *Ibid.*, Chapter 6 (content standards for levels K-12 include evolution as a "unifying concept" in all levels, taught under categories entitled "Life Science" and "Earth and Space Science." Population studies are taught in all grade levels under categories entitled "Science in Personal and Social Perspectives." Heredity is taught in grades 5 through 12 under the category "Life Sciences.")
 40. *Ibid.* at 113 ("Changing Emphasis—Less on... Knowing scientific facts and information/ More on... understanding scientific concepts and developing abilities of inquiry.") For students, less factual information operates to decrease individual ability to question the basis of official government-required "concepts."
 41. Not within the scope of this report, regrettably, but nevertheless a vastly important topic of investigation, is the prominence of the Carnegie Corporation of Washington and many other foundations, in using their capital pools (trusts) to dominate the actions of public agencies. Public policy monopolies, dominated by a handful of private individuals with no public accountability, can be fashioned from "partnering" the vast resources of the private trusts with those allocated to public agencies.
- With regard to the subject matter of this article, the professional biographies of more than a coincidental number of men related to the *NSES* involve their prior or current positions with the Carnegie Corporation of Washington, or funding from it. Needed reforms in laws relating to these trusts have been known for fifty years, but perhaps the *NSES* initiative illustrates the severity of need for tax and trust law reform.
42. *NSES* at 15 ("The National Research Council of the National Academy of Sciences gratefully acknowledges its indebtedness to the seminal work by the American Association for the Advancement of Science's Project 2061 and believes that use of *Benchmarks for Science Literacy* by state framework committees, school and school-district curriculum committees, and developers of instructional and assessment materials complies fully with the spirit of the content standards.")
 43. Under the auspices of the NAS, therefore, the NRC performs contract work for other government operations. NRC revenue is primarily appropriated tax dollars, redirected to NRC from the budgets of its referring agencies. In addition to funds from federal agencies, development of the *NSES* book was funded by private foundations, including Volvo North American Corporation, The Ettinger Foundation, Inc. and the Eugene McDermott Foundation.
 44. *NSES*, Acknowledgments at iii.
 45. AAAS.org

46. *NSES*, Appendix at 252.
47. Moore, John A., *Science as a Way of Knowing: The Foundations of Modern Biology* (Cambridge, MA: Harvard University Press 1993).
48. *Ibid.* at 416.
49. Lifton, Robert J., *Nazi Doctors*, at 125 (Basic Books 1986).
50. *Ibid.*
51. *Ibid.* at 441-442.
52. *NSES* at 201, 206, 207.
53. This refers to the loose, outside jacket covering a library copy of Moore's 1993 printing. However, a different text for the hard-cover/no jacket version of Moore's 1993 printing has been discovered, in addition to yet a third text for the book's 1999 soft-bound outside cover.
54. Bruce Alberts, Francisco Ayala, Peter H. Raven, F. James Rutherford.
55. Ehrlich, Ayala, Raven and Mayr.
56. Smocovitis at 156.
57. Reisman, Judith A. Ph.D, *Kinsey: Crimes and Consequences* (Arlington, VA: The Institute for Media Education, Inc. 1998).
58. *Evolution*, 24:43-44 (Lawrence, KS: Allan Press 1970).
59. Reisman, at 291 *et seq.*
60. Huxley, "The Vital Importance of Eugenics," *Harper*, 163: 324-331 at 331 (1931)
61. *UNESCO: Its Purpose and its Philosophy* (Washington D.C. 1947), cited in Liagin, *Excessive Force: Power Politics and Population Control*, at 85 (Washington, D.C.: Information Project for Africa 1996)
62. Haeckel, Ernst, Vol. I & II *The History of Creation, or The Development of the Earth and its Inhabitants by the Action of Natural Causes: A Popular Exposition of the Doctrine of Evolution in General, and of that of Darwin, Goethe, and Lamarck in Particular*, (New York: D. Appleton & Co. 1914, 5th ed.): illustration in Haeckel's book is Plate 1, Vol. I. Moore duplicates the Haeckel illustration on his p. 417.
63. *Ibid.* at 429.
64. Moore at 250-251.
65. Moore at 88.
66. *Ibid.* at 102.
67. *Ibid.* at 4.
68. *Ibid.* at 59.
69. *Ibid.* at 60.
70. *Ibid.* at 59.
71. *Ibid.* at 61-66.
72. *Ibid.* at 64.
73. *Ibid.* at 132.
74. *Ibid.* at 66, 78.
75. *Ibid.* at 133-134.
76. Reisman at 297.
77. Lifton, Robert J., *Nazi Doctors*, at 28 (Harper/Basic Books 1986).
78. Wistrich, Robert, S., *Who's Who in Nazi Germany*, at 213 (London: Routledge 1982).
79. *Ibid.* at 213.
80. Lifton at 29.
81. *Science*, 134:643-649, (AAAS 1961).
82. *Ibid.* at 643.
83. *Ibid.*
84. *Ibid.* at 644.
85. Moore at 462.
86. See e.g., *Eugenical News*, Vol. 21 (Mar.-Apr. 1936) (Conklin is listed inside the front cover; on the page across from Conklin's name is an article by Dr. C.G. Campbell entitled, "The German Racial Policy.")
87. <http://www.aaas.org/Exhibit/unitiv/mtings.htm> (downloaded 5/5/99)
88. See Wistrich.
89. *The New York Times* at 5 (Thurs. Aug. 29, 1935).
90. *Time*, Sept. 9, 1935 at 20-21.
91. Kuhl, Stefan, *The Nazi Connection: Eugenics American Racism and German National Socialism*,

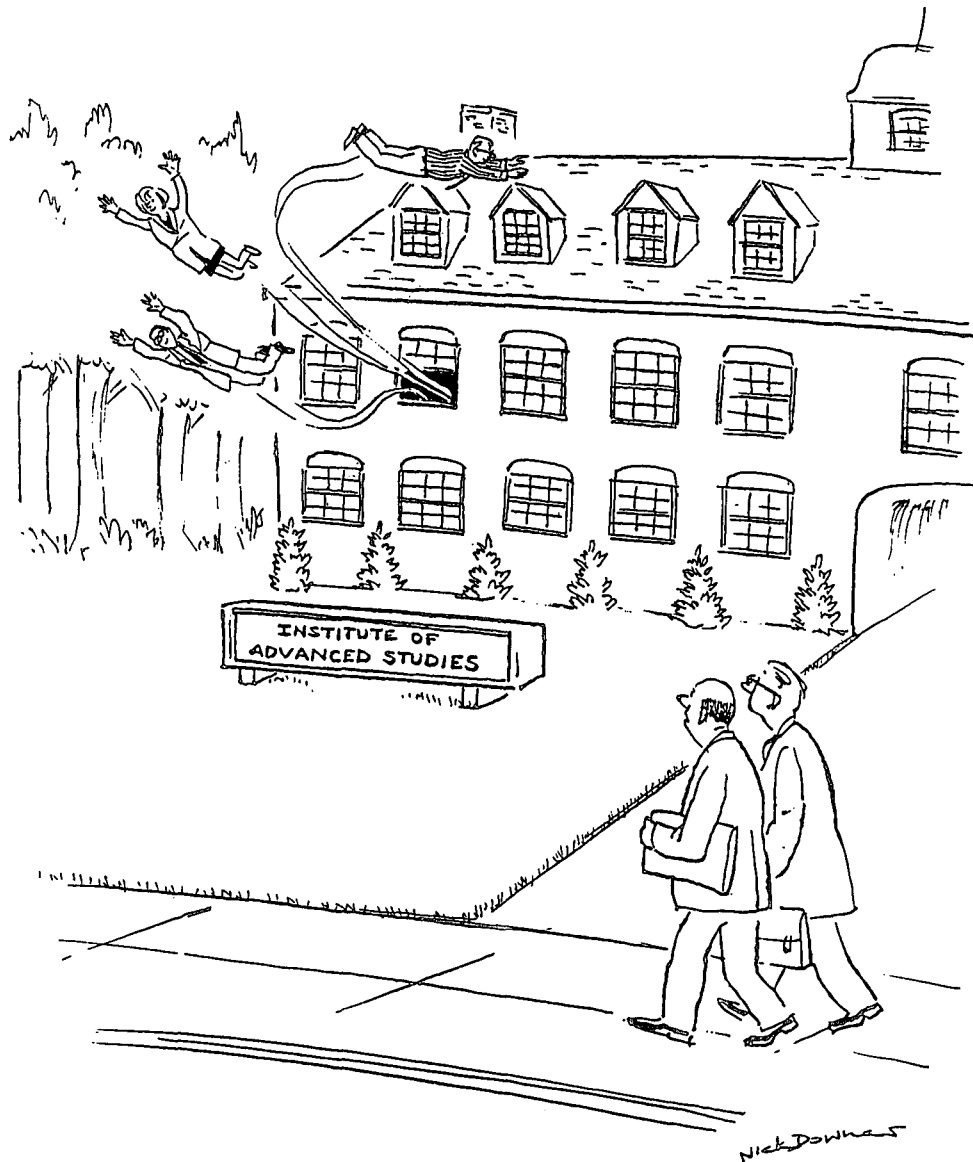
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- at 32 (Oxford University Press 1994).
92. *Ibid.* at 34.
93. Hodgson, "Long-Range Perspectives on Neurobiology and Behavior," *American Zoologist*, 30:404 (1990).
94. Moore at viii.
95. *Ibid.*
96. Moore, "Opening Remarks: Thinking and Deciding," *American Zoologist*, 28:519 (1988).
97. *Newsweek*, at 45 (Oct. 26, 1981)
98. Rini, "Open Season on Humanity: Abortion, Sterilization and the Coming Era of Coercion," at 32, *Celebrate Life* (VA: American Life League) (citing Hardin, Garrett, *Exploring New Ethics for Survival: The Voyage of the Spaceship Beagle*, at 261 (New York: Viking Press 1972),
99. Moore, "Opening Remarks: Thinking and Deciding," *American Zoologist*, 28:573-581 at 580 (American Zoological Society: 1988).
100. *Ibid.* at 575.
101. *See e.g. Eugenics Quarterly*, Vol. 10 (Mar. 1963) and issues thereafter listing Glass as a director. Glass' name appears on the membership roster for the American Eugenics Society, published in *Eugenics Quarterly*, Dec. 1956, Vol. 3, no. 4)
102. Smocovitis at 179-182; also, "Education Week on the Web," Feature: Counter Evolutionary, Part IV, www.edweek.org/ew/vol-16/12evol4.h16
103. Glass, "Science: Endless Horizons or Golden Age?" *Science*, 171:23-29 at 28 (AAAS 1971).
104. *Ibid.*
105. *Ibid.*
106. *Ibid.* at 29
107. Smocovitis at 179.
108. According to the Appendix, besides Bybee, other, BSCS staff who worked on the *NSES* are: Harold Pratt, BSCS Senior Associate (Working Group on Science Content Standards, under Bybee); Joseph D. McInerney, BSCS Director (listed with Additional Individuals Who Lent Support). John A. Moore is listed in his capacity as Emeritus Professor of Biology, Univ. of Calif-Riverside, (Individual Who Lent Support) but he not identified with the BSCS.
109. Smocovitis at 179-180.
110. *See e.g. Biological Science: A Molecular Approach, BSCS Blue Version* (D.C. Heath, a division of Houghton Mifflin Co. 1996 7th ed.) at 263 (in vitro fertilization); at 266 (contraception —with one line devoted to abstinence); at 301 (careers in genetic counseling); at 305 (genetic therapy); at 613 (ethics problem: "Does the physician have a *duty* to respect the man's *right* to die? Or does the physician have a *duty* to pursue his own *goal* of the preservation of life?") (emphasis in the original); *See also Biological Science: An Ecological Approach: BSCS Teacher's Edition* (Dubuque, IA: Kendall Hunt Publishing Co., 1992) at 209 (genetic screening).
111. *Encyclopedia of Associations*, Vol. I, Entry no. 6210, at 680 (Gale's Research 1999, 34th ed.); and *see e.g. Social Biology*, 39:325 (Fall/Winter 1992) ("The Society for the Study of Social Biology is an association of biological, behavioral and social science scholars. Its objectives are to advance and disseminate knowledge about biological and socio-cultural forces affecting human behavior and the structure and composition of human populations. It is an Affiliate of the American Association for the Advancement of Science and sponsors scientific symposia in conjunction with the annual, AAAS meeting. The Society publishes the journal *Social Biology*, which has published some of the most wide-cited scientific article in demography, genetics, psychology, medicine, sociology, anthropology, and related cross-disciplinary research.
Society members receive an annual subscription to *Social Biology* at no additional cost. Since the Society is cross-disciplinary and hence most Society members also belong to other professional associations, membership dues have been held to an absolute minimum....")
112. Archives of the American Philosophical Society, Philadelphia, Pennsylvania. Research provided by journalist Mary Meehan, whose leadership in the scholarly study of the post-war eugenics movement is herewith esteemed and gratefully acknowledged.
113. Kuhl at 66, citing Mehler dissertation and listing Wm. H. Welch, David Starr Jordan, Charles W. Eliot, Henry Fairfield Osborn and E.G. Conklin. The additional names are: R.S. Woodward, W.W. Campbell, J. McKeen Cattell, Edward L. Thorndike, Walter B. Cannon, Albert F. Blakeslee, Laurance H. Snyder, H. Bentley Glass and David A. Hamburg (Mary Meehan, personal communication, Feb., 2000).
114. "Membership List," *Eugenics Quarterly*, 3:252 (Dec. 1956).

115. Lifton at 349.
116. Proctor, Robert N., *Racial Hygiene: Medicine Under the Nazis*, at 44 (Harvard University Press 1988).
117. Reisman at 299.
118. This is an issue needing further investigation, however, a *brief look* at only a few issues of the AAAS journal, *Science*, reveals other post-war "social biologists" and members of the AES have held high posts at the AAAS, e.g. David Hamburg, President 1985, Richard C. Lewontin, Editorial Board 1969-70; Kingsley Davis, Vice President of Social and Economic Sciences Section, 1964.
119. *Science* (Jan. 3, 1964), listing Davis as Vice President (Sec. K) Social and Economic Sciences.
120. *Eugenical News*, Vol. 38 (March 1953) (Davis is listed as a member of the Board of Directors for the American Eugenics Society, Inc.).
121. Davis, "Population Policy: Will Current Programs Succeed?" *Science*, 158:730-739 at 738 (1967).
122. Moore, "What is Natural Science?" *Developing Biological Literacy: A Guide to Developing Secondary and Post-Secondary Biology Curricula, BSCS*, at 29 (Dubuque, IA: Kendall/Hunt Publishing 1993).
123. *The New York Times*, April 15, 1997, at C-4.
124. *Ibid.*
125. *The Washington Times*, March 30, 1997, at B-7.
126. Smocovitis at 14.
127. Smocovitis at 6-11.
128. "Plan for Improving Population Drawn by Famed Geneticists: All Could Be Geniuses in World Based on Biology; World Federation Needed; Birth Control Advocated," *Science News Letter*, August 26, 1939. Muller called this document the Geneticists Manifesto in his 1961 AAAS article referenced in footnote 137.
129. Smocovitis at 138.
130. *Ibid.* at 139.
131. Kurtz, Paul (ed.), *Humanist Manifestos I and II*, at 16, 17 (Amherst, NY: Prometheus Books 1973).
132. Smocovitis at 147.
133. *Ibid.* at 20.
134. *Ibid.* at 20.
135. *Ibid.* at 152.
136. Muller, "Human Evolution By Voluntary Choice of Germ Plasm," *Science*, 134: 643-649 at 643-644 (AAAS 1961)
137. *Science News Letter*, footnote 129.
138. "Improving Genetically the World Population," *Eugenical News* 31:43 (June 1946).
139. Rauschnig, Hermann, *Voice of Destruction*, at 137 (New York: G.P. Putnam's & Sons 1940) ("We are obliged to depopulate," he went on emphatically, "as part of our mission of preserving the German population. And by 'remove' I don't necessarily mean destroy; I shall simply take systematic measures to dam their great natural fertility. For example, I shall keep their men and women separated for years. Do you remember the falling birth-rate of the world war? Why should we not do quite consciously and through a number of years what was at that time merely the inevitable consequence of a long war? There are many ways, systematical and comparatively painless, or at any rate bloodless, of causing undesirable races to die out.")
140. *See e.g.* Smocovitis at 66.
141. *Ibid.* at 156.
142. From *Encyclopedia of Association*, Society for the Study of Evolution.
143. Tattersall, "Rethinking Human Evolution," at 22, *Archeology* (New York, NY: Archeological Institute of America July/Aug. 1999).
144. Dobzhansky, Theodosius, *The Biology of Ultimate Concern—Perspectives in Humanism*, at 115 (The New American Library 1967).
145. *Ibid.*
146. *Ibid.* at 1.
147. *Ibid.* at 6.
148. Moore, "Opening Remarks: Thinking and Deciding," *American Zoologist*, 28:573-581 at 574 (1988).

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149. Hodgson, "Long-range Perspectives on Neurobiology and Behavior," *American Zoologist*, 30:403-505 at 404 (1990), quoting Moore.
150. Moore, "Opening Remarks: Thinking and Deciding," *American Zoologist* 28:573-581 at 573.
151. *American Men & Women of Science*, vol.5 at 585 (New Providence, N.J.: R.R. Bowker 1998-1999 20th ed.).
152. Shapiro, "Eugenics and Future Society," *Eugenics Quarterly*, 6:3 (Mar. 1959).
153. Welch, David, *The Third Reich: Politics and Propaganda*, at 68 (Routledge London 1993).
154. *Ibid.*
155. Lifton at 129.
156. Moore, back cover of loose dust-jacket, 1993 hard-bound version.



"JUST HOW ADVANCED ARE THESE STUDIES?"

The Moral Meaning of Genetic Technology

Leon R. Kass

When, less than a half-century ago, James D. Watson and Francis Crick first revealed to the world the structure of DNA, no one imagined how rapidly genetic technology would develop.

Within a few years, we shall see the completion of the Human Genome Project, disclosing the DNA sequence of all 100,000 human genes. And even without complete genomic knowledge, biotech business is booming: according to a recent report by the research director for Smith Kline Beecham, enough sequencing data are already available to keep his researchers busy for the next twenty years, developing early-detection screening techniques, rationally designed vaccines, genetically-engineered changes in malignant tumors leading to enhanced immune response, and, ultimately, precise gene therapy for specific diseases. In short, the age of genetic technology has arrived.

This technology comes into existence as part of the large humanitarian project to cure disease, prolong life, and alleviate suffering. As such, it occupies the moral high ground of compassionate healing. Who would not welcome surgery to correct the genetic defects that lead to sickle-cell anemia, Huntington's disease, and breast cancer, or to protect against the immune deficiency caused by the AIDS virus?

And yet genetic technology has also aroused considerable public concern. Even people duly impressed by the astonishing achievements of the last decades are nonetheless ambivalent about these new developments. For they sense that genetic technology, while in some respects continuous with the traditional medical project of compassionate healing, also represents something radically new and disquieting. For their own part, enthusiasts of this technology are often impatient with such disquiet, which they tend to attribute to scientific ignorance or else to outmoded moral and religious notions.

In my own view, the scientists' attempt to cast the debate as a battle of beneficent and knowledgeable cleverness versus ignorant and superstitious anxiety should be resisted. For the public is right to be ambivalent about genetic technology, and no amount of instruction in molecular biology and genetics should allay its—our—legitimate human concerns. In what follows, I mean to articulate some of those concerns, bearing in mind that genetic

Leon R. Kass, a physician and a biochemist, is Addie Clark Harding Professor at the University of Chicago. This article will appear in somewhat different form in *The Moral Boundaries of Genetic Technology*, edited by Clarisa Long, to be published this year by AEI Press. This version is reprinted from the September 1999, issue of *Commentary* magazine, by permission; all rights reserved.

technology cannot be treated in isolation but must be seen in connection with other advances in reproductive and developmental biology; in neurobiology, and in the genetics of behavior—indeed with all the techniques now and soon to be marshaled to intervene ever more directly and precisely into the bodies and minds of human beings. I shall proceed by raising a series of questions.

What Is Different About Genetic Technology?

At first glance, not much. Isolating a disease-inducing aberrant gene looks fairly continuous with isolating a disease-inducing intracellular virus; supplying diabetics with normal genes for producing insulin has the same medical goal as supplying them with insulin for injection.

Nevertheless, despite these obvious similarities, genetic technology is also decisively different. When fully developed, it will wield two powers not shared by ordinary medical practice. Medicine treats only existing individuals, and it treats them only remedially, seeking to correct deviations from a more or less stable norm of health. Genetic engineering, by contrast, will, first of all, deliberately make changes that are transmissible into succeeding generations and may even alter in advance specific *future* individuals through direct “germ-line” or embryo interventions. Secondly, genetic engineering may be able, through so-called genetic enhancement, to create new human capacities and hence new norms of health and fitness.

For the present, it is true, genetic technology is hailed primarily for its ability better to diagnose and treat disease in existing individuals. Confined to such practices, it would raise few questions (beyond the usual ones of safety and efficacy). Even intrauterine gene therapy for existing fetuses with diagnosable genetic disease could be seen as an extension of the growing field of fetal medicine. But there is no reason to believe that the use of gene-altering powers can be so confined, either in logic or in practice.

For one thing, “germ-line” gene therapy and manipulation, affecting not merely the unborn but also the unconceived, is surely in our future. The practice has numerous justifications, beginning with the desire to reverse the unintended dysgenic effects of modern medical success. Thanks to medicine, for example, individuals who would have died from diabetes now live long enough to transmit their disease-producing genes. Why, it has been argued, should we not reverse these unfortunate changes by deliberate interventions? More generally, why should we not effect precise genetic alteration in disease-carrying sperm or eggs or early embryos, in order to prevent in advance the emergence of disease that otherwise will later require expensive and burdensome treatment? Why should not parents eager to avoid

either the birth of afflicted children or the trauma of eugenic abortion be able to avail themselves of such alteration?

In sum, before we have had more than trivial experience with gene therapy for existing individuals—none of it thus far successful—sober people have called for overturning the current (self-imposed) taboo on germ-line modification. The line between these two practices cannot hold.

Despite the naïve hopes of many, neither will we be able to defend the boundary between therapy and genetic enhancement. Will we reject novel additions to the human genome that enable us to produce, internally, vitamins or amino acids we now must get in our diet? Will we oppose the insertion of engineered foreign (or even animal) genes fatal to bacteria and parasites or offering us increased resistance to cancer? Will we decline to make alterations in the immune system that will increase its efficacy or make it impervious to HIV? When genetic profiling becomes able to disclose the genetic contributions to height or memory or intelligence, will we deny prospective parents the right to enhance the potential of their children? Finally, should we discover—as no doubt we will—the genetic switches that control our biological clock, will we opt to keep our hands off the rate of aging or our natural human lifespan? Not a chance.

We thus face a paradox. On the one hand, genetic technology really *is* different. It can and will go to work directly and deliberately on our basic, heritable, life-shaping capacities, at their biological roots. It can take us beyond existing norms of health and healing—perhaps even alter fundamental features of human nature. On the other hand, precisely because the goals it will serve, at least to begin with, will be continuous with those of modern high-interventionist medicine, we will find its promise familiar and irresistible.

This paradox itself contributes to public disquiet: rightly perceiving a difference in genetic technology, we also sense that we are powerless to establish, on the basis of that difference, clear limits to its use. The genetic genie, first unbottled to treat disease, will go its own way, whether we like it or not.

How Much Genetic Self-knowledge Is Good for Us?

Quite apart from worries about genetic engineering, gaining genetic knowledge is itself a legitimate cause of anxiety, not least because of one of its most touted benefits—the genetic profiling of individuals.

The deepest problem connected with learning your own genetic sins and unhealthy predispositions is neither the threat to confidentiality and privacy nor the risk of discrimination in employment or insurance, important though these issues may be. It is, rather, the various hazards and deformations in

living your life that will attach to knowing in advance your likely or possible medical future. To be sure, in some cases such foreknowledge will be welcome, if it can lead to easy measures to prevent or treat the impending disorder, and if the disorder in question does not powerfully affect self-image or self-command. But will and should we welcome knowledge that we carry a predisposition to Alzheimer's disease, schizophrenia, or some other personality or behavior disorder, or genes that will definitely produce at an unknown future time a serious but untreatable disease?

Still harder will it be for most people to live easily or wisely with less certain information—say, where multigenic traits are involved or where the predictions are purely statistical, with no clear implication of any particular “predisposed” individual. The recent case of a father who insisted that ovariectomy and mastectomy be performed on his ten-year-old daughter because she happened to carry the BRCA-1 gene for breast cancer shows dramatically the toxic effect of genetic knowledge.

Less dramatic but more profound is the threat to human freedom and spontaneity, a subject explored 25 years ago by the philosopher Hans Jonas. In a discussion of human cloning, Jonas argued eloquently for a “right to ignorance”:

That there can be (and mostly is) too little knowledge has always been realized; that there can be too much of it stands suddenly before us in a blinding light. . . . The ethical command here entering the enlarged stage of our powers is: never to violate the right to that ignorance which is a condition for the possibility of authentic action; or: *to respect the right of each human life to find its own way and be a surprise to itself* [emphasis in the original].

To scientists convinced that their knowledge of predispositions can only lead to rational preventive medicine, Jonas's defense of ignorance will look like obscurantism. It is not. Although everyone remembers that Prometheus was the philanthropic god who gave to human beings fire and the arts, it is often forgotten that he also gave them the greater gift of “blind hopes,” precisely because he knew that ignorance of one's own future fate was indispensable to aspiration and achievement. I suspect that many people, taking their bearings from life lived open-endedly rather than from preventive medicine practiced rationally, would prefer ignorance of the future to the scientific astrology of knowing their genetic profile. In a free society, that would be their right.

Or would it? This leads us to the next question.

What About Freedom?

Even people who might otherwise welcome the growth of genetic knowledge and technology are worried about the coming power of geneticists,

genetic engineers, and, in particular, governmental authorities armed with genetic technology.* Precisely because we have been taught by these very scientists that genes hold the secret of life, and that our genotype is our essence if not quite our destiny, we are made nervous by those whose expert knowledge and technique touch our very being. Even apart from any particular abuses or misuses of power, friends of human freedom have deep cause for concern.

The English humanist C. S. Lewis put the matter sharply in *The Abolition of Man* (1965):

In reality, . . . if any one age really attains, by eugenics and scientific education, the power to make its descendants what it pleases, all men who live after it are the patients of that power. They are weaker, not stronger: for though we may have put wonderful machines in their hands we have preordained how they are to use them. . . . Man's conquest of Nature, if the dreams of some scientific planners are realized; means the rule of a few hundreds of men over billions upon billions of men. There neither is nor can be any simple increase of power on Man's side. Each new power won *by* man is a power *over* man as well. Each advance leaves him weaker as well as stronger. In every victory, besides being the general who triumphs, he is also the prisoner who follows the triumphal car.

Most genetic technologists will hardly recognize themselves in this portrait. Though they concede that abuses or misuses of power may occur, they see themselves not as predestinators but as facilitators, merely providing knowledge and technique that people can freely choose to use in making decisions about their health or reproductive choices. Genetic power, they will say, thus serves not to limit freedom but to increase it.

But as we can see from already existing practices like genetic screening and prenatal diagnosis, this claim is at best self-deceptive, at worst disingenuous. The choice to develop and practice genetic screening and the choices of which genes to target for testing have been made not by the public but by scientists—and not on liberty-enhancing but on eugenic grounds. In many cases, practitioners of prenatal diagnosis refuse to do fetal genetic screening in the absence of a prior commitment from the pregnant woman to abort any afflicted fetus. In other situations, pregnant women who still wish not to know prenatal facts must withstand strong medical pressures for testing.

While a small portion of the population may be sufficiently educated to participate knowingly and freely in genetic decisions, most people are and will no doubt always be subject to the benevolent tyranny of expertise. Ev-

* It is remarkable that most discussions of genetic technology naïvely neglect its potential usefulness in creating biological weapons, such as, to begin with, antibiotic-resistant plague bacteria, or later, aerosols containing cancer-inducing or mind-scrambling viruses.

ery expert knows how easy it is to get most people to choose one way rather than another simply by the way one raises the questions, describes the prognosis, and presents the options. The preferences of counselors will always overtly or subtly shape the choices of the counseled.

In addition, economic pressures to contain health-care costs will almost certainly constrain free choice. Refusal to provide insurance coverage for this or that genetic disease may eventually work to compel genetic abortion or intervention. State-mandated screening already occurs for PKU (phenylketonuria) and other diseases, and full-blown genetic-screening programs loom large on the horizon. Once these arrive, there will likely be an upsurge of economic pressures to limit reproductive freedom. All this will be done, of course, in the name of the well-being of children.

Already in 1971, the geneticist Bentley Glass, in his presidential address to the American Association for the Advancement of Science, enunciated "the right of every child to be born with a sound physical and mental constitution, based on a sound genotype." Looking ahead to the reproductive and genetic technologies that are today rapidly arriving, Glass proclaimed: "No parents will in that future time have a right to burden society with a malformed or a mentally incompetent child." It remains to be seen to what extent such prophecies will be realized. But they surely provide sufficient and reasonable grounds for being concerned about restrictions on human freedom, even in the absence of overt coercion, and even in liberal polities like our own.

What About Human Dignity?

Here, rather than in the more talked-about fears about freedom, lie our deepest concerns. Genetic technology, the practices it will engender, and above all the scientific teachings about human life on which it rests are not, as many would have it, morally and humanly neutral. Regardless of how they are practiced and taught, they are pregnant with their own moral meaning, and will necessarily bring with them changes in our practices, our institutions, our norms, our beliefs, and our self-conception. It is, I submit, these challenges to our dignity and humanity that are at the bottom of our anxiety over genetic science and technology. Let me touch briefly on four aspects of this most serious matter.

◦ *"Playing God"*

This complaint is too facilely dismissed by scientists and nonbelievers. The concern has meaning, God or no God. By it is meant one or more of the following: man, or some men, are becoming creators of life, and indeed of

individual living human beings (in-vitro fertilization, cloning); not only are they creating life, but they stand in judgment of each being's worthiness to live or die (genetic screening and abortion)—not on moral grounds, as is said of God's judgment, but on somatic and genetic ones; they also hold out the promise of salvation from our genetic sins and defects (gene therapy and genetic engineering).

Never mind the exaggeration that lurks in this conceit of man playing God: even at his most powerful, after all, man is capable only of *playing* God. Never mind the implicit innuendo that nobody has given to others this creative and judgmental authority, or the implicit retort that there is theological warrant for acting as God's co-creator in overcoming the ills and suffering of the world. Consider only that if scientists are seen in this god-like role of creator, judge, and savior, the rest of us must stand before them as supplicating, tainted creatures. That is worry enough.

Not long ago, at my own university, a physician making rounds with medical students stood over the bed of an intelligent, otherwise normal ten-year-old boy with spina bifida. "Were he to have been conceived today," the physician casually informed his entourage, "he would have been aborted." Determining who shall live and who shall die—on the basis of genetic merit—is a godlike power already wielded by genetic medicine. This power will only grow.

• *Manufacture and Commodification*

But, one might reply, genetic technology also holds out the promise of a *cure* for these life-crippling and life-forfeiting disorders. Very well. But in order truly to practice their salvific power, genetic technologists will have to increase greatly their manipulations and interventions, well beyond merely screening and weeding out. True, in some cases genetic testing and risk management to prevent disease may actually reduce the need for high-tech interventions aimed at cure. But in many other cases, even greater genetic scrutiny will lead necessarily to ever more extensive manipulation. And, to produce Bentley Glass's healthy and well-endowed babies, let alone babies with the benefits of genetic enhancement, a new scientific obstetrics will be necessary, one that will come very close to turning human procreation into manufacture.

This process has already crudely begun with in-vitro fertilization. It will soon take giant steps forward with the ability to screen in-vitro embryos before implantation; with cloning, and, eventually, with precise genetic engineering. The road we are traveling leads all the way to the world of designer babies—reached not by dictatorial fiat but by the march of benevolent

humanitarianism, and cheered on by an ambivalent citizenry that also dreads becoming simply the last of man's man-made things.

Make no mistake: the price to be paid for producing optimum or even only genetically sound babies will be the transfer of procreation from the home to the laboratory. Increasing control over the product can only be purchased by the increasing depersonalization of the entire process and its coincident transformation into manufacture. Such an arrangement will be profoundly dehumanizing, no matter how genetically good or healthy the resulting children. And let us not forget the powerful economic interests that will surely operate in this area; with their advent, the commodification of nascent human life will be unstoppable.

◦ *Standards, Norms, and Goals*

According to Genesis, God, in his creating, looked at His creatures and *saw* that they were *good*: intact, complete, well-working wholes, true to the spoken idea that guided their creation. What standards will guide the genetic engineers?

For the time being, one might answer, the norm of health. But even before the genetic enhancers join the party, the standard of health is being deconstructed. Are you healthy if, although you show no symptoms, you carry genes that will definitely produce Huntington's disease, or that predispose you to diabetes, breast cancer, or coronary artery disease? What if you carry, say, 40 percent of the genetic markers thought to be linked to the appearance of Alzheimer's? And what will "healthy" or "normal" mean when we discover your genetic propensities for alcoholism, drug abuse, pederasty, or violence? The idea of health progressively becomes at once both imperial and vague: medicalization of what have hitherto been mental or moral matters paradoxically brings with it the disappearance of any clear standard of health itself.

When genetic *enhancement* comes on the scene, standards of health, wholeness, or fitness will be needed more urgently than ever, but just then is when all pretense of standards will go out the window. "Enhancement" is a soft euphemism for "improvement," and the idea of improvement necessarily implies a good, a better, and perhaps even a best. If, however, we can no longer look to our previously unalterable human nature for a standard or norm of what is regarded as good or better, how will anyone know what constitutes an improvement? It will not do to assert that we can extrapolate from what we like about ourselves. Because memory is good, can we say how much more memory would be better? If sexual desire is good, how much more would be better? Life is good; but how much extension of life

would be good for us? Only simplistic thinkers believe they can easily answer such questions.

More modest enhancers, like more modest genetic therapists and technologists, eschew grandiose goals. They are valetudinarians, not eugenicists. They pursue not some faraway positive good but the positive elimination of evils: disease, pain, suffering, the likelihood of death. But let us not be deceived. Hidden in all this avoidance of evil is nothing less than the quasi-messianic goal of a painless, suffering-free, and finally immortal existence. Only the presence of such a goal justifies the sweeping-aside of any opposition to the relentless march of medical science. Only such a goal gives trumping moral power to the principle "cure disease, relieve suffering."

"Cloning human beings is unethical and dehumanizing, you say? Never mind: it will help us treat infertility, avoid genetic disease, and provide perfect materials for organ replacement." Such, indeed, was the tenor of the June 1997 report of the National Bioethics Advisory Commission on Cloning Human Beings. Notwithstanding its call for a temporary ban on the practice, the *only* moral objection the commission could agree upon was that cloning "is not safe to use in humans at this time" because the technique has yet to be perfected. Even this elite ethical body, in other words, was unable to muster any other moral argument sufficient to cause us to forgo the possible health benefits of cloning.

The same argument will inevitably also justify creating and growing human embryos for experimentation, revising the definition of death to facilitate organ transplantation, growing human body parts in the peritoneal cavities of animals, perfusing newly dead bodies as factories for useful biological substances or reprogramming the human body and mind with genetic or neurobiological engineering. Who can sustain an objection if these practices will help us live longer and with less overt suffering?

It turns out that even the more modest biogenetic engineers, whether they know it or not, are in the immortality business, proceeding on the basis of a quasi-religious faith that all innovation is by definition progress, no matter what is sacrificed to attain it.

• *The Tragedy of Success*

What the enthusiasts do not see is that their utopian project will not eliminate suffering but merely shift it around. We are already witnessing a certain measure of public discontent as a paradoxical result of rising expectations in the health-care field: although their actual health has improved, people's *satisfaction* with their current health status has remained the same or declined. But that is hardly the highest cost of medical success.

As Aldous Huxley made clear in his prophetic *Brave New World*, the conquest of disease, aggression, pain, anxiety, suffering, and grief unavoidably comes at the price of homogenization, mediocrity, pacification, trivialized attachments, debasement of taste, and souls without love or longing. Like Midas, bioengineered man will be cursed to acquire precisely what he wished for, only to discover—painfully and too late—that what he wished for is not exactly what he wanted. Or, worse than Midas, he may be so dehumanized he will not even recognize that in aspiring to be perfect, he is no longer even truly human.

The point here is not the rightness or wrongness of this or that imagined scenario—all this is admittedly highly speculative. I surely have no way of knowing whether my worst fears will be realized, but you surely have no way of knowing that they will not. The point is rather the plausibility, even the wisdom, of thinking about genetic technology, like the entire technological venture, under the ancient and profound idea of tragedy. In tragedy, the hero's failure is embedded in his very success, his defeats in his victories, his miseries in his glory. What I am suggesting is that the technological way of approaching both the world and human life, a way deeply rooted in the human soul spurred on by the utopian promises of modern thought and its scientific crusaders, may very well turn out to be inevitable, heroic, and doomed.

To say that technology, left to itself as a way of life, is doomed does not yet mean that modern life—our life—*must* be tragic. Everything depends on whether the technological disposition is allowed to proceed to its self-augmenting limits, or whether it can be restricted and brought under intellectual, spiritual, moral, and political rule. But here, I regret to say, the news so far is not encouraging. For the relevant intellectual, spiritual, and moral resources of our society, the legacy of civilizing traditions painfully acquired and long preserved, are taking a beating—not least because they are being called into question by the findings of modern science itself. The technologies present troublesome ethical dilemmas, but the underlying scientific notions call into question the very foundations of our ethics.

This challenge goes far beyond the notorious case of evolution versus biblical religion. Is there *any* elevated view of human life and human goodness that is proof against the belief, trumpeted by contemporary biology's most public and prophetic voices, that man is just a collection of molecules, an accident on the stage of evolution, a freakish speck of mind in a mindless universe, fundamentally no different from other living—or even nonliving—things? What chance have our treasured ideas of freedom and dignity against the teachings of biological determinism in behavior, the reductive notion of

the “selfish gene” (or for that matter of “genes for altruism”), the belief that DNA is the essence of life, and the credo that the only natural concerns of living beings are survival and reproductive success?

In 1997, the luminaries of the International Academy of Humanism—including the biologists Francis Crick, Richard Dawkins, and E. O. Wilson and the humanists Isaiah Berlin, W. V. Quine, and Kurt Vonnegut—issued a statement in defense of cloning research in high mammals and human beings. Their reasons were revealing:

What moral issues would human cloning raise? Some world religions teach that human beings are fundamentally different from other mammals—that humans have been imbued by a deity with immortal souls, giving them a value that cannot be compared to that of other living things. Human nature is held to be unique and sacred. Scientific advances which pose a perceived risk of altering this “nature” are angrily opposed. . . . As far as the scientific enterprise can determine [however] . . . [h]uman capabilities appear to differ in degree, not in kind, from those found among the higher animals. Humanity’s rich repertoire of thoughts, feelings, aspirations, and hopes seems to arise from electrochemical brain processes, not from an immaterial soul that operates in ways no instrument can discover Views of human nature rooted in humanity’s tribal past ought not to be our primary criterion for making moral decisions about cloning. . . . The potential benefits of cloning may be so immense that it would be a tragedy if ancient theological scruples should lead to a Luddite rejection of cloning.

In order to justify ongoing research, these intellectuals were willing to shed not only traditional religious views but *any* view of human distinctiveness and special dignity, their own included. They fail to see that the scientific view of man they celebrate does more than insult our vanity. It undermines our self-conception as free, thoughtful, responsible beings, worthy of respect because we alone among the animals have minds and hearts that aim far higher than the mere perpetuation of our genes. It undermines, as well, the beliefs that sustain our mores, institutions, and practices—including the practice of science itself. For why, on this radically reductive understanding of “the rich repertoire” of human thought, should anyone choose to accept as true the results of *these* men’s “electrochemical brain processes” rather than his own? Thus do truth and error themselves, no less than freedom and dignity, become empty notions when the soul is reduced to chemicals.

There is, of course, nothing novel about reductionism, materialism, and determinism of the kind displayed here; they are doctrines with which Socrates contended long ago. What is new is that, as philosophies, they seem to be vindicated by scientific advance. Here, in consequence, is the most pernicious result of our technological progress—more dehumanizing than any actual manipulation or technique, present or future: the erosion, perhaps

the final erosion, of the idea of man as noble, dignified, precious, or godlike, and its replacement with a view of man, no less than of nature, as mere raw material for manipulation and homogenization.

Hence our peculiar moral crisis: we adhere more and more to a view of human life that gives us enormous power and that, *at the same time*, denies every possibility of nonarbitrary standards for guiding the use of this power. Though well-equipped, we know not who we are or where we are going. We triumph over nature's unpredictabilities only to subject ourselves, tragically, to the still greater unpredictability of our capricious wills and our fickle opinions. That we do not recognize our predicament is itself a tribute to the depth of our infatuation with scientific progress and our naïve faith in the sufficiency of our humanitarian impulses.

Does this mean that I am therefore in favor of ignorance, suffering, and death? Of killing the goose of genetic technology even before she lays her golden eggs? Surely not. But unless we mobilize the courage to look four-square at the full human meaning of our new enterprise in biogenetic technology and engineering, we are doomed to become its creatures if not its slaves. Important though it is to set a moral boundary here, devise a regulation there, hoping to decrease the damage caused by this or that little rivulet, it is even more important to be sober about the true nature and meaning of the flood itself.

That our exuberant new biologists and their technological minions might be persuaded of this is, to say the least, highly unlikely. But it is not too late for the rest of us to become aware of the dangers—not just to privacy or insurability, but to our very humanity. So aware, we might be better able to defend the increasingly beleaguered vestiges and principles of our human dignity, even as we continue to reap the considerable benefits that genetic technology will inevitably provide.



Of Life, the Law, and Roses

Sandi Merle

On New Year's Eve, as I (soberly) watched the millennium ball drop down the tower in New York's Times Square, I reflected on the difference the turn of the century was making in my life.

Actually, my life had taken a different turn five years earlier. But, I asked myself now, could I have imagined in the 1980s or even the early '90s that I would one day be routinely referred to by the press as the "organizer of Jewish opposition to partial-birth abortion," or the "female, Jewish voice of the pro-life movement?" The answer was No. Not because I was pro-choice, or as I now call it "anti-life"—I wasn't. But because back then I had considered my position a private inclination, one that need not be discussed in public.

All of that changed for me one day in 1995, when I overheard a conversation which included this comment: "Yes, dear, but abortion is a Catholic issue." I was struck by the ignorance it betrayed, as well as the pain on the face of the woman to whom it had been directed. I had no choice but to inject my personal views. (I've been known to do that. God forgive me; *mea culpa*. I'm afraid it's not even a recessive gene.)

I introduced myself to the speaker and asked if she'd mind repeating her remark about abortion and Catholics. She didn't mind at all. When she was finished I said, "Oh my, then I suppose the Shoah [Holocaust] is a Jewish issue. How foolish of me . . . I thought they were *both* issues of humanity." And, as the words escaped my mouth, I knew that my life was about to change—again. I had allowed myself to speak about abortion in public . . . I was exposed. And I was ready—for the third time in my life—to become an advocate. (I had previously dealt with patients' rights issues; and I'd also counseled parents on the psychological sequela following a child's crib death. The reader may recall that in the late '60s, Crib Death, or Sudden Infant Death Syndrome (SIDS) as it's called today, was still a tragic mystery: parents often blamed themselves and, in some not-so-rare instances, were harshly interrogated by the authorities, which only added to their already insurmountable grief. Having had a dear friend who was trying to survive this crushing experience—I got involved.)

When we are young, if we are so inclined, we embark on excursions to

Sandi Merle, a novelist and Broadway lyricist, co-authored (with Dr. Mary Nicholas) *From the Hunter's Net: Excerpts from a Jewish/Catholic Dialogue on Partial-Birth Abortion*, published by the Ad Hoc Committee in Defense of Life (New York, 1999). She is actively committed to interreligious dialogue.

save the world. As we mature, we try taking short journeys to save a little corner of it. Somehow, when I wasn't looking, I became old enough to ask: "What *is* a good life? How is it measured? How do I inhabit my space in the world productively and with grace? How do *I* make a difference?" It was then that I realized our victories are not really ours. They are God's. We are merely His tools. Victory comes in defending what we know is right. Or, as Mother Teresa so beautifully put it: "We are not called to be successful but to be faithful."

It was with that faith and a desire to fulfill a prophecy found in a tractate of Talmud—"He who saves one life saves the world"—that I set out to help save God's beautiful creation by publicly promoting the sanctity of every human life. My original idea, which I had thought simply ideal, proved not so easy to execute. I had hoped to bring together youngsters from a Catholic school in the New York Archdiocese and a Hebrew school choir, to perform a song I had specially written for such an occasion: "Think about the Children." The rabbi in charge left the decision to his liberal, female, pro-choice choir leader, who gave the idea a thumbs down. (Surprise!)

But I couldn't ignore His call. So I looked for another way to respond. The emergence, in the latter half of '95, of news reports about legislative attempts in Congress to outlaw something called "partial-birth abortion," and my subsequent investigation into the subject, galvanized me into new action. There are those who do not know that the Catholic and Jewish faith groups are natural allies in the pro-life cause. It became my dream that by coming together as one, by seeing in each other the oneness with God, in whose image and likeness we are all created, we could make a joint statement denouncing partial-birth abortion and accomplish that which had once seemed impossible: to stand together, shoulder to shoulder, Catholic and Jew, forming a bodyguard of intelligence and compassion, enabling us to save life. (You may find it interesting, at this juncture, to learn that in the Hebrew language, the root word for compassion (*rachamim*) is *rechem* . . . womb.)

In the Jewish faith, we are taught that when something of great importance needs to be addressed, we go directly to the top (i.e., lining up for hours to visit with the Rebbe). So, I did; I went to the top. Had I known then what I know now—that one does not do that in the hierarchical order of the Catholic Church—I would not have pursued the road I did and might never have had the opportunity or the inspiration to become so totally involved with and dedicated to the pro-life cause. But in this case, ignorance was bliss, and "going to the top" meant sharing my ideas with New York's John

Cardinal O'Connor. In early December of '95, I attended a private reception honoring the fiftieth anniversary of the Cardinal's ordination, and was struck by his easy manner and kind aura of approachability. So later that month, I wrote him a letter, in which I related that his openness and public eloquence were inspiring me to come out of the private closet about my own commitment to the pro-life position.

Not long after, the Cardinal wrote back to me. We corresponded for several months, then one day, I got a call from one of his aides who said the Cardinal would like to meet with me: "Are you available on June 23rd?" "Are you kidding?" I wanted to say. Instead, I just blurted out, "I'll be there!"

We met at the Cardinal's residence. "Don't disturb me for anything other than Mother Teresa's phone call," I heard him tell his aide. He motioned for me to sit in a rocking chair next to him. I did but stayed perched on the edge of my seat the whole visit—not an easy pose to hold. I wasn't prepared for the profound attention the Cardinal paid to me and my idea for a Catholic-Jewish alliance to fight partial-birth abortion. We spoke, we sipped tea; he asked, I answered; I asked, he answered; he taught and taught and taught; I listened, I learned, I cried. (I've been known to do that.) But by the time I left our meeting, I felt that my life as a budding pro-life activist had been waiting for his witness.

Walking home, I recalled the first time I had met His Eminence—shortly after his arrival in New York, at a reception hosted by the New York Board of Rabbis to welcome the new archbishop and to introduce him to a diverse cross-section of the Jewish community. A woman a few steps ahead of me in the receiving line noticed the red rose on the lapel of the Cardinal's coat and asked, "Would that be the Rose of Sharon, Your Eminence?" Without missing a beat, he replied, "No dear lady. This is the rose which lives in my heart for all the beautiful, unborn roses not allowed to live." Well . . . I warned you . . . I cry. When it was my turn to shake his hand, I was a wreck! His Eminence's answer had so visibly affected me, he was compelled to inquire about my health. I assured him I was fine. Embarrassed? Oh, yes. I prayed for a new handkerchief or a swift demise, whichever came first.

But that had happened on another day, a long time ago. Today, back on a busy Manhattan sidewalk after our first private meeting, I faced east and said: "*Hineni*. I am here!" Just as Abraham had answered God, I answered, on behalf of all the beautiful roses not allowed to live: "I am here." And I knew exactly what needed to be done.

Defying conventional wisdom, I chose the most difficult, albeit the most provocative path. I would create an organization for Jewish women in the

arts—the most liberal of all women—to speak out against partial-birth abortion. It would be a base from which to start. I would not insist on pro-life purists: just those willing to speak out against this heinous abortion procedure. But first, I had to educate these women! Partial-birth abortion, suppressed by the media, was the best kept secret in town.

Whenever asked how I, a Jewish female in the arts, became so radically involved in “pro-life” advocacy, I explain: Because I’m Jewish and have a mandate to help those who cannot help themselves; because I’m female and have been on the responsible end of the umbilical cord; and because, as a writer, I have an obligation to provoke thought. (In my heart, though, I know I owe it all to a remarkable Catholic cleric whose heart is a sanctuary for beautiful, unborn roses.)

As I began talking to women about joining me, I had to keep reminding myself that there are those who, while not comprehending the full and beautiful truth about the sanctity of all human life, do see some of it. It was incumbent on me to reach out to them, gently, in words and actions that would not frighten, in order to invite them into a fuller understanding of the truth. If they felt attacked or threatened, I would lose them.

“Partial-*what?*” Yes, some thought they might have heard the term, but what was it really? Surely it couldn’t be anything so gruesome as the procedure I was describing, because *that* would never be acceptable in American society—I stopped crying and started instructing.

My first undertaking was to teach Jewish laws and ethics to Jewish women, including some friends of mine. That proved more traumatic than cathartic. I remember my grandmother telling me: “Mamalla, when you find two Jews in debate, you will find three opinions.” Case in point: Jewish law mandates that the mother’s life must be saved first if threatened during pregnancy, which is in keeping with the Jewish principle of saving existing life. If the child in the womb is considered a “pursuer” or “aggressor” (*rodeph*, in Hebrew) it *must* be aborted to save the mother.

But, in every other situation, when there is no such mortal threat, abortion is diametrically opposed to Jewish law and is prohibited. Partial-birth abortion is *always* prohibited, for it is written: “Once the head or the greater part of the body has emerged, we do not set aside one life for another.” That is a direct quote from Jewish law. But, with abortion in general, what is meant by “threatening life”? Is it physical, mental, emotional, financial? Actual physical harm is the only threat I can accept, definitely *not* the “threat” of interfering with a woman’s ability to climb the corporate ladder. If we don’t draw the line on the side of life, then we become modern-day Pharaohs, as in

the days of Moses, rather than life-saving midwives.

(For those of my friends who failed to admit to the truth about partial-birth abortion, because it “chipped away at their right to rule over their bodies,” yet wanted to remain my friends just the same, I had only one request. I refused to permit them to use the Hebrew toast “*L’Chaim*” [To Life] when I was present.)

In 1997, I was ready to officially launch STOP (Standing Together Opposing Partial-birth), a small but strong cadre of Jewish women in the arts, who would take the case against partial-birth abortion to synagogues, schools and theatrical organizations all over the country, as well as give interviews to secular and religious newspapers, magazines and special-interest groups. Among the women on STOP’s roster are the actress Lainie Kazan; comic/impressionist Marilyn Michaels; cabaret singer Julie Budd; actress Vicki Stuart; executive director of the Independent Women’s Forum Barbara Ledeen; columnist Mona Charen; author Midge Decter; publisher Susan Roth; talent agent Suzanne Schachter; and cabaret artist Judy Scott. Our mission is to inform people that the only reason for a partial-birth abortion is to produce a dead baby, and to convince them that these murders of convenience must be banned. (Only recently have we all learned about the sale of intact fetuses and fetal body parts; that *greed* is at the bottom of it all.)

After founding STOP, I became acquainted with the Institute for Religious Values and its president, Chris Gersten. Chris had put together a list of some thirty rabbis willing to have their names published in an open letter to Congress, in opposition to partial-birth abortion. Using my own rabbinical contacts (which I’d hoped would one day be put to good use), I helped him build up the list of rabbis sympathetic to our cause. Today that list is 200 strong, and represents all denominations of Judaism. Meanwhile, Chris referred me to several female journalists and authors he knew whom he thought would be interested in joining STOP.

My on-going crusade against partial-birth abortion has included an active letter-writing campaign to members of Congress. By 1998, I had become almost obsessed. In May of ’97, the Senate had passed the partial-birth abortion ban for the second time (the first was in December of ’95), but it was vetoed, again for the second time, by President Clinton in October. The Senate vote to override was due to come up in June (1998).

I chose to concentrate my attention on Senator Joseph Lieberman of Connecticut. Why? It is widely known that Senator Lieberman is an Orthodox Jew. To another Jew, that would suggest a conservative political orientation. I knew that this time around his would be a swing-vote. I had also recently read the book *Diamonds of the Rebbe: The Lubavitcher Rebbe, Famous Personalities and*

You by Mordechai Staiman. In it, there is an account of Joseph Lieberman telling the rabbi Rebbe Menachem M. Schneerson about his desire to help protect all that God had created. Lieberman's exact words were: "Part of my involvement in politics has to do with my Jewish education and the whole tradition in Judaism of an obligation to try to do justice, to try to better the community and to try to make a difference. If you believe in God as the Creator of the world, then the natural environment is part of Creation and should be protected and sustained. The Garden of Eden story, and the concept of stewardship in Noah's protection of all the other living creatures from the flood, are important and powerful metaphors, parables and lessons." His words.

I may forget where I put my keys, or leave umbrellas in taxis, but I remember Genesis! "So God created man in His own image; in the image of God He created him; male and female, He created them, 'Be fruitful and multiply; fill the earth and subdue it . . .'"

Please trust me: no matter how much pressure I may have applied to Senator Lieberman—be it via appeals to guilt, logic or Bible—I was never anything but respectful. I reminded him of his eloquent, televised speech berating the U.S. president for behaving in such a disgraceful, immoral fashion in his personal life: the senator had complained that he could no longer watch the evening news on TV in the company of his young daughter.

But nothing worked. He didn't even extend me the courtesy of a reply. I took his nonchalance as a disgraceful rebuke of great magnitude, and pressed on. After all, this was not about a cigarette tax or redwood trees. This was about killing babies! Would it be appropriate for the senator's young daughter to see *that* on television?

Knowing, as many people do, that Joseph Lieberman would walk five miles to cast a vote on the Sabbath, and that he walked to synagogue every Saturday morning because he is a God-fearing, religious man, it was, shall I say, "arranged," that one Saturday morning he would be intercepted by a dear friend of his, a man who is the "rabbi half" of a Washington D.C. power couple. The rabbi talked his heart out, trying to change the senator's mind, heart and, most important, his vote. Lieberman's reply to the rabbi: "Stay away from this!"

As it turned out the vote to override Clinton's veto didn't come up in the Senate until September 18. By then, I had read and re-read the chapter on Lieberman in Staiman's book. Now it was 11 p.m. on the night before. I had her phone number, so I did it: I called Marcia Lieberman. No . . . not his wife, not his daughter, not his sister—the woman I called was Senator Lieberman's mother! Why not? I too am the mother of a wonderful man. We would speak the

same language.

"What do you want from me?" she asked. "I'm a woman in my 80s; what can I do?" I told her what I thought she could do. I asked her what *she* thought about partial-birth abortion. She knew it was "wrong," she said, but also knew she would not be able to convince her son to change his vote. I reminded her of the senator's meeting with the Rebbe, described in Staiman's book. She had been present, and remembered it all. Did I have "*chutzpah*"? No. I was desperate! My last words to her were: "In your heart, you know if the Rebbe were alive, your son would keep his word and protect God's creation." She agreed and hung up. The vote the following morning was two short of the two-thirds majority necessary to override Clinton's veto.

Senator Joseph Lieberman's was one of those two votes.

In November 1998, I was privileged to be invited to attend the first major conference promoting a pro-life, Catholic-Jewish dialogue. Titled "Affirming the Sanctity of Human Life," it was sponsored by the Institute for Religious Values and Catholic University, and took place at CU's Columbus School of Law in Washington, D.C. Actor Ben Stein was guest speaker; I was proud to be asked to chair the panel on partial-birth abortion.

The unique group for which I was responsible consisted of eight people. There I was with a recently-broken left foot in full cast (which I tried to hide, not to be seen as going after the sympathy vote), along with two other members of STOP, three rabbis sporting beards of three different lengths, and two Sisters of Life (the religious order founded in 1991 by Cardinal O'Connor himself; the sisters are "dedicated to the protection and enhancement of the sacredness of human life"). We all made quite a picture—but, together, we became giants!

It was at this conference that I created a bit of a stir by stating publicly that, since partial-birth abortion occurs in the intrapartum stage of pregnancy, it is not covered by *Roe v. Wade*, which addresses only antepartum . . . the stage prior to labor and delivery. (This made a great headline in the *Washington Times* the following morning.)

When my panel took a break, I was approached by a member of the audience who told me that a friend of hers, Dr. Mary Nicholas, of the Stein Research Institute (for biomedical issues), was looking for someone with whom to co-author a book on partial-birth abortion. I contacted Dr. Nicholas immediately, and after meeting, we agreed we would begin writing in December, and that the book would take the form a Jewish/Catholic dialogue.

On learning that another vote on a partial-birth abortion ban was expected to come to the Senate floor in the late spring of 1999, we wrote our hearts out,

hoping to have the book ready for publication before the vote would take place. Meanwhile, I continued my letter-writing campaign, first to *all* members of Congress who supported the president, and then again, this time to the nine Jewish senators who opposed the ban. (Arlen Specter of the great commonwealth of Pennsylvania was the only Jewish senator voting to ban partial-birth abortion.)

Dr. Nicholas and I, realizing that it would be nearly impossible to get a publisher in the secular sector, contacted my friend Father John Bonnici in the Family Life/Respect Life Office of the New York Archdiocese, and he arranged for us to meet with the editors of the *Human Life Review*, to ask their advice.

It was a providential meeting. Editors Faith and Maria McFadden and Anne Conlon gave us some suggestions; but they also had an idea. One of the other organizations in their office is a pro-life lobbying group, the Ad Hoc Committee in Defense of Life (founded by the late J.P. McFadden); though it would not be possible to publish the whole 250-page book, the Committee could publish a lengthy booklet in time for the vote, if Mary and I could edit the manuscript down.

To make a long story shorter, both the vote on a partial-birth abortion ban and the book were delayed, but the booklet—*From the Hunter's Net: Excerpts from a Jewish/Catholic Dialogue on Partial-Birth Abortion*—was published in June, 1999. Thousands of copies were distributed over the summer. We knew the importance of getting the information contained in the booklet to every member of Congress, the Supreme Court Justices, and the New York State legislators, who were also deliberating on a state ban. All one hundred members of the U.S. Senate received hand-delivered copies. And last October, they voted for the third time to ban partial-birth abortion, but again, sadly, without a veto-proof majority.

Recently, I became Director of Life Issues at the Institute for Religious Values. My role there encompasses everything from the sanctity of human life to anti-Semitism to Catholic-bashing—even the current problem in Nazareth involving a Mosque slated to be built directly in the shadow of the Basilica of the Annunciation. In 1998, I accepted a seat on the Board of Directors of a hospital in Israel with a *pro-life* agenda. This is unusual in a country with a high incidence of abortion. Incongruous, I know, for a country built on the ashes of Nazi infanticide, but, for that reason, at least the procedure of partial-birth abortion is anathema to Israelis. To quote Professor Yigal Halperin, OB-GYN and Associate Director of Assaf Harofel Medical Center: “In Israel we do not perform the heinous procedure called partial-birth abortion. It is enough that the Serbs do similar things to the Croatsians.”

Last year, I resigned from a well-known, national Jewish organization of which I had been a lifetime member. The organization had presented an award to

Clinton spoke strongly of her pro-choice platform and (of course) mentioned her support for her husband's veto of the ban on partial-birth abortion, which had, by then, passed both houses of Congress. I immediately contacted the vice president of programming, asking for an opportunity to present the opposing viewpoint. After several weeks of waiting for an answer, I received one. The "powers that be," all of whom "respected my position," felt it would be a "slap in the face" to the woman they had just lauded. I saw this as a pretty good tradeoff. But alas, it was merely a cliché and I am non-violent. So I walked away from the organization, because if I hadn't, I could no longer raise my own glass to Life (*L'Chaim*).

There are days, though, when I feel I am just spinning my wheels; days when I feel unsuccessful, unnecessary, and very tired. On one such day last fall, I read two horrifying news reports regarding abandoned newborns . . . one left to die on a conveyor belt in a Brooklyn factory, the other, tossed like so much garbage into a trash receptacle in midtown Manhattan.

My mind turned to another, happier day in June, when I had been introduced to New York City District Attorney Robert Morgenthau at a spectacular event he was hosting in honor of Cardinal O'Connor. Morgenthau is also Chairman of the Board of Trustees of the Jewish Heritage Museum/A Living Memorial to the Holocaust. Believing, as I do, that every so-called coincidence is a God incidence, I sensed Mr. Morgenthau and I had "a future" together.

So, after reading of those two dreadful incidents of murder, which are becoming a weekly, sometimes daily nightmare, I wrote the District Attorney about the horror of newborns being treated like chattel. But—realizing that some of their mothers were very young and very scared—I asked him to consider a single piece of legislation, one that would offer safe haven for babies, and a guarantee that the mothers of those babies would not be arrested, providing they brought the newborns to safe-houses. Abortion, I assured him, was ugly enough, but every baby born should be a baby who lives.

In that first letter, I offered to help form an interreligious group of qualified professionals who could be of assistance. (Those people do exist—the wonderful women who are the Sisters of Life, for example.) The District Attorney replied quickly: the "proposal is an important and interesting one," he wrote. He also told me that he was putting it in the hands of the Chief of the Domestic Violence Unit and his own Executive Assistant. Robert Morgenthau is a good man. I believe he will help us. We are still in the correspondence stage, but we are *not* just spinning our wheels: we are moving.

Whenever I have felt that I had done all I could do without accomplishing

much, another baby cries out for help and another idea awaits to be hatched and nurtured. We can not afford to rest. "Silent Scream," Dr. Bernard Nathanson's film depicting the harrowing progress of an actual abortion, keeps me awake some nights. We must stop the infanticide. We must prepare for the next vote in Congress—there will be a next, and a *next*, if necessary. We must refuse to cast our own votes for any candidate who does not support the sanctity of human life. And we must help others to realize that, sometimes, even God's battles have to be fought in the political arena.

So what started as a song, "Think About the Children," and a dream of standing together, Catholic and Jew, have become the apogee of my life's work. It defines me. It is who I am. Whether it is Pope John Paul II, Mother Teresa, the Lubavitcher Rebbe, or His Eminence Cardinal O'Connor . . . Whether Rabbis David Novak, Moses Birnbaum, Joseph Ehrenkranz, Marc Gellman, David Lincoln, Emanuel Rackman, or Barry Freundel; whether it is Mother Agnes Mary Donovan and the Sisters of Life or Fathers John Bonnici, Benedict Groeschel, Frank Pavone, or James Loughran . . . Msgrs. Ferdinando Berardi, Philip Reilly, John Woolsey, Gerald Walsh, and so many others, we must be inspired by all of them. They are all our teachers.

And they need us as well, to continue to proclaim the sanctity of every human life, to really believe. And to cultivate and nurture beautiful roses. Living roses. And to that end, let us all say: "*Hineni*. I am here!"

APPENDIX A

[Hadley Arkes is a professor of American Institutions at Amherst College and contributing editor of *Crisis*, for which he writes the "Life Watch" column. The following appeared in the January 2000 issue and is reprinted with the permission of *Crisis* magazine.]

Millennial Blues, Cautious Hopes

Hadley Arkes

Chesterton once flicked away the beamish assumption that History was moving onward, ever upward; that each epoch not only would bring an advance in material comforts but an enlargement of freedom and a notable improvement in the moral sensibility of humankind. The last century has provided by now an ample refutation of that facile theory. The age that brought forth autos and television and faxes has also produced the massive slaughters wrought by the Nazis and Communists, and it coincides even now with a population that seems to notice less and less the massive killing in abortion.

But even before the Nazis unfolded their horrors, Chesterton remarked that the world does not advance; the world, he said, simply lumbers on, as it has in the past. We may have faxes now and e-mail, but the nature of man has remained unaltered. We are still in that sublunary world, somewhere between the angels and the beasts.

That is a melancholy reflection, I know, at the beginning of a new millennium, and it recalls that character in one of Tom Stoppard's plays, who consoles himself with the bromide that "Tomorrow, after all, is another day." To which another character responds, "No, I've generally found that tomorrow turns out to be the same day." I know, of course, that there are grounds for cheer, and one of the wisest among us has famously said, "Be not afraid." There are enduring grounds for hope.

Still, what moves me to tilt slightly, at this moment, against the giddiness of the new century are the fresh evidences of the way our people have altered for the worse in the final quarter of the last century, the quarter that was marked roughly by *Roe v. Wade*.

That new evidence comes in the form of the schedules, remarkably precise, for the sale of fetal parts. The story of this novel trade was assembled first by Mark Crutcher in Denton, Texas, and then by the redoubtable Jack and Barbara Willke at the Life Issues Institute in Cincinnati. The vendors in this trade seem shadowy, and when reporters called to track them down, they disappeared. But the buyers encompass some of the most respectable centers of medical research. And the brochures contain items of this kind:

Livers (more than 8 weeks)	\$150
(30 percent discount	
if significantly fragmented)	
Eyes (less than 8 weeks)	75
Kidney (less than 8 weeks)	125
Brain (less than 8 weeks)	999
(more than 8 weeks)	150
Gonads	550

One invoice marks a “whole intact Leg, include ENTIRE HIP JOINT, 22-24 weeks . . . To be removed from fetal cadaver within 10 minutes. . . . Ship on wet ice. Next day.”

Once again, we are reminded of that connection between morality and law that law schools cannot quite efface: Once the notion takes hold that abortions are thoroughly legitimate, that the unborn child is merely a fetus, with no human standing, then the moral inhibitions melt away—and why be so finicky? Why not sell then a “product” with some utility, that some people actually want?

In small steps, the grotesque becomes routine. One can almost imagine a scene, several years into the new millennium, with the customers of this new enterprise sending in their orders and complaints, say, to *Fetalparts.com*. We can imagine that they have absorbed the emancipated style that comes along with e-mail, with its freedom from the rigid conventions of spelling, syntax, or decent prose.

And of course, they would be quite shorn, by this time, of any sense that there is something even faintly problematic in what they are doing. “You had a special on legs and arms,” a customer writes, “two dozen for the price of one; and yet we found that you were three legs and one arm short.” Or: “I must protest; this was bait-and-switch. You advertised lungs; and all you had were kidneys. We are tired of kidneys here.” Or, on the other side, an approving letter from a Wiccan in New Haven: “I used to mix in my new microwave cauldron an eye of newt and tongue of frog; but since I’ve switched to your products, my brews have had more zest, and my spells have lasted three days longer, with more telling effects.”

And Alfred Hitchcock could no doubt produce something more ghoulish as fiction, but the chilling thing is that, even with a leap into fiction, these anticipations of the future are not so joltingly out of kilter with our current discourse—they are nowhere near as shocking to us now as our current way of talking about things would have shocked us even in the 1960s or 1970s. As a case in point, I offer the junior senator from California, Barbara Boxer. Toward the end of October, Boxer found herself in a colloquy on the floor of the Senate with Rick Santorum (R-Pa.) over the issue of partial-birth abortion.

It is rare that U.S. senators come apart on the floor of the Senate under questioning from one of their colleagues. But Senator Barbara Boxer did just that, and it was no random happening. She was clearly unnerved as Santorum invited her to make explicit the logic of her position, in refusing to ban abortions even at the point of birth, with most of the child’s body outside the birth canal. Yet, apart from her pique at being pressed, the remarkable thing is just what a senator of the United States still thought it respectable to say in public. Santorum put the elementary question of just when the baby, born alive, could be protected by the law. Senator Boxer replied, “I think when you bring your baby home, when your baby is born . . . the baby belongs to your family and has rights.”

Boxer slipped into a candor that is rarely expressed as she made explicit the premises behind abortion rights: There can be no recognition of the child as a

bearer of rights, protected by the law. With a show of chivalry, Santorum was willing to assume that she might have misspoken.

MR. SANTORUM: Obviously, you don't mean they have to take the baby out of the hospital for it to be protected by the Constitution. Once the baby is separated from the mother—you would agree that baby is entitled to constitutional protection?

MRS. BOXER: I don't want to engage in this. You had the same conversation with a colleague of mine, and I never saw such a twisting of his remarks.

The question posed by Santorum had not come tripping out by accident. Just a year ago, his staff had prepared a draft of a measure, long advocated in these pages, that would test precisely the point that he posed in the question to Barbara Boxer. Santorum had been on the threshold of introducing what still stands as the “most modest first step” of all on abortion: The proposal simply to protect the child who *survives* the abortion. At that moment, the interests of the child are separated entirely from the interests of the mother. The only thing at issue then is whether, in fact, the right to an abortion entails the right to kill the child even when it is no longer necessary to ending the pregnancy.

Barbara Boxer's reaction confirms rather powerfully that this elementary question has a profound, unsettling effect on the partisans of abortion. Ever more reason, therefore, to present that question squarely, in a freestanding bill. Our friends at National Right to Life have been reluctant to get behind a bill of that kind, for they have rather doubted the utility of it.

But now, of all things, the trade in fetal parts may be altering the calculations for them. For the extraction of fetal parts requires, as an initial step, the delivery of a whole child from the abortion. Dismembering the child in the womb runs the risk of destroying the parts that are needed for this commerce. And poisoning the child, by saline injection, threatens to taint the parts, making them unusable. What is needed then are fresh parts, from intact, unpoisoned bodies.

But if bodies are to be removed whole, and live, from wombs, we now have the prospect of live babies separated from their mothers. It is not to talk then of rare cases, and improbable scenes, when we talk of legislating an obligation to preserve the life of a child, marked for abortion, but emerging from the womb alive.

Professor Robert George has noted the spectacle of Senator Joseph Lieberman of Connecticut: Persistently he wrings his hands, professing his wish to vote with the pro-lifers to protect nascent life. But something always holds him back. Professor George has wanted to press this question: “You could not vote with us, Senator, with 70 percent of the baby out of the womb. How about 100 percent? Could you vote with us now?”

Why should Lieberman and his friends be spared from facing those questions? Why not bring the draft bill out of the files and finally press it? It is virtually certain that President Clinton will veto the bill on partial-birth abortion once again, as he is likely to veto Lindsey Graham's bill for the protection of the “unborn victims of violence.” When and if he does, what could be a clearer response than to press that

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simplest of all measures, which raises, in the most unnerving way for the other side, the issues that run to the root?

In the meantime, I can report at least that meetings are afoot on Capitol Hill, as gradually, firmly, the logic of that simplest measure is finally breaking through. It is a grim time, but in the grimness, we still find congressmen like Charles Canady, Henry Hyde, and Lindsey Graham and senators like Rick Santorum and Sam Brownback. We still find, that is, wit allied with moral sense, and even in the Last Days of Clinton, these men may find the path for passing a bill and producing an effect. Even in these unpromising hours, we may still find the grounds of hope.



**"THE TIME HAS COME TO REMOVE THE BALD EAGLE
FROM THE ENDANGERED SPECIES LIST."**

APPENDIX B

[The following syndicated column was published on November 13, 1999 and is reprinted here with permission (Copyright 1999, Creator's Syndicate).]

Body Parts for Sale

Mona Charen

"Kelly" (a pseudonym) was a medical technician working for a firm that trafficked in baby body parts. This is not a bad joke. Nor is it the hysterical propaganda of an interest group. It was reported in *The American Enterprise* magazine—the intelligent, thought-provoking and utterly trustworthy publication of the American Enterprise Institute.

The firm Kelly worked for collected fetuses from clinics that performed late-term abortions. She would dissect the aborted fetuses in order to obtain "high-quality" parts for sale. They were interested in blood, eyes, livers, brains, and thyroids, among other things.

"What we did was to have a contract with an abortion clinic that would allow us to go there certain days. We would get a generated list each day to tell us what tissue researchers, pharmaceutical companies and universities were looking for. Then we would examine the patient charts. We only wanted the most perfect specimens." That didn't turn out to be difficult. Of the hundreds of late-term fetuses Kelly saw on a weekly basis, only about 2 percent had abnormalities. About 30 to 40 babies per week were around 30 weeks old—well past the point of viability.

Is this legal? Federal law makes it illegal to buy and sell human body parts. But there are loopholes in the law. Here's how one body parts company—Opening Lines, Inc.—disguised the trade in a brochure for abortionists: "Turn your patient's decision into something wonderful."

For its buyers, Opening Lines offers "the highest quality, most affordable, freshest tissue prepared to your specifications and delivered in the quantities you need, when you need it." Eyes and ears go for \$75, and brains for \$999. An "intact trunk" fetches \$500, a whole liver \$150. To evade the law's prohibition, body-parts dealers like Opening Lines offer to lease space in the abortion clinic to "perform the harvesting," as well as to "offset [the] clinic's overhead." Opening Lines further boasted, "Our daily average case volume exceeds 1,500 and we serve clinics across the United States."

Kelly kept at her grisly task until something made her reconsider. One day, "a set of twins at 24 weeks gestation was brought to us in a pan. They were both alive. The doctor came back and said, 'Got you some good specimens—twins.' I looked at him and said: 'There's something wrong here. They are moving. I can't do this. This is not in my contract.' I told him I would not be part of taking their lives. So he took a bottle of sterile water and poured it in the pan until the fluid came up over their mouths and noses, letting them drown. I left the room because I could not watch this."

But she did go back and dissect them later. The twins were only the beginning.

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“It happened again and again. At 16 weeks, all the way up to sometimes even 30 weeks, we had live births come back to us. Then the doctor would either break the neck or take a pair of tongs and beat the fetus until it was dead.”

American Enterprise asked Kelly if abortion procedures were ever altered to provide specific body parts. “Yes. Before the procedures they would want to see the list of what we wanted to procure. The [abortionist] would get us the most complete, intact specimens that he could. They would be delivered to us completely intact. Sometimes the fetus appeared to be dead, but when we opened up the chest cavity, the heart was still beating.”

The magazine pressed Kelly again: Was the type of abortion ever altered to provide an intact specimen, even if it meant producing a live baby? “Yes, that was so we could sell better tissue. At the end of the year, they would give the clinic back more money because we got good specimens.”

Some practical souls will probably swallow hard and insist that, well, if these babies are going to be aborted anyway, isn't it better that medical research should benefit? No. This isn't like voluntary organ donation. This reduces human beings to the level of commodities. And it creates of doctors—who swore an oath never to kill—the kind of people who can beat a breathing child to death with tongs.

APPENDIX C

[Gilbert Meilaender is professor of theology at Valparaiso University. The following article first appeared in the October 11, 1999 issue of *National Review* magazine and is reprinted with permission (© 1999, National Review, Inc.).]

“Strip-mining” the Dead

Gilbert Meilaender

Eliminate suffering and expand the range of human choice. That sentence expresses the moral wisdom toward which our society is moving, and it is very minimal wisdom indeed. We can observe this minimalism at work especially well in the realm of bioethics, where we seem unable to find any guidance other than (1) *relieve suffering* and (2) *promote self-determination*. In accordance with such wisdom, we have forged ahead in the use of new technologies at the beginning of life and—with constantly increasing pressure for assisted suicide—at the end of it.

Less noticed—and perhaps not quite as significant—is the continuing pressure to increase the supply of organs for transplant. For the past quarter-century, transplantation technology has made rapid progress, though the “success rates” given for transplants may often conceal an enormous amount of suffering and frustration endured by those who accept a transplant as the price of possible survival. During this time, there has been continuing debate about what policies ought to govern the procurement of organs from the dead for transplant. Should we simply wait to see whether the dying person, or after death, his family, decides to offer usable organs? Should we require, as some states now do, that medical caregivers request donation? Should we presume that organs for transplant may be salvaged from a corpse unless the deceased had explicitly rejected the possibility or the family rejects it later? Should we “buy” organs, using financial incentives to encourage people to sell what they had not thought or wanted to give? And, if we did use financial inducements, could one also sell organs such as kidneys even before death?

What we think about such questions depends on why we think some people might hesitate to give organs for transplant. If their refusal is a thoughtless act, perhaps we simply need greater public education and awareness to encourage more people to give. If their refusal is not just thoughtless but wrong, perhaps we should authorize medical professionals routinely to salvage cadaver organs for transplant. If their refusal is selfish or, at least, self-regarding, perhaps we should appeal to their self-regarding impulses with an offer of financial compensation.

Moreover, if it is, as we are so often told, a “tragedy” or “catastrophe” that many die while waiting for an organ transplant, perhaps we need to be more daring in our public policy. That is the view of many who are in the transplant business and many who ponder transplantation as a public policy issue. While these issues have been debated over the last several decades, our society has steadfastly refused to consider any form of payment for organs. “Giving” rather than “selling” has been the moral category governing organ procurement. Indeed, the National Organ Transplant Act of 1984 forbids “any person to knowingly acquire, receive, or

otherwise transfer any human organ for valuable consideration for use in human transplantation, if the transfer affects interstate commerce.”

It’s not hard to understand our national reluctance to permit the buying and selling of human organs for transplant, for it expresses a repugnance that is deeply rooted in important moral sentiments. In part, the very idea of organ transplantation—which is, after all, in Leon Kass’s striking phrase, “a noble form of cannibalism”—is unsettling. If we cannot always articulate clearly the reasons that it troubles us, the sentiment is nonetheless powerful. To view the body—even the newly or nearly dead body—as simply a useful collection of organs requires that we stifle within ourselves a fundamental human response. “We do not,” C. S. Lewis once wrote, “look at trees either as Dryads or as beautiful objects while we cut them into beams; the first man who did so may have felt the price keenly, and the bleeding trees in Virgil and Spenser may be far-off echoes of that primeval sense of impiety.” Far more powerful impulses must be overcome if we are to view the human form simply as a natural object available for our use. Perhaps we are right to view it as such when transplantation is truly lifesaving, but doing so exacts a cost. By insisting that organs must be given freely rather than bought and sold, we have tried to find a way to live with this cost. The “donated” organ—even separated from the body, objectified, and used—remains, in a sense, connected with the one who freely gave it, whose person we continue to respect. By contrast, buying and selling—even if it would provide more organs needed for transplant—would make of the body simply a natural object, at our disposal if the price is right.

Our repugnance is rooted also in the sense that some things are simply not for sale. As a medium of exchange, money makes possible advanced civilization, which depends on countless exchanges in which our interdependence is expressed. But if we allow ourselves to suppose that it is a *universal* medium of exchange, we are bound to lose our moral bearings. Although there is nothing degrading about buying and selling, since exchange binds us together and allows us to delight in the diversity of goods, commerce enhances human life only when that life itself is not also turned into a commodity. Hence, our society has over time had to make clear that certain things—ecclesiastical and public offices, criminal justice, human beings themselves—may not be bought and sold.

Discussing the limits to money as a medium of exchange, Michael Walzer recounts an instructive story from our own history. In 1863, during the Civil War, the Union enacted an Enrollment and Conscription Act, which was the first military draft at the national level in history. But the act contained a provision that allowed any man whose name was drawn in the lottery to purchase an exemption by paying \$300 for a substitute (which, in effect, also offered an incentive for others who wanted or needed \$300, even at the risk of death). Anti-draft riots broke out in July 1863 after the first drawing of lots, and we have never since—at least in such overt, crass form—allowed citizens to buy their way out of military service. It is one of those things that should not be for sale, one instance in which money should not be

allowed to serve as a medium of exchange, and so we block that exchange.

Similarly, we have decided to block exchanges from human organs, even though they do take place in some other countries. That decision has been under attack for some time. It has even been criticized by Thomas Peters, for example, as—behold here the degradation of our public moral discourse—“imposing” the value of altruistic donation on those who do not appreciate such a value or “coercing” families to accept a concept foreign to them of great personal loss.” But the first real crack in the public-policy dike appeared in May of this year, when the state of Pennsylvania announced its intention to begin paying relatives of organ donors \$300 toward funeral expenses of their deceased relative. (Clearly, \$300 doesn’t buy as much as it did in 1863.)

Pennsylvania’s decision has been characterized by Charles Krauthammer as “strip-mining” the dead—and this in an essay defending the decision. It would, Krauthammer asserts, violate human dignity to permit the living to sell organs, but the newly dead body may be treated as a commodity if doing so promises “to alleviate the catastrophic shortage of donated organs.” (Note, again, the language of catastrophe. Just as many workers might not have known their labor was “alienated” until Marxists told them, so we might not have thought it “catastrophic” that we die rather than strip-mine the human body in order to stay alive until transplant technology began to tell us it was.) Indeed, Krauthammer quite reasonably claims that the Pennsylvania program is, if anything, far too timid. If the idea is to get more organs for transplant, he suggests that not \$300 but \$3,000—paid directly to relatives rather than to funeral homes—might be more the ticket.

To the degree that he persuades us, however, we might well judge that Krauthammer himself has been too timid. Pennsylvania’s plan for compensation continues to operate within the organ-donation system currently in place. It aims simply to provide a somewhat greater incentive for people to donate organs. What it will not affect is the reluctance—based in sound moral sentiment—of medical caregivers to ask dying people or their families to consider organ donation. If we really face a tragedy of catastrophic proportions, we might do better to allow organ-procurement firms seeking a profit to be the middleman. (After all, a human kidney was recently offered for sale on the Internet auction site eBay—and bidding reached \$5.7 million before the company stopped it.) With profit to be made, firms would find ways to overcome our natural reluctance to ask others to strip-mine the dead body. We could deal not only with our reluctance to give organs but also with our reluctance to ask for them by letting the market do what it does best. That Krauthammer does not suggest this—even for organs from the dead—suggests to me that he finds more “dignity” than he thinks not only in still-living human beings but also in the newly dead body.

Or, again, if it is a catastrophe that we face we might simply abandon the claim that it is always necessary to wait for death before procuring organs for transplant. For example, as Robert Arnold and Stuart Youngner have noted, a ventilator-dependent patient could request that life support be removed and that, eight or so

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hours before, he be taken to the operating room and anesthetized, to have his kidneys, liver, and pancreas taken out. Bleeding vessels could be tied off, and the patient's heart would stop only after the ventilator was removed later that day, well before the patient could die of renal, hepatic, or pancreatic failure. And, of course, if our moral wisdom is confined to relieving suffering and respecting autonomy, we may find ourselves very hard pressed to explain why this should not be done—especially in the face of a “catastrophic shortage” of organs.

One might ask, If my death is an evil, why not at least try to get some good for others out of it? If my corpse is no longer my person, as it surely is not, why not treat it as a commodity if doing so helps the living? Ah, but that corpse is my mortal remains. There is no way to think of my person apart from it and no way to gaze upon it without thinking of my person—which person is a whole web of human relations, not a thing or a commodity. A corpse is uncanny precisely because we cannot, without doing violence to our humanity, divorce it fully from the person. To treat those mortal remains with respect, to refuse to see them as merely in service of other goods, is our last chance to honor the “extraterritoriality” of each human life and to affirm that the human person is not simply a “part” of a human community. Perhaps, if we do so honor even the corpse, I or some others will not live as long as we might, but we will have taken at least a small step toward preserving the kind of society in which anyone might wish to live.

More than a quarter century ago, writing about “Attitudes toward the newly dead,” William F. May called attention to one of the Grimm Brothers tales about a young man who is incapable of horror. He does not shrink back from a hanged man, and he attempts to play with a corpse. His behavior might seem childish, but it is in fact inhuman. And his father sends him away “to learn how to shudder”—that is, to become human. In our society—where we devote enormous energy and money to keeping human beings alive—perhaps we too, in the face of proposals to strip-mine the dead, should consider learning once again how to shudder.

APPENDIX D

[The following first appeared in Canada's National Post (Jan. 4, 2000) and is reprinted with permission of Mr. Pickup, a disability-rights activist and writer living in Alberta.]

New life at the expense of another

Mark Pickup

In a *National Post* commentary last week, Jeff White advocated a “new ethic” that would embrace culling the herd of its lame and sick young. I read White’s commentary from my wheelchair and shuddered to think of what sort of hostility his “new ethic” has in store for people like me who made it past infancy. Should I embrace his throwaway society’s “new ethic” or even exploit it to my own advantage before the throes of unwanted childbirth?

Earlier this year, German and American researchers reportedly had used embryonic stem cells in animal models to arrest debilitating diseases. The scientist termed their findings a “critical breakthrough” for the treatment of diseases like Parkinson’s and multiple sclerosis. Other scientist have speculated that stem-cell research also has the potential for developing therapies for Alzheimer’s, diabetes, stroke, spinal cord injuries, and bone disease. Last month, a Swedish research team reported in the journal *Nature Neuroscience* that cells harvested from aborted human embryos can help alleviate the symptoms of Parkinson’s. About fifty stem-cell transplants have been performed on people with multiple sclerosis. Amid this flurry of speculative research and experimental treatments, Canada’s Dr. Margaret Somerville, founding director of the McGill Centre for Medicine, Ethics and Law, has called for a moratorium on embryonic stem research until moral and ethical issues can be addressed.

Really? I have chronic, degenerative multiple sclerosis and osteoporosis (a bone disease). I might benefit from stem-cell research. For years, I have lived with the fear that my next address may be a nursing home. I have been haunted and taunted by the thought that I may become one of those sad lumps of humanity propped up in wheelchairs, passing monotonous days, staring out nursing home windows hoping for a visitor. The terror of such a future torments me at night before sleep comes to give me an escape from the images.

I am dazzled by a dizzying array of promising developments that could alleviate or deliver me from a disease that is slowly destroying me. Dare I entertain thoughts of walking on my own without relying on contraptions of the disabled for mobility—or that cursed MS fatigue? Imagine! Dancing with my wife or skiing with my children instead of sitting on the sidelines. A dream comes true! All I’d have to do is look the other way for the reality that my deliverance was gained at the expense of another life. Pardon the pun, but I could flesh out the “new ethic” only to increase my own internal deformity. Oh God! I am not enjoying a dream, it’s a nightmare!

I should have known it’s like a Stephen King novel. I could be released from the risk of breaking bones or continued deterioration with multiple sclerosis by

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feeding on unwanted human life. To gain my freedom from disease, I would become more wretched by accepting the fruits of robbing another life, existence and a place in the world. My hopes dash.

Pivotal to morality is believing in the equal moral worth of all human life. Science has known for decades that life begins at the point of conception. This fact is not a matter of taste or opinion, it is plain scientific evidence. (Only special agendas try to confuse this reality.) Since early childhood I was taught to seek truth, then live by it. Is truth arbitrary? Are morals fluid? Are ethics situational? Shall I abandon integrity, principle and what the Americans call “self-evident truth” for personal gain? No.

Sadly, I must turn from a hideous therapy that capitalizes on unwanted life. It is better to remain in a half-lead body than to resurrect lost function and lose my humanity. It cannot be. My misfortune has its own illumination.

I am not an island entire unto myself. My decisions must not be solely self-centered; my decisions must take into account possible ramifications on others, society, even implications for posterity. Autonomy is myth. Nobody is independent. All humanity is interdependent as part of the Human Family. My decisions affect others, whether directly, remotely or merely by inference. This must not be overlooked. I must turn away from therapies using stem cells from aborted embryos.

The good news is that adult stem cells can be treated with drugs to mask the immuno-response to a foreign substance. Better yet, stem cells from patients would bypass the problem of immuno-incompatibility. Former biochemist and biologist for America’s National Institute for Health Dr. Dianne Irving has stated that adult stem cells can be “coaxed” into becoming the type of cells required. Dr. Irving emphatically states, “adult stem cells are already closer to the kinds of cells that patients need. So there is really no need to use human embryonic stem cells at all.” She cites volumes of medical research articles proving her point.

Really? Maybe there is an acceptable application for me. Imagine regaining lost function without searing my conscience. Imagine, dancing with my wife or walking my daughter down the aisle at her wedding (without canes or crutches) and sleeping at night.

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). The following first appeared in the New York Post (November 26, 1999) and is reprinted with Mr. Smith's permission.]

Death-Lovers Unmasked

Wesley J. Smith

Assisted suicide patriarch Derek Humphry was impressed with the suicide machines unveiled in Seattle on November 13, at the international "Self Deliverance New Technology Conference." He loved the demonstration on the use of helium and a garbage bag to commit suicide, a method that Humphry extols in his newest how-to-end-it-all video. But he was most delighted with a new suicide contraption called "the debreather," a device akin to a gas mask that sucks away life by removing oxygen from the air of the person wearing it.

Other assisted suicide movement notables were equally enthusiastic about the conference. Faye Girsh, the executive director of the Hemlock Society USA, called the meeting a "wonderful forum," and proclaimed herself deeply impressed by the "tremendous ingenuity" displayed by the inventors of the displayed death devices. Another notable attendee was Australian doctor Dr. Philip Nitschke—the Down-Under Kevorkian—who is presently in the midst of a U.S. assisted suicide-promotion speaking tour. At the conference, attendees thrilled to Nitschke's description of his pet project: the still uncompleted creation of a non-narcotic death pill that he calls the "Holy Grail."

As macabre and bizarre as this gathering was, it provided some badly needed truth in advertising about the assisted suicide movement. For years assisted suicide enthusiasts have desperately attempted to reposition themselves away from the nut fringe by creating the fiction that they are somehow promoting mainstream "medical" reform.

But as the Self-Delivery Technology Conference clearly illustrated, assisted suicide isn't at all about health care or the proper treatment of illness or disability. Beneath the propaganda of compassion and the euphemisms for killing such as "aid in dying," assisted suicide is purely and simply about making people dead.

Indeed, like some slow-motion Heaven's Gate cult, death is the movement's overriding obsession. If you doubt this, ask yourself these questions: Is the "debreather" a medical device that should be licensed by the FDA? Is helium a palliative agent? Should the cost of garbage bags used in suicide be covered by health insurance? The answers are clearly, no. Now, ask yourself this: are these approaches to ending life different in any meaningful way from swallowing prescribed poison or being injected with a lethal drug? I submit that they are not. They are merely different methods of achieving the same end—killing. A doctor's participation in terminating life does not magically transform the act into medical treatment.

That is not to say that the status quo is acceptable. Much work must be done to

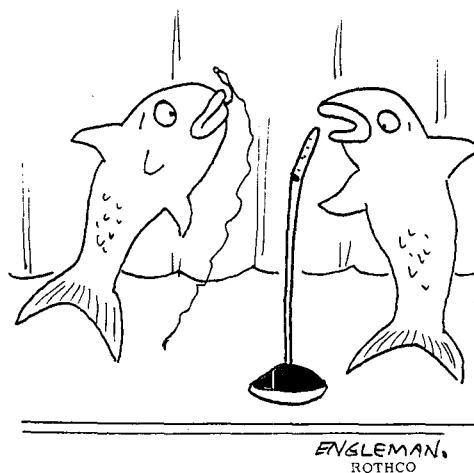
improve the delivery of medical treatment and compassionate health care to seriously ill and disabled people, particularly in the areas of pain control, symptom management, and independent living. But the assisted suicide movement is impeding these efforts by distracting the media from focusing on all that medicine can do to alleviate suffering and misdirecting it instead toward the more news-exploitable issue of killing.

Thus, Jack Kevorkian became one of the most famous doctors in the world. At the same time, most people don't even know who Dame Cecily Saunders is. Yet, Dr. Saunders created the modern hospice movement, which through its intense focus on controlling the symptoms of dying people, is directly responsible for helping millions worldwide meet their natural ends peacefully, comfortably, and with supreme dignity.

The good news is that the tide is turning against assisted suicide and toward the improved delivery of quality medical care. The House of Representatives recently passed the Pain Relief Promotion Act by a bipartisan 271-156 vote. If passed by the Senate and signed by President Clinton, the act will improve the delivery of pain control by explicitly identifying palliation as a legitimate medical service under the Controlled Substances Act.

Moreover, several states have recently outlawed assisted suicides or added civil penalties to anyone assisting suicide, while at the same time promoting proper pain control, leading to a dramatic increase in the delivery of quality pain control.

The Self-Deliverance New Technology Conference cast a much-needed light on the twisted mindset behind the assisted suicide movement. Killing devices are not akin to kidney dialysis machines and poison is not medicine. The time has come to turn away from this quackery, increase the use of hospice, and support actions like the Pain Relief Promotion Act that will do so much to relieve unnecessary suffering in this world.



**"AND NOW A FELLOW FISH WILL TALK ABOUT
HIS NEAR DEATH EXPERIENCE . . ."**

APPENDIX F

[The following was written just after the 1973 Roe v. Wade decision, by Richard Stith, when he was in his final year of Yale Law School. It was published in late '73 in *The Cresset*, the journal of Valparaiso University, where Mr. Stith is now a Professor of Law.]

In Response to Those Who Ask Why I Care about Abortion

Richard Stith

There are shortcomings to the printed word. It is too mechanical and too pocketable for something so vital as abortion. But I'll at least try to use my words to give a feel for the world as I see it, a feel for the world I live in.

With abortion-on-demand, our public world has become for me a nightmare. I choose this word carefully. By nightmare I mean a world where irrationality and violence are casually accepted, where life becomes disjointed and senseless. Kafka's *The Trial* keeps coming to mind. My nightmare takes, however, three different forms. Let me describe them.

Nightmare Number 1

In this nightmare, the people around me suddenly start speaking a language I'm unable to understand. An example would be someone saying that an unborn child is not yet alive or not yet human, and so can be disposed of, whereas a pre-mature child of exactly the same age is human. This sounds like gibberish to me. Or, too, when someone tells me that an unborn child is not human because it is not self-sufficient or independently "viable," this sounds crazy. I mean many of us, and certainly new-born infants, are absolutely dependent on others. Any baby would die if it were left alone. Of course, after birth *whom* the baby depends on may change; if it's premature, it may depend on a machine rather than on its mother. But I can't see how *what* the child is can be a function of where he is or whence he receives his nourishment.

When my wife was expecting, we read a lot of books published in the 1960s about pregnancy, and all of them spoke of the parallel development of the mother and the baby, not about the "fetal tissue" or "glob of protoplasm." *Life* also ran a feature about "life before birth" in 1965; and Planned Parenthood in 1963 distinguished birth control from abortion, saying that the latter takes "the life of a baby after it has begun." I don't doubt but that the new editions of these books may try to revise their language, and I don't mean to cite them as authority. All I mean is that the life and humanity of the unborn child were something which I thought everyone familiar with genetics and physiology took for granted. Now suddenly it seems as if the whole intellectual universe of discourse has changed. I don't understand either the new language or how such a change is possible.

Other people, instead of trying to say that the child's external source of food or its location determines its nature, look to its internal stage of development. They search for some qualitative difference in the unborn child itself, which will leave it legally or morally unprotected. But the problem they face is that those attributes of

human life which the fetus lacks (e.g., ability to talk or to hope) the infant also lacks. And that which the infant has (e.g., the genes of a human individual, ability to feel) the fetus also has. Even with many minds at work on this problem, they have not been able to come up with a strong dividing line at any point in the process of human development.

As I see it, it is precisely the non-religious person, the person who must stick to the physical rather than to the metaphysical, who cannot logically deny the continuity of human life after conception. A religious person, on the other hand, might well believe that a human soul is infused into a merely animal body at any given point. In spite of biological continuity, he could assert a supernatural discontinuity. The lack of physiological and genetic knowledge as well as former religious beliefs may provide excuses for early practice of permissive abortion; but neither can excuse us today.

The abortion movement, then, seems to me to speak the non-language of 1984, and I don't know how to talk or even to think in such a world. How can one think without concepts, when "War is Peace" or "An Unborn Child is not Human"? The Supreme Court's abortion opinion shows the situation most clearly. Like the top of an iceberg, its assertions may signify a deeper and greater danger. To take but one example, I would have thought that the word "person" indicated a concept, which can be re-constructed from the particulars to which it is applied. If we agree that it is applied to the new-born (and even to slaves, as Justice Blackmun points out), we would have to see whether it reasonably applies to the unborn. But Justice Blackmun asserts, in effect, that a word means only the particulars which the speaker is thinking of when he uses it, and that those who used "person" were probably not thinking of fetuses. Thus south-sea islanders, too, would not be protected by the 14th Amendment unless they were in mind when the Amendment passed. Worst of all (since we can never know exactly what is in the mind of others), if we cannot hold others to consistent concepts, language itself becomes private and ineffective for communication. We can no longer *think together* in such a world, and power can no longer be limited by reason.

Nor does Justice Blackmun seem to want us to reason together. Conceding that life may begin before birth, he at the same time forbids the state legislatures to decide, on the basis of reason, when life has begun. It is hard to imagine a more sweeping destruction of political debate on a matter which the Court admits may involve the taking of innumerable human lives.

Yet even if Justice Blackmun or someone else could point to clear qualitative distinctions in the process of human development, such distinctions would be invalid. A *development* cannot without distortion be broken down into static stages. Suppose I'm developing a photographic negative which I know I'm going to like, and you come in part way through the process and destroy it. Now you say, "Look, the negative was still in the 'gray smudge' stage. You don't care about a gray smudge, do you?" Why, I'd think either that you had gone mad, or that you were trying to make a fool of me. Which is the way I feel when someone tells me an embryo has

no value. Even if a non-developing embryo could be conceptually excluded from an adequate definition of human life, embryos *do* develop. Even if a “gray smudge” did not qualify conceptually as a “picture,” I’d be angry at its destruction. (Permanent severe incapacity, as opposed to temporary lack of development, seems to me more rationally a disvalue. Thus for example, euthanasia is for me a much more difficult issue than abortion, though in the end I would oppose both.) The chief difference between the unborn child and the negative is that from the moment of conception (and not before), the child is “developer” as well as “developee” providing both complete form and autonomous thrust, with the mother merely making the chemicals available.

It seems to me that life and the mind are both turning against themselves to deny their own foundations. I had always thought that the world makes sense and that by thinking and talking about it with others one could begin to discern that sense. But if so many can change their thinking so quickly on this topic, I’ve thought, maybe reason can’t be relied on anywhere else either. In any event, ideas have recently come to seem to me a barrier rather than a source of unity with other persons, and I have almost wished for Orwell’s interrogator to teach me to think “right.”

Nightmare Number 2

Well, I think I really might have succumbed if I had not met one woman who supported abortion, but who agreed with me on the facts roughly as I have outlined them. She admitted that abortion-on-demand involves the taking of a human life without having to give a reason, but said that the value of total sexual freedom (the freedom from any worry about pregnancy) was sufficient to her to outweigh the value of the child’s life. Or, again, a law student at Yale wrote to me: “faced with an undesired slavery, I would kill. I understand it to be killing, and I would do it.” And another woman told me she thought that many at the law school would agree with this statement.

Now, both of these opinions may seem monstrous to some people, and maybe they are, but to me they were in a way welcome. In the case of the first woman, my feeling is primarily one of thankfulness. Maybe I would have made it anyway but it’s not impossible that her honesty is what kept my head together. However, when I asked her to help make the facts public, she refused. She preferred that what I called “1984” language continue to be used, thereby hopefully making the elimination of abortion restrictions more likely. And I do not think that her response is atypical. For example, in many abortion clinics euphemisms are encouraged—such as “termination of pregnancy” instead of “abortion,” or “product of pregnancy” instead of “unborn child” or “fetus.” The Court’s language, too, may conceal a basic value judgment: that even if abortion takes human life it should not be prohibited. Our collective sanity might have been better preserved had the Court spoken more plainly.

So while the first nightmare seemed to involve a kind of mental suicide by our whole society, this second nightmare involves a 1984 world only for the masses.

The elite are willing to call it killing, but only privately. And I personally prefer this second nightmare, because it allows me to “come up for air” now and then in private.

Whether such a system can be justified is another question. Of course many people in history have argued that it’s good for the people to be ignorant. But I think this may be the first time in which it is argued that ignorance makes one free. Is someone free just because she is more likely to act, even though she is encouraged not to consider the lethal effect of the action? Can one make a free choice to kill if one does not know it to be killing? This kind of freedom is scary.

Nightmare Number 3

This nightmare is the same as the previous, except that everyone, and not only an elite, thinks that freedom from pregnancy *per se* is worth more than an unborn child’s life. (If we thought only avoiding great hardships for the mother worth more than the child’s life, we would approve abortion on conditions rather than on demand.) And the elevation of freedom over life is not only private. The state, too, through its laws and hospitals openly prefers freedom to life by helping the mother to kill her child, upon request. This is the best of all the futures I can see on the horizon.

I prefer this open acknowledgement of a “free-fire zone” among a class of human beings partly because it seems to involve no destruction of reason. But even more importantly, it would be much better than Nightmare Number 1 or Number 2 because it would not deny the existence of the unborn child, as human life, but would simply say that this life must yield whenever it conflicts with the mother’s freedom. That is, insofar as the dignity of life did *not* conflict with freedom, that dignity would hopefully be respected. So, for example, the child might be anaesthetized before an abortion, so that its death would be less painful. This would cost the mother nothing. If it were delivered alive, the infant (“fetus” being linguistically no longer a correct term) would be protected by the law, rather than experimented upon or placed in a waste container as is now done. In fact, we could then stop treating even dead humans as waste (I’m thinking here of a photo showing a plastic bag full of what are clearly babies), and instead give them the equivalent of a “decent burial.” After all, just because a mother wants an abortion does not mean society cannot treat that small body with some respect after the abortion.

In this third nightmare we have saved reason and a minimal decency. But abortion-on-demand still costs us something which even the murder of adults would not. Precisely its lack of development and its dependence (the characteristics used to justify abortion) place a baby in a fiduciary or trust relationship at least to its parents, if not to all adults. Abortion is a violation of this relationship as well as of life. Something deep inside me twists when I think of society helping the mother to reach down to destroy the little life within her. And all with a cool efficiency.

But, some ask, don’t I think that the new freedom is worth even this price? To answer this question fully I would have to go back a few years to the days when I

thought a different sort of revolution possible. In the counter-culture I saw what I thought was a rejection of the attempt of Western technology and capitalism to control the world we live in. I saw, or thought I saw, the rejection of the “lust for possibility” in favor of appreciation, response, and service. Like “grooving on” and following nature rather than eliminating or controlling it. I saw this as being unself-conscious and unself-interested, or at least as having a more enlightened self-interest than those who thought that happiness consists in having power. The early feminist movement, too, I saw as attacking the public predominance of masculine values and promoting for all persons traditionally feminine values such as non-aggressivity, non-alienation from nature, and a rebuilding of a public “home.”

But now it seems as if many people on the left, and the women’s movement in particular, aren’t against control; they simply want to get cut in on an equal share. There is a constant watching to make sure one’s due freedom has not been interfered with, and even an encouraging of a self-centered resentment with which I can’t feel comfortable. I think that true liberty and equality need not have cost us fraternity by turning us in upon ourselves. We might have rebuilt a community, for example, by sharing the burdens of childbearing and childrearing instead of eliminating these burdens with abortion, leaving everyone free to go his individualistic way. Far from attacking the basis of capitalist society, the abortion ideology facilitates it. Pregnancy was a barrier to maximum labor productivity and manipulability. Laws against abortion are in the self-interest of no major group in this society (except the young victims), and certainly not in the interest of the males who usually end up supporting unplanned kids. Why did the liberal establishment support repeal of abortion laws so vehemently? The left didn’t win on abortion; it was co-opted by the buyers and sellers of life.

I think that *merely* not “wanting” one’s already existing unborn child is no more a valid public reason for an action than not wanting Blacks as neighbors is one. Such self-seeking may be a sad fact of the human condition but it ought not to be publicly supported and encouraged—and certainly not to the extent that the state helps to kill those we don’t want. (And the idea that one helps the child by killing it makes no sense to me. Only a fraction of unwanted pregnancies result in unloved children, after the mothers get to know the children; and only a fraction of the unloved children would find life so much a curse that they would wish they had been aborted, once they were old enough to consider the matter.)

Abortion-on-demand may be only a symptom, but if it indicates a raising of freedom to do whatever we want to the highest value, then it warns of a truly secular transformation. I think that thought as well as feeling may still succumb. For how can one be in complete control if one has to work within concepts and categories? Perhaps the kind of freedom which I found “scary” in Nightmare Number 2 is just where we are eventually heading. Perhaps the rejection of conceptual thinking by Justice Blackmun did have a purpose: freedom from the restraints which *any* particular conception of reality imposes. In fact I have heard a philosopher argue that the correct conceptual distinction between infants and fetuses is that we

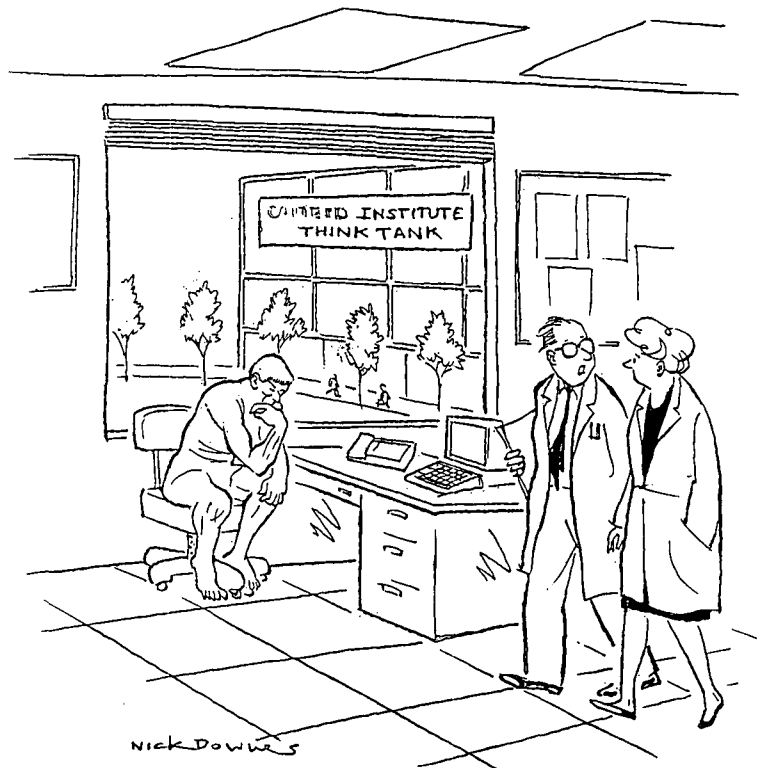
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like the one and not the other. He also approved ignoring photos and controlling our language in order to keep our likes as we like them. Since he likewise argued that whatever we like we can decide to be right, he concluded that killing infants (except for deformed ones, which we don't like) is wrong but that abortion is all right.

* * * * *

I see the goal of our society to be a kind of space travel; we're all going to be astronauts. The space ship is modern technology. We all have to work to keep it going, and we're always integrated into its demands. With the elimination of nature out in space, every last detail of life must be planned and controlled by man. But wait. The purpose of this total control is *freedom*. Yes, this future society is a unified system whose only goal is individual freedom. We blasted off in the first place in order to be free of earth. And what is this freedom? The *space-walk*. Whenever it will not interfere with the functioning of the ship, we all get an equal chance to step out into space, to be free.

At last there are no trees and rocks to get in our way—and no babies either. There are no hills which are hard to climb up. In fact there is no up or down at all. All directions are equal. And with the aid of our handy back-pack rockets, we are in complete control. We are free to go anywhere we want, in the void.



“WHO’S THE NEW GUY?”

APPENDIX G

[Gerard V. Bradley is a professor of law at the University of Notre Dame. This article first appeared in the December 31, 1999 issue of *National Review* magazine and is reprinted with permission (© 1999, National Review, Inc.).]

The Fantasy Life of Justices

Abortion in fact and myth

Gerard V. Bradley

It was the day before *Roe v. Wade*'s 25th birthday, the day most of us first heard of "that woman, Ms. Lewinsky." But on January 21, 1998, two tales of out-of-control sex were told in Washington. Here is the story of the one you have heard less about.

On that cold, clear morning, Missouri senator John Ashcroft convened a hearing of his Subcommittee on the Constitution. The subject was *Roe v. Wade*. The occasion was notable for the appearance of Norma McCorvey—"Jane Roe"—now a convert to the pro-life cause. More telling even than McCorvey's testimony was an exchange between Ashcroft and Georgetown law professor Michael Seidman. Ashcroft's question: Is there any case other than abortion, now that slavery is outlawed, where the law gives one person the authority of life and death over another?

Seidman responded that if judges fail to protect the abortion license, they would no longer be able to protect society from truly shocking dangers:

Suppose the state of Missouri were to decide that it was underpopulated. And in order to deal with the underpopulation, the state decided that they were going to, against the will of women, artificially inseminate them and force them to bear children that they don't want to bear.

Get it? Ashcroft didn't, probably because he is morally sane. "Professor," he said, "that's sort of an interesting hypothetical." But what has it to do, he wondered, with a private franchise to kill?

Ashcroft was right to wonder. In Missouri, abortion had been illegal for eons until *Roe* made it a constitutional right, and yet, somehow, the Show Me State managed to steer clear of Seidman's hypothetical calamity. Missouri did so largely because it is located in the real world, the one in which people govern themselves guided by elementary moral distinctions. This world, sadly, is alien to current constitutional law. Seidman, in fact, was merely rephrasing the view of the U.S. Supreme Court. In *Planned Parenthood v. Casey* (the 1992 case that reaffirmed *Roe*), three Republican appointees said that, but for the abortion license established in *Roe*, "the state might as readily restrict a woman's right to choose to carry a pregnancy to term as to terminate it, to further assert state interests in population control, or eugenics, for example."

Now do you get it? The liberty to abort is indistinguishable from the liberty to have children. And both are indistinguishable from, we are to suppose, involuntary impregnation.

But no one really thinks this way—not Supreme Court justices, not even most law professors. What, then, can the Court possibly mean when it says that the state might as readily impose, as ban, abortion?

Here is the justices' predicament: They want to justify a liberty for acts, including abortion, that Americans disapprove. But they defend their solicitude for these acts neither by reliance on the Constitution nor on a favorable, though extra-constitutional, moral evaluation of the acts. Professor Seidman stated at the January hearing both that he knew not what he thought of the personhood of the unborn, and that he was sure nothing in the Constitution or the Framers' intent addressed the matter of abortion.

This is just as well. For, if the Court were to insist that abortion rights were within the contemplation of the Constitution itself or the history of its interpretation before *Roe*, no one would believe it. And if the Court had grounded *Roe* squarely on the positive moral value of abortion, people would (rightly) wonder why the justices' moral views trump all others. The Court does not hanker for a world in which its authority to decide depends on the moral correctness of its decisions. That's why *Roe* expressly prescinded from the questions of when life begins, and who or what constitutes a "person."

Now, one might expect that this situation is tailor-made for a solution through democratic self-governance. We have abortion rights, even though neither the Framers nor the American people brung 'em. But we also have a democracy.

How, then, do the courts plan to convince the people to retain abortion rights? *By taking hostages*. The justices know that the public is inclined to question, if not challenge, their abortion decisions. The Court's strange assertions are warnings that incoming fire will take out genuine liberties that the justices have tethered to the abortion-rights impostors. Recall Seidman's concern about the forced impregnation of Missouri's women. I guess we are supposed to say, "Gee, I wouldn't want my daughter to be forced to bear the commissar's children. Oh, well I'd better go along with the *Roe* decision."

This is a bluff, and the people may call it. The threat works only if there is good reason to fear that, as the *Casey* court said, the "state" might "readily" adopt a China-type family policy. Of that, the likelihood is zero.

The justices, therefore, have taken more hostages. They have shackled together decisions not just about pregnancy, but sexual liberation more generally. The revolution in constitutional law is a lot like the Clinton scandal: Fundamentally, it's about sex.

The *Casey* opinion made it clear that the abortion license is instrumental to a wider sexual license. The justices said that "in some critical respects" the abortion decision is of "the same character" as the decision to use contraceptives. People, especially women, have "defined" themselves through reliance on abortion "in the event that contraception should fail." (I will return to the notion that people "define" themselves in relation to contraceptives.)

This revolution began with *Griswold*, the 1965 contraceptives case, which is

rightly derided for its far-fetched talk of “emanations” of rights from “penumbras” of the Constitution. The Court’s jurisprudence on privacy (read: sexual freedom) exploded after *Griswold*; but the Court ceased to give reasons for its expansionist holdings. (After *Griswold*, frankly, this is somewhat of a relief.) In case after case, the Court simply announced the birth of constitutional rights to consume pornography, to use contraceptives (in or out of wedlock), and to abort. The result was, and is, unmistakable: a constitutional liberty to engage (within very broad limits) in any consensual sexual activity.

This libertine sentiment is now the central principle of our constitutional law, even though its foundations are obscure and shaky. The judicial opinions about it rarely moved beyond bare assertion. Probably the leading “justification” offered by the Court was an increasingly improbable moral subjectivism, of which the classic statements include, “One man’s lyric is another man’s vulgarity.” The bizarre prophecies of forced abortion or impregnation exhibit the same tendency toward subjectivism.

Lately there has been an important but subtle shift in the justification for the sexually liberated Constitution. During its long trek through the privacy cases, the Court veered—incrementally but consistently—towards grounding the new rights in the raw significance of the decision to the decider. This shift is captured in the notion of “defining” oneself contraceptively or, more generally, sexually. The *Casey* justices folded all “personal decisions relating to marriage, procreation, contraception, family relationships, child rearing and education” into one “liberty” protected by the Constitution. These decisions involve “the most intimate and personal choices a person may make in a lifetime, choices central to personal dignity and autonomy.”

They spoke of the deeply personal highly spiritual nature of a woman’s decision to abort, concluding that the abortion license was within the liberty “to define one’s own concept of existence, of meaning, of the universe, and the mystery of human life. Beliefs about these matters could not define these attributes of personhood were they formed under the compulsion of the state.”

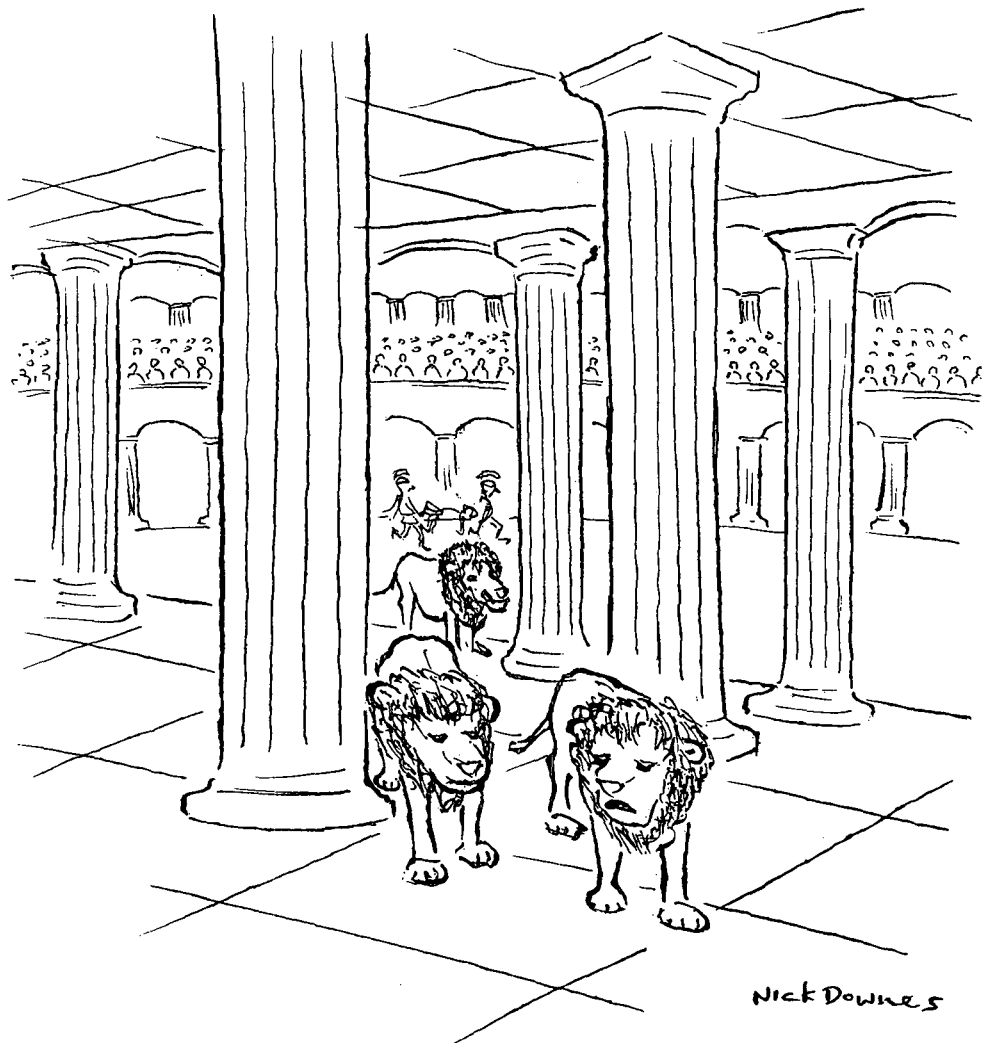
Of course, what one believes about abortion (or other “mysteries of life”) was not, and is not, the question. The matter was having an abortion, not reflecting on it. The *Casey* Court was saying that the liberty to act in accord with one’s belief on these matters is the sine qua non of what is called “personhood.” Thus, an unsurpassable irony: From the perspective of our constitutional law, “personicide” doesn’t happen in abortions, but in efforts to *restrict* abortions.

During the last three decades, the Court’s religion-clause jurisprudence also took off in a bizarre direction. The main trajectory of the new initiatives was to secularize the public realm. The justices emptied religion of all objective content: God was optional, as was church, creed, sect, logic, coherence, intelligibility. The combined effect of the plain, literal terms of the relevant Supreme Court holdings was that one person, with one belief that the person says is religious, counts as “religion.” As the sacredness of various sexual choices increased, the sacredness of religion decreased. These two trends converged in *Casey*, in the above “mystery” passage.

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The sacralization of sexual freedom marks a Copernican turn in our jurisprudence. It is no longer apt to speak of rights having to do with religion, marriage, or the family as if those terms had settled, real-world referents, which served to anchor the rights themselves. It is apt to speak instead of rights concerning “religion,” “marriage,” and “family.” For the right involved is precisely the individual’s right to call for public recognition and support of his decision to call this or that arrangement, belief, or activity “religion,” “marriage,” or “family.”

Wouldn’t it be better to go back to the real world—and the real-world Constitution.



“I’LL SAY THIS—SINCE CHRISTIANITY, I’VE BEEN EATING BETTER.”

APPENDIX H

[The following article was posted on January 24, 2000 on FrontPagemag.com, an on-line publication of the Center for the Study of Popular Culture in Los Angeles, Ca. It is reprinted here with the permission of Mr. Weinkopf, who is the webzine's managing editor.]

Stars, Bars & Choice

Chris Weinkopf

If the day's headlines look familiar, it's because we have read these stories before. Two of America's perennial debates—abortion and the Confederate battle flag—have resurfaced to nag at the public conscience once more. The 27th anniversary of the Supreme Court's *Roe v. Wade* decision, which coincides with the recurring feud about flying the Stars and Bars over South Carolina's statehouse, reminds us that the “pro-life” and “pro-choice” arguments have been at war since long before 1973.

The South's secession from the Union was, Confederate President Jefferson Davis said, “actuated solely by the desire to preserve our own rights and promote our own welfare.” Those who support honoring the Confederate experience by flying its standard echo the same arguments. They insist that the flag—and, for that matter, the Civil war—were not about slavery but “states' rights.” States rights to do what? Not just any federalist grievance could have prompted the South to declare and fight for secession. Specifically, it feared the eventual abolition of slavery, an institution that had become fundamental to its very way of life. It cared less about “states” rights in general than about the “right” to slavery in particular.

Likewise, legalized abortion has become a fixture in American culture. (One in three women voluntarily aborts a baby in her lifetime.) Its proponents have come to value the “freedom” to have an abortion more than freedom itself. Groups like NOW and NARAL speak loftily about the right of women to “control their own bodies,” but gladly jettison that right in favor of government-run health care, taxes on tobacco and other federal intrusions. They insist that abortion is a private matter best left to the individual, but demand that taxpayers subsidize it. “Choice” is not the heart of their agenda, but a veil to conceal it.

In that regard, Jefferson Davis was the great-grandfather of the “pro-choice” position. To protect slavery, the Confederacy made a false god of states' rights—which are important, but not more so than the right of the individual to his set his own destiny. Pro-choicers similarly deify the notion of “reproductive rights,” placing it above even the right to life, which logically must come first.

Like today's abortion advocates, Davis understood that to justify an inhumane institution—in his case, slavery—society first had to dehumanize its victims. When he announced blacks “were not put upon the footing of equality with white men—not even upon that of paupers and convicts.”

His intellectual heirs in the abortion-rights movement have employed the same strategy. Proponents of legalized abortion speak of “fetuses” instead of babies, “products of conception” instead of human beings. Sonograms, of course, should

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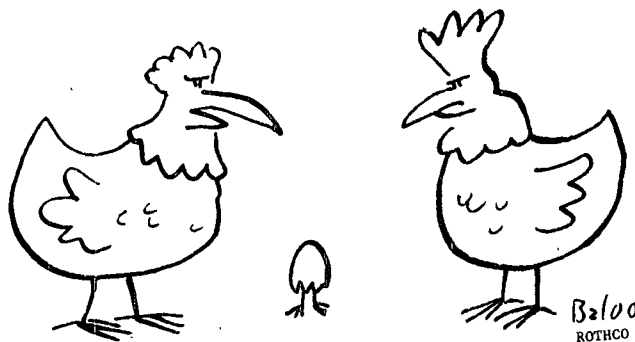
put the issue of when life begins to rest, but then, in the antebellum South, everyday observation should have eliminated any doubts as to blacks' humanity. Repeat a lie long enough, and people start to believe it, sometimes disbelieving their own eyes.

The lie of the Confederacy was that it is morally permissible for human beings to buy and sell one another. That lie took a bloody civil war and 620,000 dead to debunk. Unfortunately, the painful lessons of that war did not stick. The annual marches in Washington that accompany *Roe v. Wade*'s anniversary are a sorry reminder that societies are still quite adept at rationalizing barbarity. The adamant refusal of some South Carolinians to remove the Confederate battle flag from their statehouse is evidence that Americans are still capable of turning a blind eye to evil.

It is true that many men of good conscience, most of whom did not own slaves, and some of whom opposed slavery outright, fought for the Confederacy. Noble men, however, have fought under many ignoble banners.

Whatever else its cultural accomplishments, the Confederacy's purpose, ultimately, was the defense of slavery. Society can honor the heroism and valor of its soldiers without honoring their cause, or revering the flag that represents it. Some South Carolina legislators have suggested replacing the flag with a statehouse memorial to Confederate veterans—a more dignified and appropriate commemoration.

If nothing else, taking the flag down would retire a seemingly incessant controversy that honors no one except those who use it as an opportunity to grandstand. As for that other perennial debate that has reared its head once more this January, the battle rages on. Abortion takes more lives every six months than the Civil War claimed in four years. No Americans have a greater claim on our sorrow and remembrance than these.



"OH, LEAVE HIM ALONE AND LET HIM ENJOY HIS CHILDHOOD."

APPENDIX I

[*Frederica Mathewes-Green, author of Real Choices: Listening to Women, Looking for Alternatives to Abortion (Conciliar Press, 1997) is a columnist for Christianity Today and a commentator on National Public Radio's "All Things Considered." The following first appeared in Focus on the Family magazine (Jan. 2000) and is reprinted with permission.*]

Susan B. Anthony: Pro-life Feminist

*The icon of modern-day feminism would be
horrified at what is being done in her name*

Frederica Mathewes-Green

Susan B. Anthony is a hero of the feminist movement, and with good cause: She was a trailblazer in the women's movement in the late 1800s. A Quaker who never married, Anthony devoted her energy first to the abolition of slavery and then to women's equality at the ballot box. She and other early feminists believed that the power of the vote was the key to fulfilling all other goals.

Willing to go to jail for what she believed, Anthony illegally cast a ballot in the 1872 presidential election and was arrested. Regard for her by modern-day advocates of women's rights led to the production of the Susan B. Anthony \$1 coin in 1979.

A "most monstrous crime"

There is, however, one thing these advocates don't know about Anthony, something that might temper their adoration. Susan B. Anthony was pro-life.

How could a feminist be pro-life? Simple: Abortion hurts women. Anthony and her friends knew this, and in fact the feminist movement did not support abortion until the 1970s.

A hundred years ago Anthony wrote an essay in her publication, *The Revolution*, about the "horrible crime of child-murder." "She was considering specifically the tragedy of abortion within marriage, wherein a pregnant wife "destroys the little being, she thinks, before it lives."

Anthony wanted to "eradicate this most monstrous crime" but feared that laws alone would not be sufficient: "We must reach the root of the evil and destroy it."

Anthony wrote about this evil with passion: "Guilty? Yes, no matter what the motive, love of ease, or a desire to save from suffering the unborn innocent, the woman is awfully guilty who commits the deed. It will burden her conscience in life, it will burden her soul in death; but oh! Thrice guilty is he who, for selfish gratification, heedless of her prayers, indifferent to her fate, drove her to the desperation which impels her to the crime."

Modern footsteps

But surely the era of feminists who oppose abortion is in the past? Not according to Mary Krane Derr, an author who researched the writings of historical

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feminists for the book *Pro-Life Feminism: Yesterday and Today*. Derr discovered dozens of essays by a wide range of feminists decrying the violence of abortion and its damage to women.

"According to the early feminists, abortion resulted from the denial of the pregnant woman's humanity as much as from a denial of the unborn child's," wrote Derr, who still terms herself a feminist. "Women felt pressured into aborting because they were deprived of truly life-affirming sexual and reproductive options. This is still very much the case. If we don't want unborn children to be treated as insensate clumps of tissue, we must first of all ensure that their mothers are not treated as insensate clumps of tissue."

When asked if she still calls herself a feminist, author and psychologist Sidney Callahan says, "Oh, yes, I do. Feminism began with an analysis of the abuse of power and the impulse to fight inequality. My going on to take a pro-life position was a natural extension of feminism, just making it deeper."

Often in her speeches Callahan shocks audiences by declaring, "Women will never climb to equality and social empowerment over mounds of dead fetuses."

She believes that many contemporary feminist themes should point to pro-life conclusions. "Feminists were leaders in the areas of the ecology, peace, and non-violence. All of these contribute to the pro-life position."

As a popular bumper sticker produced by the organization Feminists for Life says, "Peace Begins in the Womb."

That's a position Susan B. Anthony would understand. When a man sought to compliment her by saying what a fine mother she would have been, she responded, "Sweeter even than to have had the joy of caring for children of my own has it been to me to help bring about a better state of things for mothers generally, so that their unborn little ones could not be willed away from them."

APPENDIX J

[The following column first appeared in the *New York Post* on October 1, 1999 and is reprinted here with permission of Ms. Berkman.]

And then I Heard the Heartbeat

*It's hard to hear the life inside
you and stay pro-choice*

Meredith Berkman

For the first couple of months, I jokingly referred to my material state as the “alleged pregnancy.” There were no outward signs that anything inside of me had changed; I continued to run 9 ½ minute miles in Central Park; my clothes still fit. I smiled at other women’s children in the neighborhood—but had no thoughts about having my own.

And then I heard the fetal heartbeat.

Friends already saddled with double strollers and nursery-school tuition fees had assured me that the eerie racing noise would completely alter my perspective, that I would finally understand I was having a baby. But no one warned me that listening to that unfamiliar sound—as my husband excitedly stood beside me in the doctor’s office, holding my hand—would transform the way I feel about abortion.

I have identified myself as pro-choice for my entire adult life, and supported a woman’s constitutional right as guaranteed by *Roe v. Wade*. Like most people I know, I have donated money or attended fund-raisers for groups like Planned Parenthood. I have never voted for a pro-life candidate. I have condemned protesters who carry graphic signs outside abortion clinics; I would have willingly engaged them in heated debate.

But from the moment I listened to the thrilling *rat-tat-rat-tat* pulsing inside my uterus, I knew there was a living being inside me, whether or not I was emotionally prepared for its impending arrival. And the thought of losing that life or deliberately ending it seemed almost unendurable.

“There’s someone in there!” I tearfully told my husband as we left the doctor’s office. “How could anyone want to take it away?” I protectively stroked my stomach many times that night.

At first, I was almost ashamed of my visceral reaction, and wondered if my spontaneous rethinking of this hot-button issue was related to raging hormones (the excuse all pregnant women can rely on when we need to explain anything away). But as the weeks have passed, and my husband and I have seen the baby moving on the sonogram screens (though it’s hard to tell sometimes if you’re looking at the head or a knee) the feeling has intensified. I am oddly comforted when other staunchly pro-choice friends and acquaintances admit that the experience of pregnancy—and astonishing technological advances that allow us to see and hear the baby much earlier—has forced them to question their political positions.

“Before I got pregnant, I could not, for the life of me, understand *not* being

pro-choice,” says Liz Lange, who owns Liz Lange Maternity (where I spend a lot of time these days) and has an 11-month-old son. “Then you see even the tiniest little dot and it’s blinking and the doctor says, “There’s the heartbeat.” Suddenly, you’re connected with the baby as a person. After that appointment, I made what I call my first baby album. And it’s not the pictures of him in the hospital, those are later pictures. It’s every single sonogram, and the amniocentesis results.

“Now I understand how there are people out there who could think abortion is wrong. I don’t know that I’m one of those people. But I’m not surprised by their feelings, and I’m no longer dismissive of them.”

Though it is still sometimes hard for me to grasp that I will soon give birth to a child, I can’t ignore that the baby growing inside of me is gearing up for a life of her own. I can feel her moving now, and when I run (slowly) in the park, I feel that she is exercising with me. Though my husband and I haven’t chosen a name yet, we have a distinct sense of our daughter: We are convinced she has curly hair, talks a lot, and has a big personality.

I have just started my sixth month, and it is chilling to consider that under New York State Law, I have until the end of this week to end the pregnancy. (Later-term abortions are legal only if “necessary to preserve the woman’s life.”)

Yet I am not willing to describe myself as anti-abortion. Yes, I am deeply disturbed by the procedure, and it is not an option I think I could choose. I am open to “the other side” now, and wonder what their numbers would be like in this country if they softened their tactics, improved their marketing image, and began targeting vulnerable people like me.

But I would still defend a woman’s right over her own body. I know that doesn’t make moral sense in light of my conviction that a fetus, even in the first trimester, is a human life, I suppose I am an ideological coward (or much worse) because I am so far unprepared to abandon a longtime belief.

I prefer to think of myself as deeply conflicted and in transition: Pro-choice with an asterisk.



**“YOU’RE COMING ALONG FINE—TOMORROW, YOU CAN TRY
MEDITATING WITHOUT THE TRAINING WHEELS.”**

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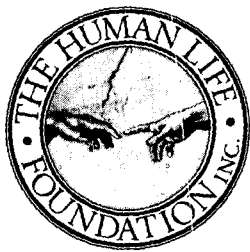
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