

the HUMAN LIFE REVIEW



FALL 2010

Featured in this issue:

William Murchison on Playing Political Chess

Joe Bissonnette on Pornography & the End of Eros

“OPEN HEARTS, OPEN MINDS & FAIR MINDED WORDS”

ANNE CONLON • MARK S. LATKOVIC • JOHN FINNIS • WESLEY J. SMITH
KATHRYN JEAN LOPEZ • E. CHRISTIAN BRUGGER • HELEN ALVARÉ

Brian Caulfield on Saving Dad

Richard Hurzeler on Joy Drops

Donald DeMarco on Slouching Towards Sodom

8TH ANNUAL GREAT DEFENDER OF LIFE DINNER

KATHRYN JEAN LOPEZ • SETH LIPSKY • WILLIAM MCGURN

Also in this issue:

Evelyn Birge Vitz & Paul C. Vitz • Vincenzina Santoro • John Jalsevac

Lila Rose • Clare Boothe Luce (FROM THE ARCHIVES: 1978)

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. . . “Open Hearts, Open Minds and Fair Minded Words—A Conference on Life & Choice in the Abortion Debate” was held in the hallowed halls of Princeton this past October with the university’s own Peter Singer—godfather of the present-day infanticide movement—dispensing charm to admirers and critics alike. We’ve gathered here a range of work (pages 13-43) to give you a sense of what the “unprecedented”—as some have called it—gathering was all about. John Finnis, Helen Alvaré, and E. Christian Brugger were conference speakers whose papers subsequently appeared in *The Public Discourse* (www.thepublicdiscourse.com), the online publication of The Witherspoon Institute (a research center also located in Princeton). We thank our friends there for permission to reprint them. Frequent *Review* contributors Wesley Smith and Kathryn Jean Lopez watched the conference online and furnished us with original commentary. As did Mark Latkovic, professor of moral theology at Sacred Heart Major Seminary in Detroit, whose essay came in over the email transom—welcome to our pages, Dr. Latkovic! My own “Notes” on the conference (which I attended along with Maria McFadden, our editor) was adapted from a “review” I wrote for the monthly newsletter, *catholic eye*, a project of a (totally separate) sister organization.

Thanks also go to MercatorNet (www.mercatornet.com) for permission to reprint Vincenzina Santoro’s look at Italy’s falling abortion rate (p. 101); and to *First Things*, where Lila Rose’s riveting account of how she became a pro-life activist in college was first published (p. 107). Colleges have an increasingly impressive pro-life presence, largely due to the efforts of Students for Life and the group’s energetic leader, Kristan Hawkins, who recently told LifeSiteNews that she believes “the momentum is on our side” (p. 104). LifeSiteNews (www.lifesitenews.com) is an invaluable online trove of pro-life news stories which they are delighted to share with *Review* readers.

As is our custom, we present here the complete transcript—plus photos—of the Human Life Foundation’s Great Defender of Life dinner, held a couple of weeks after the Princeton conference (pages 51-73). Oh, but what a different gathering this was! Kathryn Jean Lopez—the editor-at-large of National Review Online whose syndicated column often serves the pro-life struggle—had high praise for our low-tech (“dead tree”) journal. She then introduced New York *Sun* editor and author Seth Lipsky, who had the highest praise for our honoree, whom he called The Great McGurn. Like Ms. Lopez, William McGurn isn’t afraid to visit pro-life territory; he frequently tackles abortion in his widely read *Wall Street Journal* column.

“I have come to believe,” Mr. Lipsky told the 250 guests, “that the cause of human life, like the Jewish struggle, is a cause that rests naturally with the cause of human liberty and with the idea of free minds and free markets.” Not a notion that Peter Singer—or most other denizens of his not-so-free academic world—would applaud. But everyone at the dinner did—and heartily.

ANNE CONLON
MANAGING EDITOR



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INTRODUCTION

This final *Review* of 2010 opens with a look at the year's startling political reversals, due in no small part to the re-emergence of abortion as a deciding issue. As senior editor William Murchison writes in "Playing Political Chess," in the fall of 2008 "there was comparatively little discussion of abortion. It was all Obama—all the time." But, though abortion "rarely if ever plays the central role in our political disputes, its poison nevertheless flows into the bloodstreams of them all." In the debate over passing Obamacare, Americans soon realized that "no debate on the topic could take place without scrutiny of how abortion rights—federal style—fit in." Murchison takes us through the rise and spectacular fall of Democratic Congressman Bart Stupak, from pro-life hero to "traitor"; and how in the elections of 2010 the "Tea Party phenomenon and the pro-life rebellion found numerous points of intersection," creating the conditions for a mighty sea change in Washington.

This fall was also the occasion of an unusual conference, meant, one assumes, to be a groundbreaker: "Open Minds, Open Hearts, and Fair Minded Words: A Conference on Life & Choice in the Abortion Debate" was held at Princeton Oct. 15-16. Organized and sponsored by groups on polar opposite sides of the issue, the stated goals included exploring "new ways to think and speak about abortion," and defining "more precisely areas of disagreement" to work together on "areas of common ground." How did it go? Well, our managing editor Anne Conlon was there: We open a series of essays concerning "Open Minds" with her trenchant critique, which originally appeared in the newsletter *catholic eye*. Conlon begins with a quote from perhaps the most memorable moment of the gathering, when eminent Oxford philosopher John Finnis chastised the conference organizers for insisting that participants use only *fetus*—"the F word"—when referring to an unborn child. This plenary session on "The Moral Status of the Fetus" (which also featured the deathly prince of the proceedings, Princeton professor and infanticide advocate Peter Singer) and the "fascinating" Q & A which followed the presentations are described by Professor (of moral theology) Mark S. Latkovic; following that is the text of John Finnis' remarks.

Next is contributor Wesley Smith's reaction to Singer's revelation at the conference that his views on infanticide have become even more radical (he previously suggested a 30-day kill-by rule for doing away with a disabled infant; at Princeton he spoke of "full moral status" as a "gradual matter," saying "perhaps you only get to full moral status after 2 years old"). Following Smith is *National Review's* Kathryn J. Lopez, who asks whether or not the conference failed. Her answer is a—qualified—no; she is cautiously hopeful that while there can be no "compromise on the inviolability of innocent human life . . . there is common ground in our humanity" and people on both sides of the debate who "want to keep scared women from having abortions foisted upon them by fear." We wrap up this special section with two more presentations from the conference: E. Christian Brugger, an associate professor of moral theology at St. John Vianney Theological Seminary, spoke on

the “Ethics of Fetal Pain,” and Professor Helen Alvaré, whose presentation was titled “Abortion Law Is Family Law.” Whether or not the conference achieved the goals of the sponsors, there is no question that it gave voice to some of academia’s great defenders of life, like Finnis, Brugger, and Alvaré; we are grateful to be able to reprint such vital scholarship in our pages.

In *From the Archives*, we reprint an historical letter by the formidable Clare Boothe Luce, from our Spring 1978 issue. Luce wrote that year to the Women’s Lobby explaining that she could no longer support the Equal Rights Amendment—she’d fought for it for 35 years—because of its inclusion of federally funded abortion as a woman’s “right.” Luce chastises pro-abortion feminists: When “the great and historic case that men have made against women is that they are incapable of thinking logically,” how can pro-abortion women take the “illogical position that abortion is right and natural for *some* women in *some* circumstances?” Clearly, she writes, abortion is contra constitutional, natural and moral law.

We are pleased to present a special section (p. 51) on our 8th annual Great Defender of Life Dinner, at which we honored *Wall Street Journal* columnist William McGurn. McGurn is also a masterful speechwriter; his address on this inspiring evening delighted us and seemed effortless from *him*, until you realize how he, in relatively few words, got to the *heart* of what we who hold to core values struggle with today—“the contemporary scandal that is conventional morality.” I am tempted, but I won’t give away his best lines—read McGurn’s memorable speech, as well as the lively remarks preceding them from our other engaging speakers.

Another enormous move away from conventional morality in our society has been the explosion of pornography, writes our next author Joe Bissonnette: “It has gone from behind-the-counter magazines to the single largest category of Internet site, generating more income than all professional sports combined.” As pornography has been justified through libertarian arguments, he explains, now, thanks to a recent study, it “justifies itself through audacious, counterintuitive arguments of social utility”—namely, that pornography has actually brought down the incidence of rape! Bissonnette looks at the evidence of the study as well as what the proliferation of porn has cost our contemporary men—and women.

In the fight for life, the disabled and the elderly must also be protected from quality-of-life “experts.” “Saving Dad” is contributor Brian Caulfield’s story about what his family encountered during a recent medical emergency with his father. His essay is part chilling critique of the insidious quality-of-life ethic in our medical system, part moving reflection about how children see their aging parents and confront the reality of their mortality. Following his is another poignant reflection, by newcomer to our pages Richard Hurzeler, who writes about his experiences as a volunteer visiting the elderly and disabled in nursing homes. His mission: “I am there to affirm them just where they are and to be a witness of hope.” And he finds that it is those who are on the “margins of society” who bless *him*, “and radiate to me a rich faith in human living.”

INTRODUCTION

Hurzeler writes about human connections; Donald DeMarco considers what happens when society forgets that to be human *is* to be interconnected. DeMarco, a professor of philosophy, asks if we are “Slouching Towards Sodom?” That ancient city was marked by a “poisonous moral climate” and an “excessive lack of regard for one’s neighbor.” In arguing for abortion rights based on a woman’s “autonomy” and “privacy,” we are denying, DeMarco says, not only the bond between mother and child but the interrelatedness of human beings, which is integral to the health of a good society.

* * * * *

“If this was the right decision, why do I feel so terrible?” No matter how autonomous a woman may feel about her abortion *before* the procedure, there are powerful feelings *after*, often painful ones, write Professors Evelyn Birge Vitz and Paul C. Vitz (*Appendix A*), who found the above statement and scores like it on a website called afterabortion.com. Their study of women’s post-abortion stories led them to the fascinating research described here on how the particular characteristics of a woman’s brain may shed light on negative post-abortion reactions.

Appendix B is a remarkable report on abortion in Italy (you may be surprised at the current trend) by newcomer to our pages, Vincenzina Santoro. And we close the issue with great hope for the future, represented by the fearless pro-life leaders of tomorrow. *Appendix C* is John Jalsevac’s report on the amazing growth in the number of pro-life college students, thanks largely to the efforts of the organization Students for Life, with its indefatigable executive director, Kristan Hawkins, at the helm. And our final appendix is by another young, powerful activist, Lila Rose, who writes her story: how an awakening to the need for pro-life activism at age 13 has led her to, among many other things, spearheading undercover investigations of the abortion industry and founding a pro-life non-profit organization, Live Action.

What would we do without our friend Nick Downes and his cheering cartoons? Thanks go again to him, and to all of our readers, who have supported us through another year of telling the truth, for life.

MARIA McFADDEN
EDITOR

Playing Political Chess

William Murchison

You know, it's no bad face. In fact, it's quite a good one—boyish, you could say; the senior-class president come of age. There's the cleft chin and the shock of graying hair that sags across the forehead. There's the not-unpleasing tendency to squint rather than bat eyelashes at the news cameras.

Toward the boyish head, nevertheless, of former Democratic Congressman Bart Stupak, flew rhetorical missiles last year from practically every point on the political compass. Among the names and descriptions freely bestowed on him in recent months: “snake”; “pitiful, cowardly whiner”; “discipable [sic] traitor”; a bankrupt when it comes to “core values” and “deep-rooted convictions.”

Defenders of unborn life castigate their erstwhile champion for declining to stick by anti-abortion language he was instrumental in inserting into House-passed health-care legislation in 2009. Proponents of the constitutional right to abort a baby castigate him with near-equal vigor for inserting the language to begin with.

Does Bartholomew Thomas Stupak reflect now and then on the fate of his namesake, the apostle who, according to legend, was flayed alive, from top to bottom? It might seem to him, and to others, that in his case the elements of martyrdom appear like stigmata: the compromise he engineered on abortion funding to prevent going down in congressional annals as The Man Who Stopped Obamacare; the instant withdrawal of a major pro-life award he was to receive; the showers of abuse through which he thereafter walked; his hardly coincidental decision, days later, to announce his coming retirement from Congress in order to “spend a little more time” with a family that—though he omitted mention of it—had earlier lost a son through suicide.

Up in smoke, in a matter of days, went the acclaim and respect Bart Stupak had won as the Democratic Party's leading champion of the right-to-life cause. The *Roe v. Wade* court—in whatever realm of existence its departed members dwell—can take one more bow for the varied dislocations their 7-to-2 decision visited on modern America.

The tendrils of *Roe* coil about and squeeze American life in its totality. Not least political life, an outcome appropriate enough given how politics

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initiated and sustains America's seemingly endless family quarrel over the meaning of human life.

Abortion rarely if ever plays the central role in our political disputes; its poison nevertheless flows into the bloodstreams of them all. The Nov. 2, 2010, election is one we will remember a long time for its wrenching effects on the political process: some good, some bad, all of them pronounced. All would have seemed unimaginable 40 years ago to a country and people whose laws protected unborn life.

Bart Stupak's self-evisceration was only the opening act in last year's electoral saga. Much more was to come. The push for federal health care lost momentum as Americans realized no debate on the topic could take place without scrutiny of how abortion rights—federal-style—fit in. Stupak's early insistence on no federal dollars to pay for abortions raised perplexities the bill's proponents—from President Obama on down—appeared never to have considered seriously. Outrage among pro-life voters mounted faster as Democratic congressional leaders pushed harder toward enactment. Tempers flared, and lawsuits multiplied, with two fifths of our 50 state attorneys general seeking judicial overthrow of the new Patient Protection and Affordable Care Act. As the mid-term national elections came into sight, Tea Party campaigners drew resources and encouragement from the renewed tensions the fight over abortion funding had helped to stoke.

On Nov. 2, 2010, Republicans cut a wide swath through Congressman Stupak's Democratic colleagues and collaborators, bestowing House control on leaders certain never to entertain the idea of funding abortions with taxpayer money. Whereas the old House—the one that adopted Obamacare—had by one count just 183 reliable pro-life votes, the new one has at least 230—a clear majority. Likewise the Senate acquired six new anti-abortion votes.

An additional effect of the voting was the rout of supposedly pro-life Democrats of the Stupak stamp—those who had gone along with his health-care deal in order to get the thing done and off the table. These found themselves generally blamed for inconstancy and weakness of will. Sincerity of conviction, as with Stupak, wasn't the point. The point was, what does sincerity count for if you permit yourself and your side to get rolled?

The reversal of form, compared with 2008, was startling. In 2008, there was comparatively little discussion of abortion. It was all Obama, all the time—the tale of a “transformative” figure who had emerged out of nowhere, promising to renew friendship among Americans of varying races and convictions, and perchance find ways of reconciling different perspectives on abortion. The Democrats, who controlled both houses of Congress anyway,

fattened their vote margins and, by installing Obama, made certain anything they passed would get signed into law.

That was before the tensions kindled by *Roe v. Wade* began once more to emit smoke.

It was bad enough, from a conservative perspective, that the president and his leadership in Congress proposed giving to the federal government power to oversee the ways that money for health care would be directed and spent. The details of Obamacare, as the Democratic measure came to be known, are familiar enough as hardly to bear recounting. There was always the certainty that at some point those details would include ways of dealing with operations that extinguish unborn life. There was likewise the certainty that a fuss would follow the announcement of any plan allowing the extinguishing of life to go forward under federal auspices. Not that the iron-jawed House speaker, Nancy Pelosi, or her collaborators in the White House seemed to worry much about collateral damage to her agenda from the protests of those she plainly regards as pterodactyls.

It was Bart Stupak, leader of the House Democrats' pro-life caucus, who unexpectedly put abortion in the middle of the picture. Things were starting to sail along in '09 when it came to health care—a policy the redoubtable Mrs. Pelosi was determined to perfect. Due to virtually unanimous Republican opposition, she needed to keep centrist, pro-life Democrats from jumping ship and voting against her. “We do not want taxpayer dollars financing abortion,” said Stupak, a Roman Catholic and graduate of Catholic schools then completing his ninth term in the House. To this end, the bloc put forth the Stupak-Ellsworth-Pitts-Smith-Kaptur-Dahlkemper amendment. The idea was to prohibit abortion coverage by any insurance plan purchased with government subsidies. The Democratic left—meaning pretty much everyone to the left of Bart Stupak—was aghast. “If enacted,” said Colorado Congresswoman Diana DeGette, “this amendment will be the greatest restriction of a woman’s right to choose to pass in our careers.”

Speaker Pelosi tried but failed to put down the pro-life uprising in her ranks. She felt obliged to let Stupak offer his amendment. It passed 240-194. It then migrated, along with the bill as a whole, to the Senate for consideration. Alas, the Senate’s nominally pro-life Democrats—among whom Majority Leader Harry Reid was once numbered—were found to have no pulse. Better protected than their colleagues in the House, due to longer terms of office and more campaign money, the Democrats of the Senate performed dilation and evacuation on the Stupak amendment. Back to the House went the bill, with no senatorial acquiescence in the matter of banning taxpayer

dollars for abortions. The question became, would the House stand for it? Would the Stupak bloc insist the senators do it their way, or else? Political pressures on Stupak, as leader of the movement to excise federal funding, tightened. What would he do? Resist? Cave? Seek resolution of the differing viewpoints?

The difficulty when it comes to turning over major moral matters to politicians and, especially, non-elected judges involves the nature of democratic politics. On, shall we say, more everyday questions—e.g., taxes, regulations, and foreign policy—there exists the abstract chance a deal may be struck to general satisfaction, without harming the public interest too lavishly. It is otherwise where the issue on the table—shall we say, the surgical table?—touches the nature of mankind itself, and of mankind's relationship to God. How at these moments does the legislative craftsman strike deals? With the utmost delicacy, is the quickest answer. With fear and trembling, might be another way of putting it; with horror and reluctance. Solomonic splitting of the baby (apart from what happens to the baby!) gets no one anywhere—certainly not over the long term.

Imagine you're Bart Stupak. You want health insurance to pass. You want your party to succeed. You also want to afford some measure of legislative protection for unborn life. (On the question of sincerity we might—whatever our views of his subsequent tactics—grant Stupak the benefit of the doubt. It can be a dangerous pastime perching atop tall ladders, peering into other people's consciences, seeking to learn how deeply they believe what they say they believe. For one thing, how do you, or perhaps they themselves, ever really know?)

Well, anyway, you're Bart Stupak. A politician. You seek a political formula. The formula that Stupak ultimately obtained was in the form of a promise by President Obama to issue an executive order barring the use of federal money to fund abortions—in return for stepping away from the Stupak amendment and waving the Health Care Express past the barricades. It was a near-run thing at that. On March 21, 2010, the health-care bill, shorn of the Stupak language, squeaked through the House, 219-212. "I and other pro-life Democrats," said Stupak, on March 23, "are pleased that we were able to uphold this important principle and vote for a health-care bill that is pro-life at every stage of life." The next day, as promised, Obama signed Executive Order 13535, "Ensuring Enforcement and Implementation of Abortion Restrictions in the Personal Protection and Affordable Health Care Act." There was no joy in Mudville. Bart Stupak had accomplished the remarkable feat of offending everyone save the Democratic mechanics intent on bringing a health-care bill before the president for signature. The friends of unborn life saw

themselves suddenly undercut and hung out to dry, dependent on an executive order that Obama, or another president, or a judge for that matter, could undo with a pen flourish. The friends of “choice,” by contrast, were no better disposed than they had been earlier to a man they blamed for hostility to their game, whatever the shape of the final compromise. Planned Parenthood called the executive order a mere “symbolic gesture”—a viewpoint not exactly lost on Stupak’s pro-life critics.

The Susan B. Anthony List, which funds and promotes pro-life candidates, declared its position with extraordinary directness. Stupak was scheduled to receive the List’s Defender of Life Award. “Was,” indeed—past tense. SBA made known the congressman needn’t bother to turn up in tux; the award was off. Said Marjorie Dannenfelser, the organization’s president and board chairman: “By accepting this deal from the most pro-abortion president in American history, Stupak has not only failed to stand strong for unborn children, but also for his constituents and pro-life voters across the country.”

Kathleen Parker, the *Washington Post* columnist, offered a nice trope for Stupak’s reversal of form: “The man tried to be a hero for the unborn, and then, when all the power of the moment was in his frail human hands, he dropped the baby.” Stupak felt sufficiently injured to explain himself in a rebuttal column for the *Post*. “It was clear,” he said, the House was going to get 216 votes for health care; the choice was “Vote against the bill and watch it become law with no further protections for life or reach an agreement that prevents federal funding for abortions.” This he claimed to have done; leaving unexplored the question, what if he’d stood firm and made the Senate back down? Two weeks later came the announcement: Congressman Bart Stupak would be retiring at year’s end. His party’s claims on him as a participant in the crusade to transform America had proved paramount over scruples concerning how best to protect unborn life. He would certainly go a ways in the direction of protection, just not the whole way. Other things needed doing; he needed to help do them.

The inadequacy of politics as a forum for settling the large questions of life was again transparent. The politicians slid their pieces about the chessboard; conceived this gambit or that trap; blocked, captured, advanced, retreated. The one thing at which they failed, unequipped as they were for the enterprise, was setting a standard for the honoring or dishonoring of life. Yet that ball—to switch metaphors—was in their park. And would stay there, courtesy of the courts. It is knowledge that has never edified—less so now, perhaps, than ever.

And so the Stupak episode receded into the past. The game, nevertheless,

went on. The health-care debate, such as it was, stirred all manner of reactions around the country, stoked the desire to punish or reward.

It was going to be a Republican year anyway. That much the analysts were predicting with greater confidence and clarity as the months rolled past. The Tea Party phenomenon and the pro-life rebellion found numerous points of intersection, forming as it were a working alliance. Both the phenomenon and the rebellion mirrored voter anger at the sheer incompetence of the politicians who claimed to be addressing the nation's concerns. The people in Washington (as the alliance saw things) were playing games not only with the transcendent concerns of life—such as life itself—but with pocketbooks and bank accounts and prospects for employment. A lot of posturing was going on. If democratic politics has extreme limitations as to the shaping of agendas, moral ones especially, it offers means aplenty for punishing those whose agendas or methods displease their employers. It happened thus in November 2010.

From the pro-life perspective, things could hardly have gone better. NARAL Pro-Choice America rates the new House at 155 votes pro-choice, 247 anti, and 33 mixed. Two hundred forty-seven, you will have observed, is a clear majority. The Senate, by the same organization's evaluation, has 40 pro-choice votes, 46 against, and 14 in the mixed middle. The net change: 26 fewer pro-choice House votes, 43 more antis with whom to reckon; for the Senate, one vote less and six votes more, respectively. Bart Stupak's open seat, for the record, went to a pro-life Republican and Tea Party favorite, Dan Benishek, rather than Democrat Gary McDowell. By contrast, the 2008 election—according to EMILY'S List, the pro-choice funder of campaigns—had sent as many as 13 new pro-choice Democrats to the House. There is the obvious temptation here to see 2010 as closing the barn door after the horse's escape months earlier. On the other hand, the flight of additional animals seems foreclosed for now. In politics you tend to take what you can get, and give thanks.

Stupak's pro-life allies in the House Democratic bloc took it on the chin. Fifteen of the 20 allies who voted for Obamacare, and thus put it over the top, lost their races. Among them were two co-sponsors of the Stupak amendment: Brad Ellsworth of Indiana, who was mauled by Dan Coats in the race to succeed retiring Democratic Sen. Evan Bayh; and Kathy Dahlkemper of Pennsylvania. Another who fell—to the Republican congressman he had beaten two years earlier—was Ohio's Steve Driehaus, one of various Democrats recruited by the national party to put a more moderate face on the party image. Significantly, Rep. Dan Lipinski of Illinois—who voted against

Obamacare, believing the Stupak compromise inadequate to its ascribed purpose—raced to victory with 70 percent of the vote. The *Wall Street Journal's* William McGurn summed up devastatingly: “In addition to undermining an encouraging partnership with pro-lifers across the congressional aisle, Mr. Stupak signaled that, in the end, you can’t count on pro-life Democrats.”

Pro-life Republicans fared infinitely better. Their party counted 26 state legislatures under its control—the most since the landmark Eisenhower election of 1952. Kelly Ayotte—“a stellar champion of life,” according to Marjorie Dannenfelser of the Susan B. Anthony List—won election to New Hampshire’s open Senate seat and pledged to make her influence felt. Pro-life Republican women victorious in governorship races added further exhilaration: Nikki Haley in South Carolina, Mary Fallin in Oklahoma, Susana Martinez in New Mexico, incumbent Jan Brewer in Arizona.

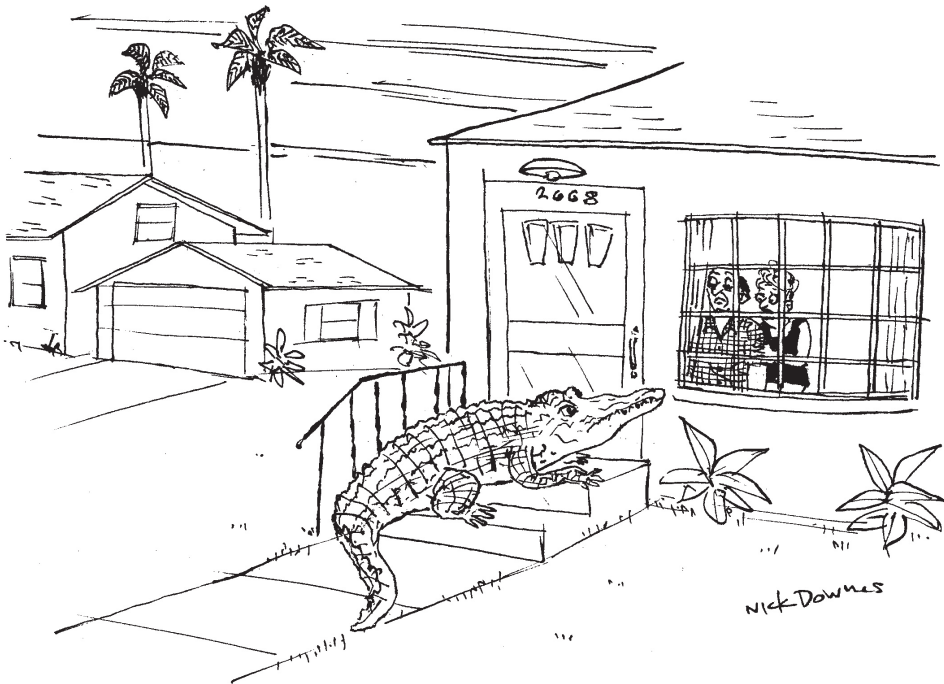
As “The Year of the Pro-Life Woman” (so *Human Events* tagged 2010) was ending, plans began unfolding for a year—2011—philosophically, politically unlike the one just gone. Rep. Lois Capps, a pro-choice Democrat from California, was warning that the new Congress would be “extremely hostile to a woman’s right to choose.” Well might she warn. Republican Rep. Joe Pitts of Pennsylvania—a Stupak amendment co-sponsor and incoming chairman of the Energy and Commerce Subcommittee on Health—was promising what the *New York Times* advertised as “a major shift on abortion and family planning.” Pitts said he wanted, among other things, legislation to achieve that which he and Stupak had sought via their ill-fated amendment. Speaker John Boehner has pledged support of such an effort—at no cost to a reputation the pro-choice left finds irredeemable. As Stephanie Schriock of EMILY’S List pungently puts it, “Boehner’s good old boys are up to no good when it comes to representing women.” It’s enough to bring still more tears to the already bedewed eyes of a Speaker professedly mindful of his moral obligations.

The great political chess game goes on and on—new attacks, new feints, new votes; neither side winning completely, neither one afflicted to the point of disaster. In democratic politics, disaster seldom arrives; adroit politicians have a feel for the compromises and maneuvers necessary to avert it. Only moral disasters seem to occur in politics. These would include family disintegration, the widespread deterioration of moral norms, the near-collapse of education in many places, and—of course—abortion.

No legislation, for all the brooding that goes on from time to time about “statecraft as soulcraft,” has in it much of moral vision. That leaves cultural recovery—from within, or Above, or both at the same time—as the surest

approach to the redemption of the old view of life as a sacred charge. The very word “sacred” is enough to scare the bejabbers out of your run-of-the-mill democratic politician, frightened of giving offense to this electoral bloc or that one; or of signaling indifference to the apparently transcendent cause of separating church and state. The cultural affirmation of life, born as well as unborn, will come together somewhere other than Capitol Hill, somewhere away from cloakrooms and fund-raisers and committee hearings. When the people as a whole have appropriated internally the value of protecting life, we may be assured political approval of that mission will follow quickly enough.

Meanwhile, for would-be protectors of unborn life, it’s a case of placing one political foot in front of another, then another, then another: the lesson of 2010 being, the more feet you have attached to political bodies, the better in terms of what you can start and what you can stop. Horses do indeed escape political barns from time to time. With winsome and determined prodding, they can be brought safely back.



“He never forgave us for flushing him down the toilet.”

Notes on What *Eye* Saw at Princeton

Anne Conlon

About the moral status of the phrase “the fetus,” I will just say this. As used in the conference program and website, which are not medical contexts, it is offensive, dehumanizing, prejudicial, manipulative. Used in this context, exclusively and in preference to the alternatives, it is an F-word, to go with the J-word, and other such words we know of, which have or had an acceptable meaning in a proper context but became in wider use the symbol of subjection to the prejudices and preferences of the more powerful. It’s not a fair word, and it does not suggest an open heart. Those of you who have an open mind or a fair heart may wish to listen to every speaker at this conference, and see whether they are willing to speak, at least sometimes, of the unborn child or unborn baby, and to do so without scare quotes or irony. —John Finnis, Princeton University, Oct. 15

Professor Finnis (of Oxford University) made the above admonition in a debate with Peter Singer (Princeton) and Margaret Little (Georgetown) during a conference on abortion at Princeton University this past October titled “Open Hearts, Open Minds and Fair Minded Words.” The title comes from Barack Obama’s 2009 Notre Dame graduation speech, in which the president whose party subsequently rammed an abortion-laden health-care bill through Congress urged Americans on both sides of the abortion divide to “open up our hearts and our minds to those who may not think precisely like we do or believe precisely what we believe” because in doing so “we discover at least the possibility of common ground.” He also said this:

Now, understand—understand, Class of 2009, I do not suggest that the debate surrounding abortion can or should go away. Because no matter how much we may want to fudge it—indeed, while we know that the views of most Americans on the subject are complex and even contradictory—the *fact is that at some level, the views of the two camps are irreconcilable*. Each side will continue to make its case to the public with passion and conviction. But surely we can do so without reducing those with differing views to caricature (emphasis added).

“Open Hearts. Open minds. Fair minded words.” This, Obama intoned, should be the American way of debate. *Catholic eye* observed at the time that what the cocksure new president was preaching at Notre Dame was really “a separate but equal doctrine on abortion. Both the decision to keep and the decision to kill the child are to be afforded equal honor and respect. This is what ‘pro-choice’ means.” But having seen his health-care plan turned into a (near fatal) referendum on whether the public should pick up the nation’s

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abortion tab has apparently chastened him, at least rhetorically—lately he’s been humming the Clinton-era “safe, legal, and rare” mantra his abortocratic base stripped from the Democratic Party platform during the 2008 campaign. Alas, for legions of activists who would continue to ask, “Why rare?” the moral respectability with which Obama was seeking to endow abortion (with the fawning complicity of Notre Dame president Fr. John Jenkins and the university’s board) remains elusive.

But as “Open Hearts, Open Minds and Fair Minded Words”—the conference—showed, the crusade for abortion respectability not only continues but continues to enlist the complicity of would-be pro-lifers. This is what John Finnis so rudely (for some in the audience) pointed out. Two of the conference organizers—theology professor Charles Camosy of Fordham and Bioethics International director Jennifer Miller—are declared pro-lifers. Yet both signed on to the deliberate exclusion of “unborn child” and “unborn baby” from all descriptive materials. As Finnis said, such acquiescence was tantamount to accepting the “preferences and prejudices of the more powerful,” in this case the pro-choice argument that baby and child are loaded words that only become “fair-minded” after a woman decides to bear her . . . fetus. In fairness, Camosy made it clear in his opening remarks that none of the four organizers—Peter Singer and former Catholics for a Free Choice (CFFC) president Frances Kissling were the other two—got “the conference he wants.”

J.P. McFadden, the founding editor of this newsletter who died in 1998, was adamant about using “anti-abortion” instead of “pro-life.” Most conference participants appeared to be pro-abortion (“pro-choice” they would have it), but even among the self-identified pro-lifers *eye* sensed that not many were adamant about being *anti-abortion*. Maybe this was because one of nine instructions listed in the “Guidelines for All Conference Participants” cautioned against “using polarizing and dismissive labels—including the catch phrases that have dominated public discourse.” Bernard Dickens (University of Toronto Faculty of Law), part of a panel addressing such questions as “Does choosing abortion because the fetus is disabled threaten the value and dignity of people with disabilities?” smugly asserted that Finnis himself had used “biased” language when during his debate with Singer he referred to “abortionists” instead of doctors who perform abortions.

Frances Kissling, a preening pro-choice icon, announced at the outset that her “ambition for the meeting” was that “nobody would say anything they’ve said before.” She wanted to hear “talk about abortion,” not “talk about talking about abortion.” Kissling’s long CFFC tenure has earned her “visiting scholar” status at the Center for Bioethics at the University of Pennsylvania,

where, according to her conference bio, her “primary interest is the development of a new ethic of abortion that seeks to infuse the traditional feminist approach to abortion as a human right with a commitment to personal responsibility and respect for the value of fetal life.” “I have a deep respect for the category of fetal life,” she solemnly told the audience, but “I don’t have a sense of individual fetuses, or respect for individual fetuses’ lives.” By the end of the 2-day conference, however, Kissling was reduced to “railing” (as one account we read put it; *eye* missed the last panel) about the absolute inviolability of a woman’s right to abortion: “I don’t care how you accomplish it, whether through a constitution, the UN, state laws or federal laws, or by the Taliban.” The *Taliban*—did Kissling ever say *that* before?

David Gushee (McAfee School of Theology, Mercer University), another speaker in the opening session, identified himself as a “follower of Jesus Christ,” a “Christian ethicist,” and a “Baptist convert from Roman Catholicism” who is “deeply drawn to Catholic social teaching.” (In a *Huffington Post* column defending ObamaCare just before the Senate vote last March, Gushee, a prominent member of Obama’s professional religious base, explained that he was “an evangelical Christian who seeks to live by a consistent pro-life ethic. I deeply desire to see thirty million of my uninsured neighbors in this country to be able to visit a doctor when they are sick . . . I also deeply desire to see a country that turns away from abortion as a routine social practice.”) A society that has “a 25% elimination rate,” Gushee told the 450 souls gathered in Princeton’s venerable old McCosh Hall, has “very deep problems” that won’t go away even “if *Roe v. Wade* were overturned tomorrow.” Abortion, he said, had the “scent of tragedy.”

Gushee’s lament didn’t resonate with Aimee Thorne-Thomsen (Pro-Choice Public Education Project), who a few days later posted a widely read review of the conference (see “My Take on ‘Open Hearts, Open Minds,’” www.rhrealitycheck.org, Oct. 21). While she agreed with “Gushee’s reflections on the need to address the social and economic conditions that perpetuate poverty”—because poverty, she said, perpetuates abortion—she also insisted they had “extremely different ideas of what tragic means.” She continued:

I don’t believe abortion is tragic in itself. I don’t believe that what drives abortion in every case is desperation. I’ve known too many women who have had abortions to believe that. I only wish that the conference had valued those experiences enough to lift up their voices, instead of silencing them . . .

. . . Until we all agree that women are moral agents, who are free to exercise their full human rights, I’m afraid these conversations won’t bring us any closer to bridging the gap between those who support the right to choose abortion and those who do not.

Thorne-Thomsen, who confessed that she “registered for this conference with neither an open heart nor an open mind,” went to Princeton, she said, “[u]nsure of what to expect and anxious, . . . [yet wanting] to lend my support to allies who supported abortion.” She was dismayed that Gushee had not only “framed abortion as an act of desperation in every case” but that he had “also made clear that abortion was never, could never be, a moral good.” This is the level at which the views of “the two camps,” to use Obama’s language, are indeed “irreconcilable.”

Thorne-Thomsen embodies what Kissling calls the “traditional feminist approach to abortion as a human right.” In this view, *any* exercise of the right to abortion must be accepted as a moral good if that is how the woman who chooses to abort perceives it. “Maybe we won’t agree on abortion,” Obama said at Notre Dame, “but we can still agree that this heart-wrenching decision for any woman is not made casually, it has both moral and spiritual dimensions.” Obama and the Princeton conference organizers would no doubt consider these “fair-minded” words. But they are really wordsmog—what Obama was asking for agreement on is the proposition that abortion can be as morally good, as spiritually fine a decision as childbearing. In this calculus, the act itself, that is, the killing—administered by a licensed doctor, not an “abortionist”—is retributive, even healing. And the aborted creature is never a child, only a dehumanized, disposable fetus.

Where, pray tell, is there “common ground” in Gushee’s tragic view of abortion and Thorne-Thomsen’s absolute view of female moral agency? The truth is there isn’t. Some participants suggested, however, that “common ground” itself has become a “third place” in what traditionally has been an anti-abortion/pro-abortion debate. Common ground is defined here, quoting Obama again, as both sides “work[ing] together to reduce the number of women seeking abortions.” More contraception; more adoption; more pregnancy support services—many people at the conference appeared to be laboring in these vineyards. People who perhaps have pushed the fundamental question of what abortion *is* aside in order to concentrate on alleviating the reasons why they think women resort to it. But even if the demand for abortion suddenly plummeted—say because a direct link between it and breast cancer were to be affirmed—the argument over abortion per se, over killing, would still roil the public square.

“T.S. Eliot said hell is where nothing connects.” So began Dr. William Hurlbut (Stanford University Medical Center), another member of the panel considering questions of “fetal” disability and discrimination. Hurlbut, a physician also trained in theology who served eight years on George W. Bush’s bioethics council, warned it would be “a huge mistake to turn progeny

into products.” Abortion, of course, has already initiated a kind of human commodification. Infants diagnosed with Down’s syndrome, for instance, are deemed faulty products, and, as Elizabeth Schiltz (University of St. Thomas, Minneapolis) noted, over 90% of them are now destroyed in utero. Biotechnology fueled by individual notions of self interest, and unmoored from a larger moral community, Hurlbut predicted, would soon force public debates on cloning, designer babies, and fetal-parts farming. But as long as abortion-on-demand remains a legal—and moral—good, these debates are likely to be resolved in favor of death.

Peter Singer was the real celebrity at the conference—even some adamantly anti-abortion folk were eager to chat and have their pictures taken with him. We haven’t said much about Singer here because *eye* readers are well-versed in his views. But there was a bit of news out of McCosh Hall: Professor Singer now countenances the killing of defective children not just for a few weeks after birth, but for a few years. And, according to his crabbed philosophy, why not? Having compiled his own inventory of attributes a human being must possess in order to qualify as a bearer of human *rights*—self-awareness and the ability to contemplate the future are among them—he doesn’t hesitate to follow his logic to its ugly and lethal end: empowering parents to terminate their undesired damaged offspring. Singer is saluted, sometimes by those who find his views repellent, for what seems like his “refreshing” honesty. Yes, there is something bracing about his boldness—no one will accuse Peter Singer of spreading wordsmog. But what he’s spreading is moral smog: corruption. Peter Singer appears to be a genuinely affable man. But as I heard and watched him over two days, what he really seemed to be exuding was genuine evil—now, *those* are fair-minded words.

A Tale of Two Australians:

John Finnis & Peter Singer Debate the “Moral Status” of the “Fetus”

Mark S. Latkovic

Both men are Australian by birth. Both are married with children; they are close in age, John Finnis being 70 and Peter Singer 64. Both taught at Oxford University as colleagues in the 1970s (Finnis is still there). Both are world-renowned philosophers: Finnis, who is also a legal scholar at the University of Notre Dame, is a Catholic convert and sometime collaborator with moral theologian Germain Grisez (the world’s leading natural-law thinker); Singer, an atheist, is one of the fathers of the animal-liberation movement and the most widely known utilitarian bioethicist in the world.

But here’s where the two part company: Finnis argues that there are moral absolutes, i.e., actions that we must never do regardless of our situation, intention, and end. Singer thinks that there are no moral absolutes. Singer also believes that some non-human animals (e.g., apes and dolphins) actually have more value and are therefore entitled to more respect than some human beings—unborn and newborn babies, for example, as well as those individuals in a so-called permanent vegetative state and the physically and mentally handicapped. In a word, Singer denies, and radically so, human *equality*.

On a late Friday afternoon, October 15, 2010, at a two-day conference on abortion at Princeton University, whose chief purpose it was to foster dialogue between the two sides in the abortion debate, Singer and Finnis (along with a third philosopher, Professor Maggie Little of Georgetown University) squared off quite civilly during a session devoted to the “moral status of the fetus” (a title that Finnis thought, quite rightly, to be unfair and prejudicial to the unborn baby; he called it the other “F-word”). To see these two famous philosophers together was quite remarkable. Singer is often said to represent the view of the “culture of death”; Finnis, that of the “culture of life.” No two thinkers could be further apart on the philosophical spectrum: from their moral methodologies to their moral conclusions.

For two fascinating hours via a streaming live video feed (the marvels of modern technology!), I watched and listened to these three scholars present their views, and question and respond to each other and to the audience. But

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clearly the “main attraction” was “Finnis vs. Singer.” When either of these two held the floor, it was electrifying—at least as electrifying as you can get in a highly philosophical discussion.

The moderator, the well-known secular bioethicist Arthur Caplan (University of Pennsylvania), got things moving by asking four questions that he hoped the speakers would address in some fashion (e.g., what is the moral status of those fetuses/embryos who are in some way severely damaged, such as the anencephalic baby?).

Finnis was the first up and he used his allotted 15 minutes to emphasize the point that we were all once embryos, i.e., that we are the same beings today, just older, that we were at the one-celled stage of our beginnings. At no point in what is a continuum from conception do we cease to be other than what we are: living, human beings of a rational nature who, if left to develop unimpeded with the nourishment and support provided by our mothers, will grow into the next stage of human development until death. At our conception we are already persons with potential, not potential persons. A “gradualist” view, although common, does not do justice to the kinds of beings that we are by nature—beings of a *rational* nature—from conception until death. Although in our initial stages of development we are not yet capable of exercising our wonderful capacities for reasoning and free choice, we have, argued Finnis, the “radical capacity” (not simply the “potentiality” that Singer and Little would later speak of) to engage in these specifically human activities.

As Finnis noted in a fascinating Q & A period with the audience, this “radical capacity” is open to “actual capacity,” and this in turn, with further growth allowed, is open to “further actuation.” Finnis would have nothing of the philosophical talk which says that we can’t know the kind of being that we are talking about—an unborn child. By observing *what* we do, we can work our way back to understand what *kind* of being we are, what kind of *nature* we have. And this substantial nature is built into our individual genomes, and thus is more than a “blueprint,” as is commonly thought. Rather, the one-celled organism or zygote is a dynamically active and self-directing being that has everything it needs—Finnis spoke of its “epigenetic primordia”—to mature into the adult it will eventually become, the “you” and “me,” if left unimpeded to develop so. (If it could be shown that an extra-terrestrial such as E.T. was a being of a rational nature, then, on this view, argued Finnis, we would have to include it in the circle of those we recognize and protect as having fundamental dignity and rights.)

According to Finnis, moral status is a matter not of “choice or grant or convention, but of recognition.” Thus, talk about conferring moral status is

deeply confused about the nature of morality and moral status. The very idea of human rights and status, argues Finnis, “is of someone who matters whether we like it or not, and even when no one is thinking about them; and matters, whether we like it or not, as at bottom *an equal*, because *like us in nature as a substantial kind of being*.”

After Professor Finnis gave his paper, Little, without using a text, presented her “gradualist” view—i.e., the embryo acquires an expanding list of rights over time as it becomes more and more human, more and more capable of consciousness, and so on. She spoke of being comfortable in the “grey” area, not in the “black and white” positions of either Singer or Finnis, instructive though they may be for her. Her view, which in many ways attempted to combine the strengths of both the traditional natural-law anthropology of Finnis and the gradualist anthropology of Singer, seemed more confused philosophically than anything else to this observer.

Following Little, Singer, the Ira W. DeCamp Professor of Bioethics at Princeton, came to the podium. Although mild-mannered, he was never boring. Speaking from a text, he began by joking about his reputation as, in so many words, the philosopher of death. He then went on to list three positions that he said he was in agreement on with the other side in the abortion debate: (1) The human embryo is a human life; (2) Abortion takes a human life; and (3) The rights of a woman over her own body are not absolute.

For Singer, though, the fact that a human embryo is a member of the species *homo sapiens* does not confer an ounce of moral status on that being—none at all. That would be “speciesism,” according to Singer, or a favoring of one species (that would be us, human beings) over another (other animals). Thus, ever consistent and right to the point, he said: “Being a member of the human species does not confer a right to life.” The reason certain beings have moral worth and are valuable, for Singer, is that they have certain properties or characteristics—such as “self-awareness,” an understanding of “desires,” the capacity to “envisage the future,” and the capacity to feel pain. Of course, the unborn child has none of these properties—not even the ability to feel pain, Singer has written, until 18 weeks’ gestation. Even the newborn infant does not have the same rights as he or she will have later on in life. Again, “being human in the biological sense,” Singer maintains, is of no “intrinsic human significance.” Hence, he has consistently concluded, to kill an unborn child or a newborn child, for example, is not to kill a human person, in his eyes.

So, for Singer, allowing abortion implies allowing infanticide—just as pro-lifers have always argued. You’ve got to admire Singer’s consistency

and his candor. Against the pro-abortion crowd, Singer is saying that you cannot draw a moral bright line between “before birth” (when abortion is morally okay) and “after birth” (when infanticide is morally wrong). It just won’t work. If the former is morally good, then so is the latter. And so they are, Singer argues. (Finnis, early on in his presentation and later in a posted article on *Public Discourse* titled “The Other F-Word,” showed how very much alike are the views of Singer and those of the liberal political philosopher Jeffrey Reiman, who holds that the child does not acquire the moral status that requires equal rights for several years after birth. During the debate that followed, Singer said his current view is in the same ballpark with Reiman’s, no longer the one-month-after-birth position he had held for years in his published writings.)

During the debate that followed the speakers’ formal remarks (and even during the Q & A with the audience), Finnis was by far the central figure—fielding what seemed to be a majority of the questions from the crowd and his fellow panelists. Although the three presentations were all noteworthy, I found the exchanges among the four philosophers after the presentations to be the most intellectually absorbing.

To give but one example: Finnis asked his audience during the debate to engage in a “thought experiment” concerning personal identity (he borrows it from the philosopher Patrick Lee). Imagine, he said, a man, such as himself, who needed to be treated for a rare and lethal brain tumor. The problem, in this case, is that the surgical treatment would involve removing the part of the brain involved in storing all our various memories, wiping them out for good, while allowing him, however, to retain the capacity, “after nine months of unconsciousness following the operation,” to establish a “new stock of memories” of one’s life, abilities, language, emotions, and so on. Would having no memories of one’s past after the operation imply then that one had lost one’s personal identity, in the sense that John Finnis would no longer be John Finnis? Put another way, as Finnis phrased it himself, “would not my moral status or, more relevantly, my reality as a person, be essentially that of the newborn baby and indeed of the early embryo?”

While none of the panelists answered the question, the chairman of the panel, Caplan, intervened to say that he thought that Finnis would clearly no longer be Finnis (seemingly taking for granted, I surmise, the great importance attached to having a sense of one’s continued existence over time). Finnis responded that one’s personal identity would be maintained, despite having lost this significant and characteristic aspect of personhood—one’s memories. “I would be JMF [John Mitchell Finnis] before, during, and after the operation, someone who suffered grievous loss in and as a result of the

operation, but retained like the embryo and newborn baby the radical capacity for continued life as the one and only person I already am.” This disagreement alone would have been enough to reveal quite starkly the radical differences between Finnis and his fellow panelists and the difficulties of trying to find “common ground” on the identity of the “fetus” and its “moral value.”

Because one’s understanding of the nature of the fetus almost always determines one’s approach to whether abortion is morally good or bad (Singer is an exception)—and significantly for Finnis this is a biological or scientific question, not primarily a philosophical one, nor one having anything to do with membership (privileged or not) in the human species, contra Singer—the lack of consensus on the personhood of the embryo at the Princeton conference did not bode well for the attempt to find some level of agreement on the abortion issue.

Singer once wrote—in an article titled “Sanctity of Life or Quality of Life,” in the July 1983 issue of *Pediatrics* (the official journal of the American Academy of Pediatrics)—the following:

If we compare a severely defective human infant with a non-human animal, a dog or pig, for example, we will often find the non-human to have superior capacities, both actual and potential, for rationality, self-consciousness, communication, and anything else that can plausibly be considered morally significant. . . . Is the erosion of the sanctity-of-life view really so alarming? . . . Once the religious mumbo-jumbo surrounding the term “human” has been stripped away . . . we will not regard as sacrosanct the life of each and every member of our species. . . . [Instead], we may start to look at human life as it really is: at the quality of life that each human being has or can achieve.

For the last 27 years, Singer has not really budged from these essential convictions. Is there hope, then, that we can find common ground with Singer and those who agree with him? Short of a religious conversion, I don’t really think that is possible. The more fundamental question is: Even if we could find common ground, would we want to? What would it look like? The paradox in this discussion is that the Jewish Singer lost his paternal grandparents to the Nazis and yet he argues in his articles and books that both abortion and euthanasia are morally justified at any stage and for any reason, as long as they contribute to the “greater good.”

There are some gaps that are—by the human mind, at least—unbridgeable.

The Other F-Word

John Finnis

The last time I had the opportunity of discoursing with Peter Singer was in May 1998 in the Philosophy Society at Oxford, right behind the College where we were colleagues for a while in the 1970s. The topic in 1998 was “Brain Death,” and we had a fair measure of agreement that the contemporary tests and criteria for brain death are an unsatisfactory guide to determining when death has occurred. But we disagreed about some things. One was the ethical question whether it’s sometimes right to choose to kill living human beings, as Peter thinks, and I deny, because I believe that everyone equally has the right not to be deliberately killed precisely as a means to someone else’s well-being. Another was that Peter wanted (and I’m sure still wants [but see postscript]) to treat the question *whether someone is dead* as an “ethical question”—or in this afternoon’s jargon, a question of the *moral status* of anencephalic babies, people in persistent vegetative states (PVS), and so forth. I consider that it is a question of fact—of understanding, if you like philosophically and biologically, what it is for an organism of a certain substantial kind to have *ceased to be* an organism of that substantial kind (which is essentially what happens at that organism’s death).

The last time I had the opportunity of discoursing on today’s topic was at the American Political Science Association, in 2000, in a debate with the Rawlsian political philosopher Jeffrey Reiman. Reiman is a liberal, but he too, like Peter Singer, doesn’t believe in human equality. Peter must speak for himself, but in his publications around 2000 he agrees, I think, with Reiman that birth has little or no real moral significance. Reiman’s position is clear enough: the baby has no more *rights*, is no more *entitled* to respect, in the minutes or hours or days, or weeks, after birth than in the minutes or hours or days, or weeks, before birth. So far he and Peter agree. But then they split; for Reiman the child doesn’t acquire the equal moral status of having rights of its own for several years, when it has started to “consciously care about the continuation of its life”—whereas for Peter the moral status of equality and right to life is to be affirmed (I’m not sure why) a month after birth. (In the debate following this presentation, Singer made clear that his “one month” proposal dates back to 1984 and was intended just as a pragmatic

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legislative line, and that his basic and present view approximates to Reiman's.)

So, on Reiman's view (and I suppose Peter's), if there is to be a law against infanticide from birth, it certainly doesn't rest on the moral rights, or moral status, of the young infant—it has none—but only on the feelings and dispositions of adults. And Reiman is keen to add this: since the unborn child, like the born child for quite a while, has no *right* to life, the mother's right to an abortion is not a right simply to be relieved of the presence of what is growing in her body, but a right to ensure that it is killed, whether or not it was delivered or expelled alive.

All parts of this view are rejected by our law, and, I want to say, by our civilization. In 2002 both houses of Congress unanimously passed the Born Alive Infants Protection Act, with the stated objective: “to repudiate the flawed notion that the right to an abortion means the right to a dead baby, regardless of where the killing takes place.” This was in response to the *Farmer* decision of the Court of Appeals of the Third Circuit in 2000 which seemed to mean that even a fully delivered baby could be lawfully killed if the reason for its delivery was abortion. At that time the Supreme Court had declared that if the baby is two-thirds outside and one-third inside, its mother has the right to employ someone to kill it. The doctor who developed this procedure, Martin Haskell, testified to Congress that in his standard version of the procedure (outlawed in 30 states but upheld by the Supreme Court) it would be possible to deliver the baby fully, in perfect health and without injury, if one treated the woman with dilating drugs for longer, but one doesn't do that, because “the point here is you're attempting to do an abortion . . . [The point is not] to see how do I manipulate the situation so that I get a live birth instead.”

Haskell was doing this skull-emptying of a living healthy baby almost fully delivered from a physically healthy mother at 22, 23, 24, 25 or 26 weeks of gestation or pregnancy. My pediatrician daughter treats premature babies of some of these ages. While there can be agonizing problems about the futility or medical benefit of treatment, no one involved in her practice—mothers, nurses, doctors—has the slightest doubt about the nature of the baby as a human person or, consequently, about its moral status as a bearer of interests and rights, unconscious though it often is for days or weeks. So there are babies born, babies half-born, and babies soon to be born. Since 1973, U.S. constitutional law allows abortion virtually completely freely for a further 11-15 weeks beyond the stage I have just been mentioning.

The first time I debated the rights and wrongs of abortion (which I'm not

here to do today, as I am to limit my remarks to the “moral status” of the “fetus”) was in print with Judith Jarvis Thomson, author of the justly famous article about the kidnapped violinist, the first philosophical article to articulate a woman’s *right* to an abortion, an article whose thesis about the significance of the intimate intertwinement of the mother and the unborn child has been elaborated and extended by Margaret Little. Of course, this was 1971, so Thomson, while most strenuously arguing for this moral right, denied that it includes a right to get the baby dead. (Since then, hearts have hardened.) She had this to say about our topic this afternoon:

I am inclined to think also that we shall probably have to agree that the fetus has already become a human person well before birth. Indeed it comes as a surprise when one first learns how early in its life it begins to acquire human characteristics. By the tenth week, for example, it already has a face, arms and legs, fingers and toes; it has internal organs and brain activity is detectable.

That was 1971 and since then ultrasound makes all this much less surprising. And once *Roe v. Wade* and even more importantly *Doe v. Bolton* came along in January 1973, people became more resolute than Judith Jarvis Thomson in denying that what they could see is a human baby, is a human person, or has moral status.

All sorts of stages have been proposed for “becoming a person” or “acquiring moral status”: implantation, development of the primitive streak, brain life, sentience, quickening, viability outside the womb, actual birth, actual birth unless it was an induced abortion, formation of desires, formation of concepts, formation of self-consciousness, valuing your own existence—but these all cancel each other out, and anyway, with the talk of the threshold being desires, or self-consciousness, or conscious concern to stay alive, we are now deep, deep into infanticide territory with Peter Singer and Jeffrey Reiman. These are positions that willy-nilly are incompatible with non-arbitrarily affirming the personhood of adults who are in even temporary unconsciousness. And what is wrong in principle with their positions is that they deny human equality, elevating various subrational animals of their choice above healthy young babies weeks, months, and years after birth, and above the deeply disabled mentally or physically.

The thing about *moral status* is, if you believe in morality at all, that it is not a matter of choice or grant or convention, but of recognition. If you hear anyone talk about conferring or granting moral status, you know they are deeply confused about what morality and moral status are. The very idea of human rights and status is of someone who matters whether we like it or not, and even when no one is thinking about them; and matters, whether we like it or not, as at bottom *an equal*, because *like us in nature as a substantial kind of being*.

This mattering is the immediate basis for respect, including self-respect, and for guilt or remorse when one betrays another. It goes with the territory we call meaning, which transcends times and places, and forces us to speak about mind or spirit, and freedom of choice. If we are thinking alertly to the realities of the realm of sharable interiority, we know what it is to be a developed and conscious person: a being who finds himself or herself to have a rational nature, capacities that combine intelligibility with intelligence. A nature to be recognized and acknowledged, not conferred.

If one asks oneself about one's own personal origins, one can go back to one's earliest memories, and then to the earliest photographs, earlier than one's surviving memories but showing one as a center of personal life; and then to the life before birth that was scarcely or not at all conscious, but is recorded perhaps in those ultrasound photos which show you as you, a white male thumb-sucker, or a vigorous female Chinese thrower of punches, or whatever. Now we are only a couple of months from our conception. But it is certain that we began before.

Unless we are one of the 1% who are identical twins, we began as Louise Brown the first IVF baby began in the discriminating care of Professor Robert Edwards who got the Nobel Prize for it last week: "She was beautiful then" he said at her birth, showing a photo of her at one cell, "and she's beautiful now." Edwards gives a lucid account of the dynamic *self-directing* unity of the embryonic being who even at one cell smaller than a pin-head has scores of millions of molecular components all organized, then and there, to make him or her, well, *him*, or *her*, and brown, yellow, black or white, and clever or not so clever, and clumsy or not so clumsy, and much else, by nature.

The key concept here is radical capacity. The early human embryo has the radical capacity to think and laugh and pun; all it (he or she) needs is time and nourishment, no more: the *actual* and active second-order or radical capacity, written into its molecular and cellular constitution, to develop first-order, promptly usable capacities such as to learn a language here and now.

In the discussion, I put to Singer the following hypothesis, which I owe to Patrick Lee. Suppose that on my return home I am diagnosed with a rare and lethal brain tumor which can be cured only by excision of a part of my brain such that all my memories of life, people, languages, etc. before the operation will be irreversibly expunged, though I will retain the capacity, after nine months of unconsciousness following the operation, to rebuild a new stock of memories, language, skills, affections, etc. Right after this operation, would not my "moral status" or, more relevantly, my reality as a person, be essentially that of the newborn baby and indeed of the early embryo?

(Unfortunately, Singer was never called upon to answer my question.) The chairman of the panel, Prof. Arthur Caplan intervened to say that I would not be me (JMF). But of course I denied that completely; I would be JMF before, during, and after the operation, someone who suffered grievous loss in and as a result of the operation, but retained like the embryo and newborn baby the radical capacity for continued life as the one and only person I already am.

But I wasn't asked to discuss the moral status of the embryo, but of the fetus. You ceased to be conventionally called an embryo 56 days into your life and became in medical parlance—but it's just a conventional boundary—a fetus, which you remain, for purposes of discourse between doctors: a fetus until delivered. But of course, a website describing ultrasound for expectant mothers doesn't talk about her fetus but her baby, and so do her doctors unless they're her abortionists or think she has been or is interested in abortion. So there's the topic of the moral status of the fetus, and there's the topic of the moral status of the phrase “the fetus.”

About the moral status of the fetus, it's clear, I suggest, beyond doubt, after forty years of intense philosophical discussion, that there's no credible halfway house between, on the one hand, acknowledging that whether we like it or not the fetus—indeed the embryonic baby from the outset—has the same *radical* equality of nature that we all have despite myriad differences, and on the other hand joining Peter and Jeffrey in denying two things: (1) denying that the primary question is one of fact—shared nature as beings all having or capable of developing (given only food and protection) rational characteristics and activities, and (2) denying equality or ethical or moral entitlement to rights such as life until some time after birth (and here I think Reiman's position will prove more stably defensible than Peter's in making that *years* after birth; but of course neither of them can limit their denial of human equality to conditions of infancy; the denial extends to various sorts of disablement and decay). And each of them goes wrong from the outset in making “moral status” the fundamental predicate in the discussion, instead of predicates of the form “person,” “rational nature,” “kind of being.”

About the moral status of the phrase “the fetus,” I will just say this. As used in the conference program and website, which are not medical contexts, it is offensive, dehumanizing, prejudicial, manipulative. Used in this context, exclusively and in preference to the alternatives, it is an F-word, to go with the J-word, and other such words we know of, which have or had an acceptable meaning in a proper context but became in wider use the symbol of subjection to the prejudices and preferences of the more powerful. It's not a fair word, and it does not suggest an open heart. Those of you who have an

open mind or a fair heart may wish to listen to every speaker at this conference, and see whether they are willing to speak, at least sometimes, of the unborn child or unborn baby, and to do so without scare quotes or irony.

For about 12 weeks after viability some of these little beings are on the outside being tended by the pediatrician and everyone as babies, and some of them are on the inside still intertwined with their mothers, and being cared for, in some cases, by gynecologists who recognize they have two patients, and in some cases, as the mother decides (in America, or the party official in China) being threatened with destruction by her (or the state's) abortionist as a mere fetus. However extensive the rights in all fairness of the mother, and they are extensive, they are no basis at all for denying to the child she's bearing during those twelve weeks its proper human name, her baby or child—what an important article of Margaret Little's calls at one point "being connected to the child in one's belly." So, I suggest, *listen*; this is a litmus test, in words, of this conference's motto.

Postscript:

Peter Singer has written to me to say that his position is, and has always been, that the question when someone is dead is one of fact, not an ethical issue. "I have never believed that when a being is dead is an ethical question. Why would I, given, that, as you know, I think it is sometimes ethically acceptable to kill innocent human beings?"

I am happy to accept that this is his view, and accordingly to withdraw my parenthetical remark "(and I'm sure still wants)."

But although neither he nor I can lay hands at present on his 1998 Oxford paper, the 1999 version of it which he has dug out amply confirms, in my opinion (though not his), that in 1998/9 he was arguing, against Grisez and Boyle and Pius XII, that establishing the time of death with more precision than the vague traditional concept of death allowed *must* be an ethical, not a factual issue. He persisted in that position in 1999, despite my firm and prominent critique of it in Oxford in 1998, and in my opinion he is still in some confusion about it.

Infanticide Must Be Combated—Carefully

Wesley J. Smith

Defenders of Peter Singer like to say that his critics are just too dull to understand what he is really saying. As proof, Singer’s defenders note that opponents of his views often compare him to Hitler. And it is true: Some are so appalled by his advocacy for the permissibility of infanticide that they reflexively wield *der Führer*’s bones as relics of evil against him, thinking the analogy a sure-fire argument winner.

It isn’t. Singer is not a Nazi. Moreover, most people today roll their eyes at any and all Hitler comparisons as hyperbolic clichés. Besides, the infanticide Holocaust that took place in Germany between 1939 and 1945 was more the poisonous fruit of decades of eugenics advocacy than it was the result of tyrannical political leadership.¹

Also note: The language of eugenics was harsh and hate-filled, e.g., “the fit versus the unfit,” calling babies with disabilities “weeds,” and the like. In contrast, Singer and his supporters don’t spout vilification of “useless eaters” from the rooftop. Instead, they speak passively and seemingly ooze compassion, which effectively shields them against widespread censure. Alas, in our unprincipled, postmodern era, one can support (and engage in) the most odious actions and still be praised—so long as the actions are justified as prevention of suffering. If you doubt it, just look at the recent rehabilitation of Jack Kevorkian—who wanted to experiment on people being euthanized²—yet was the subject of a recent fawning HBO biopic in which he was portrayed by Al Pacino.

All of this came to mind when I pondered how to react to Peter Singer’s presentation at the Princeton abortion conference. Some might be surprised to learn Singer no longer believes that it should be legal to kill a baby within 30 days of birth—the assertion that helped launch his international notoriety. He walked back that position years ago, not because he has moderated his beliefs, but because, as he said at the conference, it “is not a practical suggestion.”³

In its place, Singer adopted an Oprah-culture position that would permit baby killing only in cases of severe disability to prevent suffering and help families, telling the Princeton audience: “Maybe the law has to have clear bright lines and has to take birth as the right time, although maybe it should

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make some exceptions in the cases of severe disability where parents think that it is better for the child and better for the family that the child does not live.”⁴ In other words, “maybe”—Singer always advocates odious acts with such equivocal language—we should be able to kill babies, but only if they would have very difficult lives, and then, only because we care.

Some might say that Singer’s partial walk-back from his earlier support of a general infanticide license is at least progress in defending the sanctity/equality of human life. That would be to fall into Singer’s trap. At best, rescinding the 30-day kill-by rule, while keeping the infanticide door open “only” for infants with serious disabilities, amounts to a mere tactical retreat that protects Singer from having to defend against criticism that his earlier view would permit killing healthy and able-bodied infants, since they, like their disabled fellows, supposedly lack “personhood.”⁵

Indeed, based on his Princeton presentation, Singer’s views are now more radical. When asked by an audience member, “At what point do you think an infant [is] self aware [and therefore entitled to] be considered a person?” Singer asserted that even a two-year-old-child does not possess “full moral status”:

I think this is a gradual matter. If you are not talking about public policy or the law, but you are talking about when you really have the same moral status, I think that does develop gradually. There are various things that you could say that are sufficient to give some moral status after a few months, maybe six months or something like that, and you get perhaps to full moral status, really, only after two years. But I don’t think that should be the public policy criteria.⁶

Don’t be fooled by the “public policy” hedge. It merely allows Singer to pursue his long-stated subversive goal of destroying the sanctity/equality-of-life ethic without having to also defend himself against advocating legalized murder, based on the dubious notion that his ideas would never be put into action.

But it is folly to think that Singer doesn’t eventually want his ideas implemented: He is too serious an intellectual and knows that the law eventually reflects our moral values. Thus, once the very young were deemed by society to be intrinsically unequal—another way of describing denial of full moral status—radical changes in public policy would follow as naturally as water flowing downhill.

Singer made that very point at the conference, albeit between the lines. Purporting to respect the seriousness of the pro-life position against legal abortion, he said: “The position that allows abortion also allows infanticide under some circumstances. . . . If we accept abortion, we do need to rethink some of those more fundamental attitudes about human life.”⁷

This is very telling. Abortion was once widely condemned and universally proscribed by law except for medical reasons. It is now broadly accepted and considered a fundamental right throughout the West, in large part because our perception of the moral value of fetal life changed. Thus, if we ever accept Singer's views that children, perhaps past the age of two, do not possess full moral status, it would similarly change our perceptions about the wrongness of their killing, leading ultimately to dramatic changes in morality and law. (This is already happening in the Netherlands, where infanticide—while technically murder—is so widely accepted that Dutch doctors who euthanize babies published the “Groningen Protocol,” a bureaucratic infanticide checklist for use in deciding which babies can be ethically euthanized.⁸)

Now, we can see the game that is afoot. Singer still wants infanticide to be legal—as he mentioned at the conference almost as an aside—and he is betting that if he can convince us that there is no real difference between abortion and infanticide, our current cultural attachment to the former will be the key that opens the door to accepting the latter. Indeed, if he and his co-believers eventually convince society that moral value comes from possessing personhood—rather than simply in being human—and that full personhood isn't achieved until after two years, the euthanasia of very ill and disabled babies, and even toddlers, could one day be practiced as openly as abortion is now—particularly in a culture in which some 90 percent of fetuses testing positive for Down syndrome or other genetic anomalies such as dwarfism never make it to birth.

I can hear the argument now, couched as a nod to pro-life sentiments: When in doubt about a future baby's health status, choose birth. In fact, why not give the baby and parents a chance to see how it goes for a while—say, until the baby grows into full moral status—when a more informed decision can be made? (The same option would apply to a “normal” child who became seriously disabled during her first two years.) In fact, Peter Singer made that very point in *Practical Ethics*:

Regarding newborn infants as replaceable, as we now regard fetuses, would have considerable advantages over prenatal diagnosis followed by abortion. Prenatal diagnosis still cannot detect major disabilities. . . . At present, parents can choose to keep or destroy their disabled offspring only if the disability happens to be detected during pregnancy. There is no logical basis for restricting parents' choice to these particular disabilities. 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.⁹

Other than the time factors mentioned, this passage is perfectly consistent with what Singer said at the Princeton conference, as quoted earlier.

So the leopard has grown even more pronounced spots. The question thus becomes, how best to combat Singer-style anti-humanism.

As I mentioned earlier, it can't be with Hitler. That trope will merely bounce off people's foreheads. Rather, the answer lies in Martin Luther King liberalism—pounding on the invidiously discriminatory nature of Singer-style utilitarian measurements of human life and defending a robust acceptance of human exceptionalism as the necessary predicate for universal human rights. Indeed, accepting Peter Singer's thesis is, by definition, a rejection of the U.N.'s Universal Declaration of Human Rights: "All human beings are born free and equal in dignity and rights."¹⁰

NOTES

1. Perhaps the best recounting of German infanticide between 1939 and 1945 can be found in Robert Jay Lifton, *The Nazi Doctors: Medical Killing and Psychological Genocide* (New York, Basic Books, 1986).

2. Jack Kevorkian, *Prescription Medicide: The Goodness of Planned Death* (Buffalo, Prometheus Books, 1991), pp. 214, 241-244.

3. "Open Minds, Open Hearts, and Fair-Minded Words" A Conference on Life and Choice in the Abortion Debate, Princeton University, October 15-16, 2010, Panel http://uchv.princeton.edu/Life_Choice, Panel II, October 15, from the author's transcription.

4. Id.

5. Singer believes that "persons" possess the highest moral value, which is to be gauged by whether the human or animal individual being measured possesses certain cognitive capacities, such as being self-aware. In his view, there are some so-called human non persons, including infants who have not yet developed the relevant capacities. See Peter Singer, *Rethinking Life and Death: The Collapse of Our Traditional Ethics* (New York, St. Martin's Press, 1994).

6. Princeton Conference, *supra*.

7. Id.

8. Edward Verhagen and Pieter J. J. Sauer, "The Groningen Protocol—Euthanasia in Severely Ill Newborns," *N Engl J Med* 2005, 352:959-962, March 10, 2005.

9. Peter Singer, *Practical Ethics*, 2nd Ed. (Cambridge, Cambridge University Press, 1993), p. 190.

10. "The Universal Declaration of Human Rights," adopted by United Nations General Assembly 1948, Article 1.

Charity, without Compromise

Kathryn Jean Lopez

Back when I was but 18 years old, I walked into the campus-ministry office of a northeastern Catholic college. One of the directors of the program there warmly welcomed me. She asked my major. It was politics at the time. Still warm and seemingly interested, she asked what the button on my bag was. I'm pretty sure it was some silly but relatively inoffensive political sentiment about the sitting president, at the time Bill Clinton. "Oh, you're one of *those* politics majors." She proceeded to talk about my lack of concern for social justice and welfare.

That president, of course, would ultimately vote for welfare reform, after one of *those* politicians—Rick Santorum—made it impossible for him not to. And indeed, it's precisely out of concern for the poor that conservative social policy seeks to stop the victimization of the individual in an endless cycle of dependency on the government. That welfare-reform legislation helped change some lives, by offering just a little more freedom for some women and families who had been paternalistically assumed to not be able to handle inalienable rights.

I know I didn't come close to articulating anything like that in the campus-ministry office that day. Nor did I wind up back at that campus-ministry office. And I've always regretted that: Presumably, if we both were truly Catholic and therefore believed some fundamental truths, we could work from there.

I thought of this undergraduate moment when Pope Benedict released his encyclical *Caritas in Veritate*. It opens: "Charity in truth, to which Jesus Christ bore witness by his earthly life and especially by his death and resurrection, is the principal driving force behind the authentic development of every person and of all humanity."

That openness and confidence in truth was part of the motivation behind pro-life participation in the "Open Hearts, Open Minds, and Fair Minded Words" conference held at Princeton University this fall. It was billed as "A Conference on Life & Choice in the Abortion Debate." Instead of caricatures and slogans, there would be conversation, between people on polar-opposite sides of the abortion debate. The most ardent defenders of the sanctity of human life would sit down with abortionists, clinic workers, and other *Roe v. Wade* defenders.

I haven't known Jennifer Miller long, but I admire her a lot. This young

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woman was among the organizers of the event at the New Jersey Ivy not long before Election Day. And it was largely because of her and her desire to be charitable in defense of a culture of life, in the face of a culture of death, that I paid attention to it—despite, frankly, some of the participants and some of the ground rules (no one could refer to “unborn child” or unborn baby” in conference materials; Oxford University’s John Finnis criticized this rule during the conference).

Her bio as executive director of Bioethics International describes Miller as “a leading expert in person-centered bioethics.” And the human person is the key to understanding her—specifically, to understanding why a young physicist would work in what is, essentially, a human-rights field, and why a pro-life Catholic would coordinate an event with some of the defenders and purveyors of a movement that had its roots in eugenics. In the end, it was an imperfect exercise, but a worthwhile one all the same.

On paper, the “Open Hearts” conference sought to “explore new ways to think and speak about abortion”: “Recognizing the divisive nature of the debate, and its larger effect on public discourse, we wish to explore new words, ideas, categories, arguments and approaches for engaging with each other.” It sought to “approach issues related to abortion with open hearts and open minds . . . to make a concerted effort to engage with each other with the kind of humility and quiet necessary to really listen and absorb the ideas of someone who thinks differently . . . [and to] define more precisely areas of disagreement and work together on areas of common ground.”

Did it fail? I’m not sure it did. Unless you’re determined to dismiss it outright, you almost have to look beyond the imbalance in the audience (and sometimes on stage) and outbursts like abortion-rights activist Frances Kissling’s declaration, “I don’t care how you accomplish [ensuring a woman’s right to an abortion], whether through a constitution, the U.N., state laws, or federal laws, or by the Taliban.”

“I think there was some good in the conference, but it ended badly,” is how one speaker summed it up. The main problem was that certain speakers had absolutely no interest in receiving—the presumed point of having open hearts and open minds walking into a conference. When Saturday morning pretty much starts with a rant on the sexual hangups of pro-lifers and ends with a woman’s declaration that she would have urged her mother to have aborted her, the takeaway action items aren’t entirely clear.

Except that they are. During the course of the conference, Peter Singer, proponent of infanticide, and Richard W. Garnett of Notre Dame had some adult conversations about the Constitution and human life and how things

should be decided in a democracy. William Hurlbut—a pro-life researcher at Stanford who has been an important, often behind-the-scenes force in the stem-cell policy debate—spoke truth to Princeton, even making a subtle analogy to the well-recognized great evil of the 20th century and the eugenic roots it shared with much of the evil that pro-lifers are concerned about today. He was called on it by Peter Singer, but it got said—and not in a conversation-stopping way, but in a nod to truth during a somewhat compromised dialogue.

And maybe, just maybe, there was some renewed or newfound respect among adversaries. Though confessing to being exhausted and at times distressed by the exercise, Peter Wicks—a fellow at the James Madison Program, established by Robert P. George at Princeton—attests to light in the conference darkness. “I did see some real signs of people making good-faith attempts to understand viewpoints of those they were used to thinking of as enemies. . . . I don’t think those attempts always went especially well, but it’s a very difficult thing, so it would have been unreasonable to expect an especially high success rate.” He points to one session that modeled practical cooperation without compromise:

I think it helped a lot that in the first session on Friday there were two participants, David Gushee, a theologian from Mercer University, and Rachel Laser, a pro-choice activist, who had collaborated on a two-year dialogue project which was intended to, and did, produce a series of detailed legislative proposals that both pro-life and pro-choice people could endorse. They spoke, quite movingly I thought, about the difficulty of coming to understand each other’s viewpoint, but I was left with the impression that they really had come to understand and respect each other much better, and it was also extremely encouraging that they had managed to come up with practical legislative proposals. It did occur to me that their dialogue had two major advantages over that which took place at the conference. The first was time; deeply ingrained prejudices are slow to alter even amongst those who are making a genuine effort to overcome them. The second was a commitment to produce something more than mutual understanding, a practical legislative proposal. I expect that having that concrete goal helped to keep them going through difficult times.

“I think we need to help each other as we look for best ways forward in the abortion debate,” Jennifer Miller told me after the conference. “No single person has all of the answers. I also think policy and legislation alone are insufficient to bridge the abortion-debate divide, nor are they readily achieved without . . . open-hearted and open-minded dialogue.” She recognizes that this can be tough:

At the speakers dinner, my table consisted of a female physician who provides abortions (often on a boat in international waters), a person who pickets outside abortion clinics, a prolife and prochoice activist, the UNESCO bioethics chair, a college student, et al. While at first words of hurt and offense were expressed, most in the end

expressed gratitude for the opportunity to put a face to the one they normally consider themselves against. A me-against-you attitude does not usually contribute to solidarity or social progress.

On the pro-life half of the conference's organizing team was a graduate of the University of Notre Dame, who had been in the audience when Barack Obama urged Americans to "open up our hearts and our minds to those who may not think precisely like we do or believe precisely what we believe" in pursuit of common ground. But—in that same speech—Obama also said that "the fact is that at some level, the views of the two camps are irreconcilable." One who truly believes an unborn child has a right to life can never forget that latter reality.

Shortly after that Notre Dame commencement speech, Princeton's Robert George and Pepperdine's Douglas Kmiec debated the issue of Obama and abortion at the National Press Club. Kmiec, a former dean of the Catholic University of America's law school, had supported Obama's presidential candidacy. During the debate, George said some things worth repeating, some things pro-lifers should probably always read before an "Open Hearts, Open Minds"-like dialogue:

What divides us as a nation . . . is not whether the being whose life is taken in abortion and in embryo-destructive research is a living individual of the human species—a human being; it is whether all human beings, or only some, possess fundamental dignity and a right to life. Professor Kmiec and I affirm, and the President denies, that every human being, even the youngest, the smallest, the weakest and most vulnerable at the very dawn of their lives, has a life which should be respected and protected by law. The President holds, and we deny, that those in the embryonic and fetal stages of human development may rightly and freely be killed because they are unwanted or potentially burdensome to others. . . . For the President, being human is not enough to qualify someone as the bearer of a right to life. . . . The President does not believe in the profound, inherent, and equal dignity of every member of the human family.

When Notre Dame invited the most pro-abortion president in American history to its campus, it sent the signal that there is compromise on the inviolability of innocent human life. There is not. And pro-lifers needn't and mustn't ever suggest there is. But there is common ground in our humanity. There are people on both sides of the abortion debate who want to keep scared women from having abortions foisted upon them by fear. There are people on both sides of the abortion debate who only want to see mothers be able to raise their children in safety. They are motivated by a true love and compassion. And in our journey to Truth, we might be able to make baby steps together. In charity.

If nothing else, I've learned that since college.

The Ethics of Fetal Pain

E. Christian Brugger

The science of fetal pain remains uncertain, but we still have a duty to avoid the possibility of inflicting undue suffering.

A much-discussed new law in the state of Nebraska has banned abortion after the 20th week of pregnancy, citing the contested notion of fetal pain. Of course, everyone can agree that we have a duty not to cause pain to others without a just cause. Bioethicists endorse the relieving of pain as an expression of the “principle of beneficence.” And international bodies concur that access to pain relief without discrimination is a fundamental right. As a society we even take efforts to eliminate pain from the process of executing capital offenders whose guilt is manifestly established. But how do we approach the possibility of fetal pain when the science remains uncertain?

I should note that my argument is relative to a community in which abortion is legal. If abortion is wrong by virtue of the kind of act it is, namely an act of unjust killing, which I judge it to be, then aborting a fetus knowing that he or she will or might feel pain makes the act worse. But what about a society like ours where abortion is, sadly, legal?

First, pro-lifers and pro-choicers should be able to agree on the principle of full disclosure. If fetuses feel pain, then where abortion is legal, abortion providers should disclose to the gestational mother the effects of her choice on the fetus. We may disagree about whether abortion is wrong, but we should be able to agree that withholding information relevant to making an informed abortion decision would be unfair to women.

Second, if fetuses feel pain, then where abortion is legal, abortion providers should also take reasonable measures to suppress the pain. We should be able to agree that it would be wrong not to try to remove the pain, just as it is when political authority fails to take reasonable measures to remove the pain from the process of legal execution.

If, however, evidence demonstrates that fetuses do not feel pain, then, where abortion is legal, abortion providers obviously have neither the duty to relieve that which does not exist, nor to inform women of what’s untrue.

Our moral analysis then waits upon the settling of the empirical question of whether fetuses feel pain. This settling requires convincing data. But when

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speculative data is used to direct normative considerations of what ought to be done, the *measure* of certitude justified by the data is decisive for guiding action.

To clarify my meaning, let me use an example. Some abortion opponents have argued that a secondary effect of the most common drug used in emergency contraceptives—levonorgestrel—is to render the uterine lining inhospitable to an implanting embryo. If at commonly prescribed dosages this is the case, then the drug sometimes acts as an abortifacient. *Whether* this is the case is an empirical question. *If it is* the case, it has moral implications for the behavior of anyone concerned for embryonic human life and contemplating the legitimacy of taking the drug.

Let us say for the sake of argument that rigorous data is inconclusive. I am then left with a *doubt* as to whether or not levonorgestrel might render the uterine lining inhospitable. According to my practical knowledge, informed, let's say for the sake of argument, by the best available evidence, I *might* kill an embryo if I use this drug in such and such a way. The possibility that my action will cause a death gives rise to the duty, stemming from the requisites of fairness, to refrain from that action. I would need to be reasonably certain that it will *not* cause death before purposeful action is justifiable. This reasonable certitude can also be called *moral certitude*. And reasonable doubt and moral certitude about the same fact are mutually excluding.

Let me propose one more example. If reasonable doubt existed as to whether the new device known as the “Mosquito,” which emits a high-pitched noise to disperse loiterers, not only caused minor auditory discomfort but severe pain, the burden of proof would fall upon the manufacturer to give evidence that it does not before the device should be approved for general use. Proof, of course, would be simple to arrive at: ask those exposed to the “Mosquito.” Since fetuses cannot yet provide self-report in language we cannot simply ask them whether they feel pain.

Yet I think the principle still stands: the burden of proof would fall upon defenders of the “Mosquito” to rule out a reasonable doubt that the device causes severe pain before its common use was approved, or to take action to assure that this possibility is mitigated.

The burden falls on the one who might be doing wrongful harm to rule out reasonable doubt that they are. If you were hunting in the woods and saw something moving in the distance, but were unsure of whether it was a deer or another hunter, you would be bound not to shoot until reasonable doubt was dispelled that what was stirring in the distance was not another hunter. When a doubt of fact bears on settling whether an alternative under

consideration is immoral (e.g., it would be immoral to shoot in the face of reasonable doubt), one should withhold choosing till the fact has been settled.

So the question to be settled is whether or not reasonable doubt exists concerning a fetus's capacity to experience pain. Since empirical certitude is not available, I propose, in light of what I said above, the following principle: that the judgment that fetuses *do* feel pain need only be a reasonable explanatory hypothesis in light of the settled evidence. Whereas the judgment that they do *not* requires moral certitude before providing a speculative ground for normative judgments about how to act.

Coming from one who is not a scientific expert on the question, but who has read considerably over the past four months on most all dimensions of the question, I conclude strongly that moral certitude that fetuses do not feel pain presently cannot be reached. In other words, fetal pain experience is a reasonable conclusion from the settled evidence. This evidence includes an appeal to fetal anatomical, neurochemical, physiological, and behavioral features, as well as responses to noxious stimuli (behaviors such as facial grimacing, the withdrawing of limbs, clenching of fists, opening of mouth and even crying).

Although we are not warranted in moving from these features and responses to a certain conclusion that fetuses do experience pain—I realize that fetal consciousness is a central factor in the equation—we are justified in concluding from the evidence—in fact, we are rationally required to conclude—that moral certitude *does not* exist that fetuses *do not* feel pain.

Unless and until contrary evidence is presented, we have a duty to act with the presumption that they do. In a territory such as our own where abortion is legal, we have a duty: 1) to inform women considering second- and third-trimester abortions that their actions may cause their babies pain; and 2) to guarantee that suitable analgesics and anesthesia be administered to fetuses during second- and third-trimester abortions.

Abortion Law Is Family Law

Helen Alvaré

Questions about “abortion and the law” are usually seen as matters of constitutional law. Constitutional law, however, seems ill-suited. This is not only because the U.S. Supreme Court discovered a “constitutional right” for something that had been banned by most states for most of the nation’s history. It is also because the “privacy” right encompassing abortion frames the issue as a struggle between the state and the woman over her right to define her life, her future, or even her “concept . . . of the universe,” in the famous words of the *Casey* Court. But it is becoming increasingly apparent that abortion is about family relationships, not simply a contest between the state and a woman who happens to be pregnant. Scientific discoveries about human development and the testimonies of women who have had or have considered an abortion suggest that it is family law rather than constitutional law that provides the best means of understanding the issue of abortion.

Scientists do not really dispute the human genetic identity of the earliest embryo, or the continuity of identity from conception through birth and beyond. A book published recently to wide acclaim, *Origins: How the Nine Months Before Birth Shape the Rest of Our Lives*, by Annie Murphy Paul, shares scientific research indicating a relationship between external events like war and disease, and the well-being of those human persons who were *unborn* while their mothers experienced these events. Developments in the field of assisted reproductive technologies (“ARTs”) also highlight the continuity between unborn and born lives, as does the now-routine practice of ultrasound technology.

A person who spends even a little time in the company of post-aborted women and clients of crisis pregnancy centers will come away convinced that these women experienced their pregnancies as motherhood-dilemmas. Their internal debates about abortion did not revolve around the question: “Should I kill?” Rather, they wondered, “Should I, can I, be a mother now?”

Abortion is a family issue in other ways as well, as explained in the affidavits of 180 women filed with the U.S. Supreme Court in the second partial-birth abortion case, *Gonzales v. Carhart*. They described how abortion affected

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their mothering, how siblings of aborted children experienced repercussions of the abortion, and how they became pregnant again quickly after the abortion in order to have a “replacement baby.”

Justice Kennedy’s majority opinion in *Gonzales v. Carhart* indicated that the Court itself was beginning to understand abortion in a family context. The opinion states outright that a bond exists between a woman and her biological offspring and that the severance of this bond via abortion might cause significant suffering for the woman. The majority wrote that “Respect for human life finds an ultimate expression in the bond of love the mother has for her child.” The Court’s use of language like “mother” and “child” also indicates a family law context. So does the majority’s choice of labels for the unborn including “a living organism while within the womb,” “unborn child,” “infant life,” and “child assuming the human form.” The Court continued: “some women come to regret their choice to abort the infant life they once created and sustained.”

There are quite a few signs, then, that the time is ripe for exploring abortion from within a family law context. Indeed, there is some evidence that family law is experiencing second thoughts about “what was lost” during the period when lawmakers fell into a pattern of prioritizing adults’ interests over children’s. This is a fair characterization of family law’s failures over the past 30-40 years: the failure to place meaningful limits on the use of ARTs in order to defer to adults’ wishes and to the flourishing of the fertility industry; the adoption of no-fault divorce laws which turned a blind eye to the well-being of minor children within a marriage. This “adults’-eye-view” (really a blindness) has permeated recent judicial decisions creating a right to same-sex marriage on the grounds that legal marriage is unrelated to any state interest in procreation and child-rearing.

A backlash against the adults-first approach is now brewing. Bills introduced at the state level have suggested a number of positive steps, including restricting assisted reproductive technologies to married couples, or limiting donor anonymity. Others have proposed slowing down divorce proceedings, especially for couples with minor children. Meanwhile, every state which has turned the question of same-sex marriage over to voters has passed a law or constitutional amendment banning them, largely after campaigns insisting on the links between marriage, procreation, and child welfare.

This reconsidering of extant laws is fueled by the empirical data produced largely from the 1990s through today, indicating the need to pay more attention to children’s outcomes, perhaps even to return to family law’s longstanding norm that adults’ rights with respect to children are always derivative from and secondary to their duties.

At times, U.S. courts have also nodded to the idea that “as the family goes, so goes society, and the nation.” In the polygamy case *Reynolds v. U.S.*, the Supreme Court rejected the claim of a constitutional right to polygamy, noting that there is a link between polygamy and the “patriarchal principle” which “fetters the people in stationary despotism.” In a series of cases overturning state-imposed discrimination against children born out of wedlock, the Court commented on the conflict between American values of generosity and care for the vulnerable, and punishing children for the “sins of their fathers.” Interestingly, even proponents of same-sex marriage know that it is wise today to couch their arguments in “child welfare” terms; focusing usually exclusively on that limited group of children reared by same-sex parents, they claim that these children would benefit greatly from state recognition of their parents’ partnership. They do not address the consequences for other children, or for society generally, were the state to agree that marriage and childbearing have nothing to do with one another.

The “adults-first” notion has long reigned in abortion law. Consider abortion’s component parts: Abortion is the destruction of a human life by the mother—the only person physically “given” to the child for nurture. Abortion is performed when the child is at perhaps the most defenseless moment of his or her existence. And while the killing of strangers—born or unborn—is prohibited in the United States, family members are permitted to be aborted. The wound to the good of the child, and even to the good of the whole family, is apparent. Abortion law makes the family not only *not* the safest place, but *the only legally sanctioned danger zone*. The law, in particular, casts mothering as a serious threat. It suggests that women—due to their childbearing potential—are cursed and not gifted. It makes invisible the humanity of children. Considered from the perspective of family and social welfare, this is not good for women, for children, or for the larger society. Were abortion law to benefit from the same “second thoughts” influencing other areas of family law, it would almost certainly move in a new direction.

Where might it begin? Both scientific research and policies of the kind driving other “children’s interests” movements in family law are in order. First and foremost, there should be a reexamination of all laws and policies disadvantaging pregnancy and motherhood, whether these touch upon employment, education, Social Security benefits, tax policies, or other areas. There should be a truly empirical—not ideological—look at whether state-sponsored programs about sex or marriage tend to separate marriage and procreation. After all, over 80% of all abortions are sought by single women.

The law should take women's suffering after abortion seriously. Several European countries keep track of women's abortions and have consequently reported a correlation between abortion and later psychological and physical distress. In the United States, though—despite efforts made to convince the National Institute of Child Health and Human Development to do so—no federal research on this matter is going forward, even though abortion is *the most frequently performed surgery* among all the surgeries women receive.

The states, which are already in many cases in the business of financing abortions, should also provide financial assistance to women experiencing crisis pregnancies who want to give birth to their baby. It would do this through the thousands of crisis pregnancy centers which perform this work with private charitable dollars. Finally, the welfare of children—unborn and born—associated with the abortion procedure and its aftermath, should be made a regular subject of state and privately supported scientific research. With such efforts, lawmakers and citizens can come to understand more fully than at present, the relationship between abortion and social welfare, particularly the welfare of the most vulnerable persons. This knowledge can then provide the basis for pluralistic, democratic efforts to restrict the abortion license.



From the Archives:

A Letter to the Women's Lobby (1978)

Clare Boothe Luce

Your letter of December 19th, asking me for a contribution to the Women's Lobby campaign against anti-abortion Congressional candidates was buried under the Christmas and New Year's mail. It has now surfaced in my in-basket.

Having read it, *I must ask you to drop my name from the Women's Lobby list of sponsors. . . .*

First, I do not care to be identified with a campaign that has already done so much to jeopardize the passage of [the Equal Rights Amendment]. If ERA fails to pass, as I now fear it will, a large part of the blame must fall on those misguided feminists who have tried to make the extraneous issue of unrestricted and federally-funded abortion the centerpiece of the Equal Rights struggle.

Secondly, I do not accept the extraordinary proposition that women cannot achieve equal rights before the law until all women are given the legal right to empty their wombs at will—and at the expense of the taxpayer.

I have been a supporter of ERA for 55 years. Indeed, I went to work in Washington for Alice Paul, the mother of ERA, the year the Amendment was sent up to the Hill.

ERA was conceived as a bill to wipe out, in one single stroke, all the laws on the books which denied equality before the law to women. In the past half-century, women have won many rights they did not have when ERA was dropped into the hopper. But even so, I believe that the passage of ERA would bring the evolutionary process of legal equality to completion.

If the Amendment fails to secure ratification, I very much doubt that Congress will vote to extend it seven more years of grace.

As you are a sincere and dedicated feminist, I owe it to you and the Women's Lobby to explain why I am for ERA and, at the same time, against legalized unrestricted abortion.

As you so well know, all of the democratic liberties and civil rights Americans enjoy under our Constitution—and indeed, the Constitution itself—rest on the validity of a single proposition, which was first set forth in the

Clare Boothe Luce was an author, playwright, diplomat, and polemicist *par excellence*, and one of the best-known women in America. This is the text of a 1978 letter from Mrs. Luce to Ms. Carol Burris, who was president of the Women's Lobby, Inc.

Declaration of Independence: “We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of Happiness.”

Now on what facts or circumstantial evidence did the Signers base this extraordinary—and politically revolutionary—assertion? In 1776, anybody with eyes in his head could see that some were masters, others slaves; some were rich, others poor; some fair of form and sound of limb, others ugly, blind or crippled; some wise, and others fools from the cradle. Nothing in 1776 seemed *less* “self-evident” *in fact* than that “all men are created equal.” And nothing—*in fact*—is less self-evident today.

But “these truths we hold” were not based on evident facts about the human condition. They were based on philosophical and religious *truths* which transcended what people call “the realities.”

The American proposition that created the United States and the Constitution was based—the words of the Signers—on “The Laws of Nature and Nature’s God.”

The Founding Fathers reasoned thus: All men are born equal in one undeniable respect—they are all born equally human. (No man is any less human than any other.) All men have the same nature. It is in the very nature of Man—it is his “human nature” to desire (“among other things”) Life, Liberty and Happiness. (No man naturally desires to die before his time, to be the “creature” or slave of another, or to live a life of suffering or misery.) Life, Liberty and the pursuit of Happiness were “unalienable” rights, because the desire and the need for them had been implanted by Nature, and Nature’s God in the minds and hearts of all men. A government that denied these natural human rights to its subjects was an unjust, unnatural and ungodly government. Furthermore, our Founding Fathers reasoned, Nature and Nature’s God had also endowed human nature with the capacity to *reason*. Man had the natural capacity to plan, guide and correct his own courses of action. Consequently, the Law of Nature and Nature’s God entitled all men to self-government.

I mention all this simply to remind you that the Natural Law (and the Divine Law) is the rock on which the Constitution was founded.

At this point, let me say that the case for the equality of all human beings can be rationally adduced from the Laws of Nature alone. It is not necessary to call on Divine Law or religion, to defend equal rights for women—or to attack unrestricted abortion.

It is a self-evident truth that women are no less human beings than men, and that it is no less in their nature to desire Life, Liberty and Happiness.

Women, being equally human, are equally endowed by Nature with the gift of reason. (A gift, by the way, that is best developed in them, as it is in men, by education in the intellectual disciplines.) All this being so, all women are equally entitled with all men to all the rights existing under the Constitution. The purpose of an Equal Rights Amendment to the Constitution is to guarantee that all women will enjoy these rights.

Now what does the Natural Law have to tell Americans about *sexual equality* and *abortion*?

Well, anybody who isn't altogether an idiot knows that what the Law of Nature has made unequal—or different—neither the laws of men, nor the desires of women, can make equal, or the same.

Men and women, who have the same human nature, have the same instincts for self-preservation. They display the same human (and animal) emotions—fear, hate, love, etc. They have the same procreative urge. They equally desire to “make love” with a member of their opposite sex. It is the Law of Nature that they should “pair-bond” or mate.

But now we come to the stubborn and quite *unalterable fact*. Men and women are biologically different, or not equal, in respect of their reproductive organs and sexual functions. Nature made man to be the inseminator, woman to be the child-bearer. And the Laws of Nature decreed that the natural—and normal—consequence of the love act, or coitus, is the conception in the womb of woman of a new human being, who is “flesh of the flesh and bone of the bone” of both parents. It is natural—and normal—for the woman who conceives to carry her child in her womb to term, to give birth to her, and her mate's baby. Involuntary abortions, or miscarriages, are also natural, in the sense that they are nature's way of expelling naturally unviable fetuses from the womb of the mother. But voluntary miscarriages are not the norm of nature.

It is not the nature of all women to abort their progeny. If it were, the human race would have long since disappeared from the planet. It is natural and normal for women to bring their unborn children to term, and woman has a natural desire to do what nature intended. It is unnatural for woman to interrupt the natural process of pregnancy, in the only way she can do so—by killing the child in her womb.

Induced abortions are against the nature of woman. They are also against the nature of the unborn child, who, like all *living things*, instinctively desires to go on living. (Even a cockroach instinctively tries to evade your lethal foot, and if you half-squash it, tries to crawl away for another second of life.)

There is no logical process of thought by which the unnatural act of

induced abortion and the destruction of the unborn child in the womb can be deemed to be a natural right of all women.

Induced abortion is against the Law of Nature. There are, to be sure, a great many unnatural things which it is in human nature to desire and to do, even though they are against the Law of Nature. And Man, who was also endowed with the gift of free will, does many of them. Sodomy, homosexuality (defined in the dictionary as “unnatural carnal copulation”), adult sexual intercourse with infants, sexual sadism, masochism, are some of the sexual ways in which people go against the Natural Law, which designed the sexes to copulate with their adult opposites.

But of all the human acts that “go against nature,” the killing of a child by its own mother has—throughout human history—been viewed with the most revulsion.

The Supreme Court pointed out in its 1973 abortion decision that “the weight of history is on the side of abortion.” And that is true enough. But the Court failed to point out that the weight of history is not only on the side of abortion, it is even more heavily on the side of *infanticide*. The killing of helpless infants has been practiced in many societies, especially in impoverished, or overpopulated societies. The “weight of history” is also on the side of theft, murder, torture, war, and above all, tyranny. We ourselves are living in one of those tragic eras in history when the “weight of history” seems to be very heavily on the side of a great many obscene, cruel, violent and criminal acts which we would not like to see the Supreme Court legalize simply on the grounds that the “weight of history” is on their side. (If the Founding Fathers, who lived at a time when the weight of history was heavily on the side of tyranny, had followed the reasoning of the Supreme Court, they would have acknowledged the right of King George to abort the birth of America.)

Is there no other way to determine the rightness or wrongness of a man-made law than to refer it back to the Laws of Nature? Well, there is what Immanuel Kant called the test of the “categorical imperative.” The philosopher wrote, “There is . . . but one categorical imperative, namely this: *Act only on that maxim whereby you can at the same time will that it should become a universal law.*”

Consider, for example, the act of murder. Hate, fear, greed—the thirst for revenge, the desire for gain as well as the desire for *justice*, are powerful human emotions that have again and again led people to commit murder. Indeed, the impulse to kill someone who is destroying one’s liberty, or making one’s pursuit of happiness impossible, is probably experienced sometime in life by everyone. One might argue that as these emotions and desires

are natural, the law should recognize everyone's right to commit murder. Why, on the contrary, are laws against murder *universal*? Because anyone with a shred of common sense knows that *to grant a legal right is to recognize it as a right course of action*. But no one in his (or her) right mind has ever willed that everybody should be free to kill his neighbor.

Does the "right of abortion on demand for all women" pass the test of the categorical imperative? If abortion is a right to which all pregnant women are entitled, then it would be right (and not wrong) if all women aborted their fetuses. It would be the right course of action for all women to take. (There's this to be said for universal abortion. It would soon solve all the problems of mankind by ending the human species.)

Obviously, you do not believe—no one can believe—that abortion is a right course of action which *all women* should pursue. What you believe is that there is no danger whatever that all women will abort their children, because you *instinctively* know that it is not only natural for women to conceive, but natural for them to want to bear the children they conceive. And you think (do you not?) that all women have the right—the natural right—to bring their unborn children to term. And you think (do you not?) that anyone who interfered with this right by aborting a woman against her will would be guilty of a criminal action. What you *really think* (if you stop to think) is that *some women, in some circumstances* should be given the right to abort their unborn children, and that for these women, in these circumstances, abortion would be a right course of action.

The great and historic case that men have made against women is that they are incapable of thinking logically. And logic now requires those feminists who believe that abortion is a natural and right course of action for *some women, in some circumstances*, to categorize the women, and describe the circumstances, in which the right to abortion is justified.

At this particular moment of history, the American public (and the Congress) are doing a much better job of *thinking about abortion* than the Women's Lobby.

A recent Gallup Poll shows that only 22 percent of Americans think that abortion on demand should be legal. The Gallup study shows that those who hold this view feel that a human fetus is not a "human being" until the *split second* of its birth.

Only 19 percent think that abortion should be illegal in all circumstances. These believe that the fetus is a human being from the moment of conception, and that abortion is, in all circumstances, "murder."

But 55 percent—the majority—think that abortion should be legal, but only in *certain circumstances*. Of this majority, 77 percent would allow

abortion during the first three months, providing the woman's life is endangered by the pregnancy. And 65 percent would allow abortion if pregnancy is the result of rape or incest.

A majority of those who would legalize abortion during the first trimester of pregnancy would disallow it in the second and third trimester, *except to save the life of the mother*.

And only 16 percent think that the fact the parents cannot afford a child is grounds for abortion at any time.

The capacity to think, (as opposed to the capacity to "feel") involves the ability to make distinctions. The American people, God bless 'em, seem to have it, in the abortion question. Clearly, the Women's Lobby doesn't.

I repeat, I wish to disassociate myself from your campaign to purge Congressmen who do not agree with your misguided efforts to make induced abortion a legal, normal and moral course of action for all women in all circumstances.

I do not doubt that these efforts will be repudiated by the American people. What I regret is that they will succeed only in wrecking the chances of ERA.

With kind personal regards—and from Hawaii, the first state to ratify ERA,

Aloha,
Clare Boothe Luce



"You're making progress—you've gone from no longer wishing to live, to no longer wishing to live in New Jersey."



"What are you doing out of your box, Norris?"

**The Human Life Foundation's 8th Annual
Great Defender of Life Dinner**



HONORING
William McGurn
OCTOBER 28, 2010
THE UNION LEAGUE CLUB
NEW YORK CITY

Photographs by Michael Fusco

Faith McFadden:



Welcome! Welcome, friends from far
and near
And you who are first-timers here
To help us celebrate
The great defender of life award
dinner—numero *eight*!
As many of you returnees may
remember,
My welcome-greeting often morphed
into *rhyme*,

But not this time! Because (in case you didn't know it)
Our journalist awardee is also a *poet*:
And I will read the first verse of a poem
By William McGurn, which appeared
In the December 17, 1999 *Wall Street Journal*,
Entitled "Gucci Grinches: How Rudolph saved Christmas."
This was, of course, during the Rudolph Giuliani administration,
And begins:

THE MAYOR of NEW YORK
liked Christmas a lot
but those who opposed him
clearly did not.
Why, they *hated* Christmas,
the whole Christmas season.
Now please don't ask why;
they won't give their real reason.
"Commercialization!" snap some,
that's what gives them such pause—
not to mention the church-state
separational clause.
But here's guessing
that the most likely reason of all
is just knowing that everyone's
having a ball.

So, folks, that's what we're going to have here tonight!
Now I'll give the mike to my daughter Maria McFadden Maffucci,
Editor of the *Human Life Review*, mother of three—
Who are all with us tonight.

Maria Maffucci:

Thank you, Mom, and welcome to all. We do have *new* guests here this year, the family and friends of Bill McGurn, and I would like to thank them for their great support: Ed and Beth McFadden, who co-chaired our dinner committee, Mr. and Mrs. Edward Gillespie, also on our dinner committee, Mr. Jimmy Lai, Mr. Mark Simon, and Bill's parents, William and Mary, who brought the family!

This is our 8th annual dinner, and many of our benefactors and sponsors have come just about every year: like the McLaughlins—and Jim is our dinner co-chair this year—the O'Briens, Ed and Peggy Mechmann and our friends at the Family Life/Respect Life office of the Archdiocese, and the Captain Michael and Mrs. Mary Anne Hayes family—all here tonight!—we are so glad to see you!

We are missing some dear friends tonight: Dr. Jerome Higgins, who has always been here with a table of his family and friends, is not here as he is recuperating from—thank God successful—cancer treatments. And we were all saddened by the news of the death in August of the great Anne Higgins, who was such a presence here at each of our dinners, and such a presence in our lives. Anne was head of correspondence in President Reagan's White House, and an integral player in my father's efforts in the early days. You can read, in the new issue of the *Human Life Review*, in your gift bags, Pat Buchanan's wonderful eulogy for Anne.

Tonight also marks a debut: we are introducing our book, *The Debate Since Roe: Making the Case Against Abortion (1975-2010)*, a brand-new collection edited by Anne Conlon, our managing editor. This book, dedicated to Anne Higgins and my late father, J.P. McFadden, is especially for those who, as Anne writes in her Introduction, have “sat around the kitchen table or the dorm room defending the sanctity of human life while wishing they had greater command of the facts and arguments.” Well, now you can all have a great resource as you are receiving a copy of *The Debate Since Roe* tonight.



We are also blessed to have gifts from Doubleday Religion—two books, George Weigel's long-awaited second volume of his biography of Pope John

Paul II, *The End and the Beginning*, and Mother Teresa's *Where There is Love, There Is God*—which you may pick up on your way out.

Thanks to the generosity of our Foundation members, we have lots of students here tonight. Kristan Hawkins is here, president of Students for Life, as are representatives from Columbia, Columbia Law School, Rutgers, Fordham, and NYU. We also have high school and grade school children, the McGurns and the Maffuccis . . . and there is one little one, only 4 months old, who has already made a name for herself in pro-life circles. Last week,

Anne Conlon and I attended the “Open Hearts, Open Minds, and Fair-minded Words” conference in Princeton—with such disparate luminaries as Frances Kissling and Helen Alvaré! An article reporting on the conference, by Terrence McKeegan of the Catholic Family & Human Rights Institute, began this way: “A baby’s cry, piercing the air from the back of the Ivy League Academic hall, offered a disquieting counterpoint to a startling argument for abortion rights. ‘An Infant has no moral status because he is not self aware,’ said Professor Peter Singer.”” Actually, *Miriam Eve Berry* didn’t cry



much at all, but she did make her presence known with sweet noises, particularly during that session, which was a debate on “The Moral Status of the Fetus.” She seemed to intuit when to make her point, and she represented those younger than she, who are at the heart of the abortion argument after all, but who cannot represent themselves at such gatherings.

* * * * *

The *Human Life Review* is a journal committed to telling the truth about the life issues. Tonight we gather to honor a great defender of life, a great writer of truth—we will also be hearing the truth spoken out loud, and we are especially looking forward to hearing from our honoree.

So let’s get started, here to give our invocation is our board member and friend, Father Kazimierz Kowalski, of Our Lady of Good Counsel here in New York.

Father Kazimierz Kowalski:

Father Kazimierz Apolinary Piotr Kowalski. From Ireland, actually. I'm especially glad that I could do the invocation this year for Mr. McGurn; you know I once told him that I lifted a lot of his stuff from the *Wall Street Journal* for the well-being and spiritual edification of my parishioners in our bulletin, because many of the articles there are very good for my parishioners to read and hear (and all of the sudden put a subscription to the *Wall Street Journal* on



the bottom, of course); and Mr. Lipsky—I think there were some things from the *New York Sun* that I also—stole. But in a Christian way. (laughter) This is a dinner I always look forward to in remembering Jim McFadden as we honor Mr. William McGurn as defender of life, and sharing very fine company with you. Of course the food and beverages are a plus. At our dinner a couple of years ago I mentioned that sometimes I'm asked where I'm originally from since my pronunciation may not always hint of any particular region. A few days ago, my Egyptian Muslim cab driver was curious about the Catholic priesthood, and then asked about my family heritage. I told him that my father was a Polish war prisoner (thank God in Germany and not in Russia), and that my mother escaped from the Russian occupied part of East Germany. "So, you are from Germany!" he said. "Well, in truth," I said, "Yes; I came with my mother, father and sister from Neumunster, Schleswig-Holstein in December of 1951, and was able to be born in Bellevue hospital two months later. I'm just the one who didn't need a green card." While some of my fellow Americans might have to take a moment to think about that, my Egyptian Muslim cab driver didn't hesitate with a knowing chuckle. And what he knew was more than just green cards. And happily, my once-greencard-carrying sister Angela is sitting next to me this evening, so I'm very happy about that.

So let us stand to pray.

In the name of the Father and of the Son and of the Holy Spirit. God, our Father, we give you thanks for allowing us to serve you, and the sanctity of human life. We are grateful for our honoree this evening, our good fellowship, and ask your blessing upon us, and the gifts of our harvest, which is from your bounty. Through Christ our Lord. In the name of the Father, and of the Son, and of the Holy Spirit.

Maria McFadden Maffucci:

Ladies and gentlemen, before we go on, I would like to thank *all* of you who have contributed to this evening, those who are here, and those who are here in spirit. The Human Life Foundation, which publishes the quarterly *Human Life Review*, and also offers matching grants to crisis pregnancy centers around the country, would not exist without you—we are able to do what we do only because of our members. The *Review* has been published without interruption since 1975, with national and international readership—we have quite a few authors and readers in England, Ireland and Australia, and, thanks again to those of you who support us, we are able to make a difference—sometimes in unlikely places. For example, I just heard yesterday from our great friend and *Review* contributor Jo McGowan, who lives in India, and is a columnist for *Commonweal*. Jo adopted a baby girl who would have been aborted; her daughter was found to have a degenerative neurological disease—so Jo started a special needs school. She asked us a few months ago if we could commission a couple of research articles on the subject of “Disability Selective Abortion” in India—and now, well, here is the email: “I am writing to let you know that the ‘Disability Selective Abortion’ project is going very well. We have gotten funding for a major lecture to be held here in our city and the judge I wrote to you about some time ago has agreed to be the speaker. And I have been asked to give a major lecture in New Delhi on the 19th of November. The title is ‘You’re Not Perfect Either: Why Babies with Disability Have the Right To Be Born.’ The response so far has been phenomenal. In fact, I think we may need to move to a larger hall. Just imagine!” So what we did was a modest start, but it may be the beginning of great things.

And speaking of small—I would not be standing here—sanely—without my amazing colleagues at the Foundation—we are a small group, and yet we get an awful lot accomplished: my Mom, our senior editor Faith McFadden; our managing editor Anne Conlon, editor as well of *catholic eye*; our financial director Rose Flynn DeMaio; production manager and computer whiz, my sister Christina Angelopoulos, who one year and two days ago gave birth to baby girl twins; our volunteer par excellence Pat O’Brien, whose generosity in time and in spirit is overwhelming; and finally, the newest member of the team, Jane Devanny, whose enthusiasm for raising awareness of and support for the Foundation has given us a jolt of energy!

So, finally, to the question: Why Bill McGurn? There can be no doubt that Bill *is* a great defender of life—in his columns, and his speeches, he defends with impassioned clarity the life of the unborn and the vulnerable. But I also have personal reasons for being delighted to honor Bill with this award.

About two years ago, I attended the Ball for Life, an event that supports Chris Bell's Good Counsel Homes. Bill McGurn was there to introduce their awardee, one of *his* heroes, the late Bill Reel, religion columnist for the New York *Daily News*. The Reels have a granddaughter with Down syndrome, and in Bill's speech, he said: "She's partial to cupcakes with purple frosting. She also has Down syndrome. These days we say 'special needs.' Well, 'special' is definitely the right word. But what makes people like Magdalena 'special' is not what they *need*. It's what they *give*."

I was so moved by his words—and later on that evening, as I spoke with Bill's lovely wife Julie, and watched as he took to the dance floor with one and then another of his daughters, I thought to myself, *here is a man who really lives his convictions*. And then what clinched it for me was Bill's speech, given at the Notre Dame Center for Ethics and Culture in April of 09, just a few weeks before the controversial graduation ceremony at which President Obama would be given an award and give the commencement address. We intelligent pro-lifers are *so often* frustrated by how we are portrayed in the media, and with the announcement by Notre Dame of its plans, as a Catholic I was just disgusted by the twisting of the truth, of the "spin" that we Catholics who were appalled at Notre Dame's choice were intolerant or mean-spirited. Reading Bill's speech was a relief: I took comfort in knowing that he spoke at Notre Dame *first*, and that he had the *last* word as well, because he spoke the truth. He called on Notre Dame to be the witness for life that it is meant to be. In his speech, as in his columns in the *Wall Street Journal*, he has no problem laying it on the line, but he does so always with reason, compassion, goodwill and hope. Quite simply, this is the kind of courage and grace we need to open up people's minds and hearts to the truth of the value of all human life.

When I asked Bill who he would like to introduce him, he said "Seth Lipsky"—who, Bill said, was his mentor, the man who opened his eyes to the "life-is-beautiful part of the population story." We are so pleased to have Seth Lipsky, editor of the New York *Sun*—there are many fans of Seth Lipsky here tonight—my husband and I sorely miss the arrival of the NY *Sun* on our doorstep in the mornings!—and we are delighted to have him with us at this occasion.

Finally, we are also introducing our new issue this evening; and some of the authors are here tonight—Bill McGurn, George McKenna, Patrick Mullaney, Greg Pfundstein and Anna Halpine, Mary Rose Somarriba, and Kathryn Jean Lopez of *National Review*. As a special treat tonight, Kathryn will now come up and say a few words, and then introduce our next speaker, Seth Lipsky.

Kathryn Jean Lopez:

There is a lot of talk about the death of journalism. Some of it has to do with economic realities many of us are all too aware of. Some of it, frankly, has to do with vanity, sloth . . . the same old story, in other words. But count me among those who don't want to see real journalism die.

Ideally, journalism seeks truth and there is great virtue in pursuing what is true, to say the very least. It even frequently requires courage. And the *Human Life Review*, William McGurn, and Seth Lipsky have this pursuit of truth in common. The *Human Life Review*, Mr. McGurn and Mr. Lipsky are no strangers to courage. And so I am delighted to say a few quick words about all three.



First what I hope is an obvious point: We need the *Human Life Review*. I think this when I have the opportunity to write more than the standard 800-word op-ed or 400-word blog post or the 140-word-limit Twitter in our beloved journal. I think this when I'm reading a new issue. I think this when I look up old ones. It's an old friend in any library.

But let me back up for a second. I'm guessing most of you are more sensible than I am and so you haven't succumbed to engaging in Tweeting on Twitter. That's where you say profound thoughts in 140 words or less, no punctuation or grammar or capitalization. It's been a downhill climb since my early days at *National Review* when Bill Buckley would come in and take a red pen to my Week paragraphs. I tell you this because I want to make sure you know that I come to you from the worldwide web, the online world. So much so that there was a time in the not-so-distant past where some of the writers for *National Review Online*, where I've lived most of my professional life, weren't sure if I actually existed or if I was an automated right-wingbot.

In other words, I didn't get offline much.

I say this because I know that in October 2010 there is way too much to read out there. There are your websites. And your e-mail. And maybe you check Facebook. And then there is your actual postal mailbox. We even still

have books to read, which might be news to some folks younger than I am. I appreciate that we are suffering from information overload, being part of the problem myself, as a writer and editor. And yet, even being intimately familiar with that too-much-information problem, I know that we need the *Human Life Review*. Maybe even *because of* all the noise all around us. The *Human Life Review* is a journal we have come to trust. To speak above the noise. To make sense of the noise.

In his *Gospel of Life*, Pope John Paul II wrote that “Even in the midst of difficulties and uncertainties, every person sincerely open to truth and goodness can, by the light of reason and the hidden action of grace, come to recognize in the natural law written in the heart (cf. Rom 2:14-15) the sacred value of human life from its very beginning until its end, and can affirm the right of every human being to have this primary good respected to the highest degree. Upon the recognition of this right, every human community and the political community itself are founded.”

There is so much noise. Yes, difficulties and uncertainties in our lives, in our communities, in our service, in our policy and—Heaven knows!—our politics. But then there also sits the *Human Life Review*, calmly and clearly, thoroughly and compellingly laying out the damage that a Culture of Death does and highlighting compassionate and vigilant beacons for life in our midst. And while I quote John Paul II, a typical issue of the *Human Life Review* might have a Catholic priest but it will also have a former Ralph Nader consumer-activist attorney and a libertarian atheist among others, writing features for it, all using their talents for truth in service to mankind on the human-rights issue of our time.

So thank you for supporting the *Human Life Review*. It is no small thing to have a quarterly journal devoted to the defense of our most innocent and defenseless.

Which is what Bill McGurn does. I’ve quoted Bill McGurn more times in my own writing than I suppose I should admit. I may owe him royalties. He may want me to pay up. Specifically, I quote him on the issue of abortion and the destructive choices the Democratic Party has made on this front. I honestly believe that if more people cared about the story of the late Pennsylvania governor Bob Casey’s humiliating treatment at the hands of his beloved Democratic Party and his pleas to his fellow Democrats, we would not have the Republican vs. Democrat divide on abortion that we so frequently see. And that would be more than a baby step in politics toward a Culture of Life. Bill McGurn cares about that story and tells it eloquently. Go home and Google his “Life of the Party,” for an example, which we published on *National Review Online*. Or e-mail me at klopez@

nationalreview.com and I'll send it to you. You'll thank me.

There is so much to be said about Bill's commitment to what is good and true. But I'm going to hand the microphone to another with such a commitment to do that.

Seth Lipsky probably doesn't need an introduction to this crowd of *New York Sun* fans. He is, of course, its valiant publisher. Seth Lipsky knows the power of words. He knows the power of alternative media, like the journal we support and celebrate tonight. Seth Lipsky knows journalism, having not only founded the *Sun*, but worked at the *Wall Street Journal*, like Bill McGurn, both here and overseas. He was the founding editor of the *Forward* newspaper. And he has been a Pulitzer finalist. Seth, married to the brilliant Amity Shlaes, and father of four, is also the author of what is probably the book of the hour right about now, *The Citizen's Constitution*. We should make sure every new and old member of Congress has one after Tuesday. And he knows the importance of making an opinion column count—deadline after deadline—which is why he is the perfect person to pay tribute to Bill McGurn, who takes that responsibility seriously week after week. And so without further delay: Thank you for supporting good things here tonight. And please join me in welcoming Seth Lipsky.

Seth Lipsky:

Thank you, Maria. Thank you, Kathryn. And thank you all. It's an honor and a joy to be with you in the great cause of human life and to assist in honoring Bill McGurn. I bring greetings to Bill, and Julie and their daughters from my wife, Amity Shlaes, who had a previous commitment with our children for this evening, but who worked in harness with both Bill and me in Europe and sends her own salute. She would also be glad and proud, as I am, to see here two close colleagues from the *New York Sun*, Alicia Colon and Meghan Clyne.

My happy assignment this evening is to introduce Bill, and the way it was laid out by Maria, in an email the other day, is:

Bill suggests that you speak about your views on life, your own perspective . . . what you did at the WSJ in fighting population control, etc. And I agree that our audience would be very interested in that . . . Of course Bill also says you should say "less" about him, but obviously since you are "introducing" him, we do want you to talk about him and why he deserves the award.

Well, it's my hope that if I talk a bit about Bill McGurn, the other things will just sort of weave themselves in. I first met McGurn in the summer of 1984, at what I don't mind saying was something of a low point in my career. I

had eagerly accepted an offer from the editor of the *Wall Street Journal*, Robert Bartley, to go to Brussels to edit the editorial pages there. But to honor the house rules against nepotism, the *Journal* had decided to send my fiancé, Amity Shlaes, to Cleveland. So when I walked into the editorial page rooms in Brussels, the only person I could find to talk to was a dour-looking fellow, scowling over a piece of copy. This is the William McGurn who grew up to be the giant we're honoring this evening.

Just to mark the moment a bit, I got to Europe in 1984. This really was the beginning of the climactic years in the showdown between the Free World and the Soviet Union. It was then unclear as to who was going to win this showdown. Reagan was just being tested. The *Journal's* offices were at the top of the Hilton Tower, and it got dark early in Brussels. The first evening I was alone in my new office, the phone rang, and I picked it up. A voice said: "You don't know me, but I know who *really* ordered the assassination attempt on Pope John Paul II. I will call you about it later." Then he hung up.

That's a true story. It captures the gloom. McGurn later explained to me that the call was from some fellow in Luxembourg, and that we had already written up his theory. But, McGurn said, no one seems to be doing anything about the fact that the North Koreans had taken over parts of the government of Malta and were now running the military on the island. So I suggested he run down there and check it out. To mark the point, I scrawled out a chit for an enormous advance on expenses and told him to redeem it with the newspaper's cashier. Suddenly this lumbering giant was out the door in a flash.

Over the next several weeks, he filed dispatches and editorials that would make your hair stand on end. What was astonishing to me is the degree to which these dispatches were filled with facts and nuances about Malta. He had never been to Malta, he had never been out of New Jersey. Where was McGurn getting all this stuff? How could one young reporter go in there and learn so much so quickly. It was a mystery, but before you knew it, the government of Malta was in upheaval and the North Koreans were on their way home, and McGurn was back at his desk, scrawling sourly on other people's copy.

Then one day McGurn mentioned that he wanted to run down to Rome for a long weekend. He assured me he would pay for it himself. I explained one of the Lipsky rules—which is that it is *unethical* for a newspaperman to travel on his own dime. So if he couldn't figure out a way to charge the trip to the newspaper, he couldn't go. He disappeared for a few days, and returned to Brussels in time for the next week's editions. Several days later he asked me if I'd like to see some photographs of his visit. One snapshot showed him leaning on a railing on the roof of the Vatican.

What caught my eye was not the splendor of the view from the Vatican but the fact that standing next to McGurn was a lady. My eyebrows perked up. He said she was a friend of his. I asked what she did. It turned out she was the secretary to the Archbishop of Malta. “Where’d you meet her?” I asked. McGurn said he met her in Malta. And that’s all he ever said about her. But suddenly this quiet copy editor was emerging in a new light. So as Thanksgiving came and went, I suggested to McGurn that if he didn’t have anything else to do for Christmas, he might like to run down to Beirut.

Now, I should mention that things were so dangerous in Beirut in that season that the managing editor of the *Journal* had actually sent around a telegram forbidding news-department personnel from traveling there. When McGurn pointed that out to me, I explained that the editorial page was separate from the news-department. The next thing I got was a cable from McGurn in Cyprus saying he was taking the morning ferry to Lebanon.

And then the long silence. Amity, whom the *Journal* had finally transferred to Brussels, and I spent our Chanukah with me doubled over with regret for putting McGurn in such danger. “What have I done?” I wailed. “We’ll never hear from him again.” But a week or so later, McGurn emerged, with a string of the most magnificent dispatches, not only from Beirut but from all over Lebanon, including deep into the Chouf and other areas where correspondents had difficulty getting to, in part because of the danger. When he got back, he casually informed me that not only had he filed all these dispatches, but he’d taken under his financial wing a *child*, a little girl.

Over dinner with my wife, I whispered, “McGurn is an amazing fellow, but how in the world was he able to *operate* there?”

Then one day McGurn mentioned to me that he had to run down to Paris for a long weekend. I told him, “Bill, you can do it, so long as you don’t pay for it yourself; it wouldn’t be right.” But if he was prepared to let the *Journal* pay for it, that would be fine—in fact, I myself would be in Paris for the weekend. Maybe we could have dinner. McGurn said he would bring the person he was going to meet. He said his friend was a distinguished figure, so I booked a table at one of the best restaurants in Paris, the Grand Vefour, and McGurn showed up with Prince Lobkowitz. We had a marvelous dinner. And when the prince had gone, I leaned over to McGurn and asked, “What in blazes was *that* all about?”

Well, McGurn said, he’s head of the Knights of Malta. It had, he explained, nothing to do with Malta itself, but, among other things, the Knights of Malta ran a string of hospitals in Lebanon and was one of the few institutions in the war zone that was respected—and protected—by all sides. It was, he explained, the Knights of Malta that had provided him with security on his

visit. In fact, a Knights of Malta motorcade met him at the dock when he arrived by ferry from Cyprus, had escorted him all over the country, wherever he wanted to go, including places where few other reporters were able to go, and was with him until he got back on the ferry to Cyprus. It is what enabled him to go all over the country and file his astounding dispatches.

Suddenly it dawned on me that I was dealing with a newspaperman far more resourceful than any I'd previously encountered. So I transferred him to Hong Kong. He hadn't been there long when he sent me a telegram saying that he had to run over to Afghanistan. When he was in Afghanistan, high



Seth Lipsky

altitude Soviet bombers had dropped their payloads only 200 yards from where McGurn and his fellow freedom-fighters were trying to sleep. When he got out alive, and filed his usual dispatches, I explained another of the rules—which is that anyone who has been bombed by high altitude Soviet bombers while in the employ of the editorial page got to have lunch with his editor at any restaurant in the world he wanted. McGurn picked *Il Pompiore* at Rome.

Now I have to digress here for a moment. McGurn and I had eaten there on several occasions with one of McGurn's

great friends, Father Thomas Herron, who had a high scholarly office at the Vatican. And we met a few times, and Father Herron would discourse for hours, brilliantly, on the church, on Catholic rulings, on Jewish law. He was a wonderful man, and he knew his restaurants. So I flew four hours and Bill flew 23 hours to meet me for lunch, and just before lunch I waited for him in the lobby of the Hotel Raphael.

McGurn showed up on the dot, and he was dressed to the nines, the way, I was pleased to think, a young correspondent should be for lunch with his editor. So imagine my surprise when he said that something had come up, and he couldn't have lunch with me. He offered a typical McGurnian explanation. "Something has come up," he said. So I asked my deputy whether it

might be more convenient for him for us to have dinner. He indicated that it would. So we fixed on dinner, and he went off into the Roman mist.

That evening, as we sat down to dinner, I could contain myself no longer. “McGurn,” I said, “forgive me, but we had a date for lunch. I travelled to Rome from Brussels and flew you to Rome from Hong Kong in order to have lunch. It’s probably the most expensive lunch date in the history of journalism. Yet when I get here you inform me that you can’t have lunch. So,” I said, “I think that I am owed an explanation.”

This is when McGurn told me—he was 25, he was 25 years old—that the reason he couldn’t have lunch is that he had to run out to Castel Gandolfo. I confess that in my ignorance, I had to ask him what Castel Gandolfo was. He told me it was the summer home of the Pope. I may be slow, but I’m not entirely dumb. So there was a moment of silence as this sunk in. I finally said, “McGurn, what were you doing out there?” He said, “Well, I had a meeting with His Holiness.” I said, “McGurn,” . . . and remember, he was all of 25 years old at the time. I said, “McGurn, you’ve been in Rome for all of four hours. How did you get out there?” He replied: “Well, Ambassador Shakespeare laid on a motorcade.”

I mention all this just to let you know what kind of man you are dealing with when you are dealing with William J. McGurn.

Let me just say, in all my experience, there is no one quite like him. The assignment Bob Bartley had given me, after all, was to go over to Europe, to lower tax rates on the continent, to deploy the cruise and Pershing missiles, take down the Berlin Wall, set up democratic governments in Poland, Romania, Czechoslovakia, East Germany and Hungary, and to free the captive nations. It was really McGurn who enabled me to achieve these goals while spending my own time in the restaurants of Paris, while he and Amity Shlaes and another member of our happy band of brothers and sisters, Edward McFadden (who should not be underestimated), while they did the heavy lifting.

It was during these years that McGurn and I found by following the laws of economics, reporting the catastrophe of the collapse of the population in Europe, exploring our religious teachings, reporting the barbarity of population-control measures in Asia, the backwardness of the preaching of the World Bank, and the signal failures of communism, it was by all these routes that we found common ground in the cause of human life and the idea of free minds and free markets. Bill, when he was in Asia, wrote a famous editorial, sarcastically headlined, “Too Many Asians.” He had discovered that there was actually a book of that title issued by some Malthusian in the 1950s, I believe—post-World War II, if you can believe it.

By then I had become editor of the Jewish *Forward*. And this is how

America's leading Jewish newspaper and the *Far Eastern Economic Review* became the two papers to praise Pope John Paul II for his warnings about the folly of the United Nation's Population Conference in Cairo. The *Forward's* editorial was called—and you can guess where we got the headline—“Too Many Jews?”

So let me just say, I have come to believe that the cause of human life, like the Jewish struggle, is a cause that rests naturally with the cause of human liberty and indeed that the struggle for life and the struggle for freedom are the same. But I promised myself that I wouldn't let this introduction of your honoree become a position paper. The truth is that the mentee has become the mentor, and I am looking forward as much as you are looking forward to hearing what is going to be said this evening by the man his editors like to call The Great McGurn.

William McGurn:

Seth, thank you for those awfully generous words. Maria, some of my siblings are asking for equal time for a rebuttal.

I owe much to Seth Lipsky. Ed McFadden will back me up here. Everything I know as a newspaperman I learned from Seth: How to write a lead . . . How to report a story . . .

In addition to teaching me about being a professional, he taught me something about being a man. No matter how bleak things might have looked for me at different points in my career, on my most troubled nights . . . when I felt most alone . . . I always went to bed with this knowledge: Come morning light, I would find Seth Lipsky standing in my corner.

There are so many talented men and women who have long associations with this magazine—Mary Meehan, Nat Hentoff, Bill Murchison, Ellen Wilson Fielding, Kathryn Lopez, to name only a few. Every one of them can tell you what support means to a writer. Every one of them has spent a career speaking up for those who have no voice. Every one of them has done so, moreover, knowing that standing for life generally makes one a pariah within our profession. Not all, alas, have had the benefit of a Lipsky.

Over the course of my travels, I have never met an individual whose whole outlook—on family, on culture, on politics, on religion, on economics—was a celebration of human possibility. Were I to spend every remaining hour thanking Seth for all he has done for me, I could never discharge the debt I owe him. But at this moment . . . in this place . . . among people who appreciate a good man when they see one, I'm darn going to try. So I ask you, please raise a glass to a newspaperman who taught me that the unfashion-

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able cause is the one that most needs defenders—Seth Lipsky.

I should also like to mention my family. When you adopt your children, people have a way of telling you how wonderful you are for making such a sacrifice. So I ask you: Look over at my three beautiful girls and tell me: Does that look like a sacrifice? Tonight I stand here rich in strong women who love life—my bride, my mother, my mother-in-law, my three daughters. So when *I* think of the sacrifice here, my thoughts go to three women, somewhere in China, whom I do not know and will never meet. My prayer as an adoptive parent is this: That I might be the father worthy of their hopes and their sacrifice.

Finally, let me say a word about this journal and its founding family. Maria, I knew your dad from the earliest days of this publication. Later I worked in the National Press Building with your brother, Robert, where he and Jack Fowler—another great, unsung champion for life—were fighting the good fight in Washington. I have long been a fan of your mom’s writings. And let me let the crowd in on this one: I am one of the few here who knew *you* before you were a Maffucci!

Ladies and gentlemen, every American movement of any consequence has been born of inspired writing: the Federalist Papers in the fight for Independence . . . Harriett Beecher Stowe’s *Uncle Tom’s Cabin* in the struggle against slavery . . . the speeches of Martin Luther King calling on this country to



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make good on its founding promise . . . and *National Review*, for the revolution that would tear down a Wall—and give tens of millions the freedom our Creator meant for all.

From this history, Jim McFadden knew that a few good words could pack a big wallop. He founded the *Human Life Review* so that people who might think themselves isolated and overwhelmed would be encouraged to persevere and prevail. We cannot yet say we have prevailed, though we can say this: *Four decades after the Supreme Court ushered in abortion on demand, we now live in an America where more people say they are prolife than prochoice. And this little magazine is one large reason for that shift.*

So Maria, always remember: More is wrought by this enterprise than you can ever guess. We know that your work for life is its own reward. But we also know there is grace in a simple thank you. So I ask everyone in this room: Please join me in saluting this brave and talented woman—and the merry team of troublemakers she leads at the *Human Life Review*.

Tonight I thought I would address a subject to which I bring impeccable credentials: the contemporary scandal that is conventional morality.

I speak, of course, with the full diminished authority of a white American male. More than that, a middle-aged, middle-class white male, adhering to the stereotype in almost all particulars: a married, suburban dad with three children and a dog. On Sundays, we go to church. When it comes to dress, my wife and I are not the Taliban. But I confess that our attraction for the Amish grows each May, when we begin the grim arguments with our daughters over what bathing suits they will wear that summer.

There was a day, not far in our past, when a conventional fellow such as myself could raise his children not only by his own authority but with full trust in the whole communal apparatus of convention: the schoolteacher, the town cop, the softball coach, the next-door neighbor, the pastor, and so on. Together these are the authorities that make up the little platoons which define our lived lives.

Hollywood fancies that these little authorities are despots of the conventional, bent on suppressing our better and more natural tendencies. Perhaps that was once true. Today, however, we're living in Hillary's village, where the authorities have largely switched teams. Here the teacher may instruct our children that our idea of marriage is homophobic . . . the guidance counselor may direct them to a prescription for the pill without our consent . . . and the police chief might arrest Grandma for a swat across a grandchild's fanny.

Almost all those now in authority have grown up having it drummed into their heads to “push boundaries,” “break down barriers,” and “defy convention.” And guess what? They have.

This enterprise is most visible in the popular arts. In the past, we conventional folk have played a vital role in the arts—primarily as the foil for those celebrating their own superiority and independence. Satire, after all, is impossible without conventions to satirize. *Epater le bourgeois!* Shock the middle class! From “Elmer Gantry” and “The Man in the Grey Flannel Suit” to “Harper Valley PTA” and “Family Guy,” the message—often highly entertaining—goes out: Conventional morality is a stifling combination of conformity, dullness, and . . . ultimately . . . hypocrisy.

Today we few, we conventional few, have run our course. In place of our conventions is a new orthodoxy, which holds that every judgment of the past is arbitrary, subjective, and deserving of being reversed. Except, of course, for one: *Roe v. Wade*.

That’s a “super-precedent” that is to stand in perpetuity, sacred and inviolable.

As a result, we of the old conventional find ourselves treated like some Japanese soldier who’s emerged from a cave still fighting the Second World War. Some of us, it is true, home school our children. Others dare to teach their families that there is more to sexual health than a working condom. The truly brave buy Barbies for their daughters and BB guns for their sons.

The question is: In a day when the Okie is no longer proud of Muskogee, who is the true radical? A day when Paris Hilton flashes her nether regions to the paparazzo’s flashbulbs, but it is Sarah Palin who is obscene for carrying her Down Syndrome baby in public? When the old reliable t.v. dads of yore—Robert Young, Andy Griffith, Bill Cosby—have been replaced by Billy Ray Cyrus posing in a suggestive photo spread with his teenage daughter?

If you strive for a family that is “normal”—an explosive word that would get you drummed off most university faculties today—the split between your private and public selves can seem maddening . . . except, except. Except that the conventional became the conventional for a reason. The conventional, after all, represents the accumulated wisdom about human nature drawn from experience—the kind of wisdom you will always find in a Sinatra lyric but seldom in a New York *Times* op-ed.

It is true that the old conventions had their harsh side. There was a day when a woman who slept with a man before marriage would have suffered from judgments the man would have escaped. Looking back, we are rightly embarrassed by some of the hardness with which these conventions were enforced. And there is nothing our entertainment world likes more than to suggest this hardness was the whole story—by portraying the past as irredeemably dark and oppressive, whether in a hit series like “Mad Men” or a film like “Pleasantville.”

That's all fair enough—up to a point. My question is, Where are the artistic expressions of sympathy for the dissenters of *our* age?

Where, for example, is the TV drama featuring the student who thinks Clarence Thomas a hero—but is surrounded by teachers for whom the Supreme Court Justice is the punch-line of an off-color joke? The coming-of-age novel about a young man who leaves high school for wartime West Point—where he learns what it means to be responsible for the lives of others, while his peers are off to Miami for Spring Break? Or the Sundance sensation that deals with the scarlet letter attached to the co-ed who modestly dissents from the idea that women should have 5.6 lovers before heading up to the altar, if indeed she goes to the altar at all?

There's a reason these things go unproduced, of course. As the rare exceptions suggest—I'm thinking about *Bella* or *Juno*—there is something powerful about a young woman or a young man who dissents from the received orthodoxies of our age and is not embarrassed to say so. Perhaps more salient, there's also something deeply attractive.

And then there's just plain human nature. Recently *Newsweek* interviewed a young woman who edits a Boston University sex magazine called—appropriately enough—*Boink*. For the first issue, our young editoress posed nude. Alas, it turns out that her peers are not as progressive as she had supposed. “Everyone assumes because of the magazine that I'm sleeping with everything that walks,” she complained to *Newsweek*.

Now, wherever would they get an idea like that?

Our young people may in fact believe what everything around them screams: that the conventional wisdom of yesteryear was based on harsh and unrealistic expectations about human behavior, especially in the realm of sexuality.

But I am curious: Would it not be arresting to survey unmarried women in their 20s and 30s and ask them this question: How many of you believe that the man you marry will remain by your side 'til death you do part? What would you give for such a man? Forget that, what would you give for a plain, old-fashioned date: flowers, dinner, and a movie? The answers would likely be surprising—not to Grandma, perhaps, but surely to the bright young things at . . . *Boink*.

Of course, there is nothing more conventional than marriage. And the babies that follow. So it is that the cougar who in 2007 gave us the best-seller *Eat, Pray, Love*—a book celebrating her liberation from the shackles of matrimony—only three years later gives us the sequel in which she marries her white knight and moves to . . . New Jersey. Who knew? Ditto for *Sex and the City 2*, where the message of our heroines, the most liberated of the

liberated, comes through loud and clear: Do whatever it takes to get a ring.

What does this have to do with abortion? The answer is simple. The facts of human nature mean that men largely can have sex without real consequences for their lives or careers, even if an unwanted pregnancy intrudes. Our sexual conventions all followed from this fact. For the power of convention owed less to the possibility of legal sanction than certainty about societal expectations. To put it another way, the Lothario who knocked up a girl was expected to head to the altar—at shotgun point if necessary. Even if his friends snickered, they would nevertheless acknowledge it as a manly choice.

To the extent that chivalry is not dead, the man's sole obligation these days appears to be to drive his partner to the abortion clinic. We ought to have expected as much. When women no longer have any social claim to commitment, abortion becomes a necessary escape hatch.

Even here, of course, there are revealing signs of dissent, like little shoots of grass pushing their way up through the concrete. In the character of its 40-ish father-to-be, the movie *Juno* presents a devastating portrait of modern American manhood unshackled from the old conventions—and it's not a pretty picture. "If I have to wait for you to be Kurt Cobain," his wife tells him, "I'm never gonna be a mother." As it turns out, it's not just that her husband isn't ready for the responsibility of a child. The whole experience has taught him he's not ready for responsibility at all.



Mary Simon and Lucy McGurn

Dissent simmers nonetheless. Nearly ten years ago, Midge Decter posed the question this way: "How many young women lawyers and executives," she asked, "have been surprised to discover, first, that they could not bear to remain childless, and second, that they actually preferred hanging around with their babies to preparing a brief or attending a high-level meeting?"

This is not to say that everyone need be a stay-at-home mom with a yard and a white-picket fence. It is to say that behind the truths Grandma tried to hand down was wisdom that we ought not to have tossed out so easily, a wisdom that might help explain why it is that men and women living in a culture given over to the 24/7 pursuit of happiness seem to enjoy less and

less of it these days.

Let me end with a story. Years ago one of my college roommates tried out on his friends an exercise he'd done at a corporate retreat. It went like this: There's a submarine stuck on the ocean floor, with about two dozen people trapped inside. You have about two hours of air, but it takes about 15 to 20 minutes for each person. Your job is to decide who comes up first.

Now, the choices were not immediately apparent. There was a 78-year-old woman in a wheelchair. There was a father of 6 who was about to discover the cure for AIDs—but he was cheating on his wife. (My roommate said that despite the variations, all the women always picked this guy last out of that sub.) There were others: a minister, some moms, another scientist, a woman who had no kids but was the only hope for a family business that employed 10,000 people. And so on.

Well, it turns out the proper answer was to go by age. Forget women and children first. The only "objective" answer, I learned, was to bring up people by how much life they had left in them. In other words, those with the most years left went first, and those with the fewest went last, regardless of sex, handicap, or any other attribute or condition.

At work here is the same progressive assumption of the abortion culture: The weak and vulnerable have no special claim on the strong and healthy. By contrast, the old assumption about women-and-children-first is based on a completely different view. As it happens, it is the same convention we celebrate tonight, the one that defines civilized life: The strong protect the weak.

The strong protect the weak. Reclaiming this convention is the challenge of our day. And it starts with the expectations we set for our families. So tonight I have a message for all the conventional moms and dads here: Shock your betters, and embrace the scandal of your beliefs.

Raise sons who aim to be men, lest they become men who are looking to be babied. Make sure your daughter understands the difference between a lady and Lady Gaga. Above all, create loving homes where children are the fulfillment of dreams rather than an obstacle to them.

If you do these things, you may not end legal abortion in our time. But you will liberate you and yours from the raging silliness of our age. You will light a sure path to happiness for your children. And by your witness, you will illuminate the one thing for which our culture of death has no answer: the joy that abides in hearts that know the God-given beauty of even the most defenseless or disadvantaged human life.

Thank you for listening. Thank you for this honor. And thank you especially for the great gift that is the *Human Life Review*.

GREAT DEFENDER OF LIFE DINNER



*Ambassador Gerald Scott, Rev.
Victor Austin and Linda Bridges*



*Edward Mechmann, Daniel
and Genevieve Fiorito*

*Joseph Longo
played piano for
cocktail hour
guests*



*Priscilla and John Frein,
and Edward Short*





Rose Flynn, Faith McFadden, and Stella Green

Priscilla Buckley



*James, Grace and Maria
(McFadden) Maffucci
with Faith McFadden and
Christina Angelopoulos*



*Seth Lipsky, Edward McFadden
and William McGurn*

Pornography & the End of Eros

Joe Bissonnette

From the 1980s on, feminists and social conservatives found common cause in opposing pornography. Feminists emphasized the depersonalizing and objectifying of women and conservatives focused on the devaluation of sex from something holy to the merely frivolous and even degrading and violent. There was the occasional libertarian defence of pornography, but while opposition to pornography paraded in the public square—with billboards, petitions, and ribbon campaigns—the defence of pornography was low-profile, relying on free-speech arguments made by well-paid lawyers in court rooms.

Until now. In the last couple of decades, pornography has exploded. It has gone from behind-the-counter magazines to the single largest category of Internet site, generating more income than all professional sports combined. Seedy strip joints have been replaced by dozens of pages of escort services online and in the Yellow Pages in any given city. Pornography is wealthier, more aggressive, and more mainstream than ever before—and now it is rebranding itself. No longer does pornography merely seek to be tolerated through libertarian arguments. Now pornography justifies itself through audacious, counterintuitive arguments of social utility.

“Porn Up, Rape Down” is a 2006 study by Anthony D’Amato of Northwestern University School of Law which claims to demonstrate that “the incidence of rape in the United States has declined 85% in the past 25 years while access to pornography has become freely available to teenagers and adults. . . . There were 2.7 rapes for every 1,000 people in 1980; by 2004, the same survey found that the rate had decreased to 0.4 per 1,000 people, a decline of 85%.”

D’Amato states: “My theory is that the sharp rise in access to pornography accounts for the decline in rape.”

To further verify his hypothesis, D’Amato looked at statistics for the states with the highest and lowest rates of access to the Internet, since the Internet has become the principal conduit for pornography. According to a 2001 study by the National Telecommunications and Information Administration, the four states with the lowest per capita access to the Internet were Arkansas, Kentucky, Minnesota, and West Virginia. The four states with the highest Internet access were Alaska, Colorado, New Jersey, and Washington.

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D'Amato contrasted these groupings with statistics for forcible rape compiled from police reports by the Disaster Center for the years 1980 and 2000.

D'Amato writes: "While the nationwide incidence of rape was showing a drastic decline, the incidence of rape in the four states having the least access to the Internet showed an actual increase in rape over the same period. This result was almost too clear and convincing, so to check it I compiled figures for the four states having the most access to the Internet. Three out of four of these states showed declines (in New Jersey, an almost 50% decline)."

D'Amato concludes his study with the million-dollar question: "Correlations aside, could access to pornography actually reduce the incidence of rape as a matter of causation?" And he answers yes, access to pornography reduces rape: "Some people watching pornography may 'get it out of their system,' and thus have no further desire to go out and actually try it. Another possibility might be labelled the 'Victorian effect': The more that people covered up their bodies with clothes in those days, the greater the mystery of what they looked like in the nude: Today, Internet porn has thoroughly demystified sex."

Not everyone accepts the methodology or the conclusions of D'Amato's study. Dr. Judith Reisman points to evidence that sexual crimes have been grossly underreported in recent years. And she quotes Lt. Col. Dave Grossman, U.S. Army (Ret.), a renowned expert on human aggression: "The downturn in violent crime in the U.S. in the 1990s is very deceptive. Violent crime . . . is still about five times greater today, per capita, than it was in 1957. Plus, a five-fold increase in per capita incarceration is holding down violent crime." Grossman continues: "We medicate, incarcerate, and police ourselves at rates never seen before . . . [yet] the biggest factor for lower crime rates is that we are lying about the data."

So it's at least possible that D'Amato's study is based on dangerously misleading statistics. If it were a one-off, it could be more easily dismissed; but the phenomenon observed by D'Amato has also been seen in cultures further along the pornography curve.

The Aug. 28, 2009 edition of Canada's *National Post* carried a Reuters piece by Yumi Otagaki titled "Japan's Herbivore men shun corporate life, sex." The article reports on a major shift in the predominant personality type of young Japanese men. "Almost half of 1,000 men aged 20-34 surveyed by market research firm *MI FI Soken* identified themselves as 'herbivorous,' defined literally as grass-eating but in this context as not being interested in flesh or passive about pursuing women. . . . Most herbivorous boys lack self-confidence, like to spend time alone, and use the Internet a lot, the survey showed."

Japan has long been cited as the counterintuitive case study for the effects of television violence on violent crime rates. Many have argued that exposure to violence on television would result in acceptance and imitation of violence, especially among the young. But for a generation Japan has had some of the most violent television and yet, contrary to fears that violent television would incite copycat violence, Japan has one of the lowest crime rates in the world.

The same seems to be true with pornography. In “Pornography, Rape, and Sex Crimes in Japan” (*International Journal of Law and Psychiatry*, 1999), authors Milton Diamond and Ayako Uchiyama demonstrate that “a massive increase in available pornography in Japan has been correlated with a dramatic decrease in sexual crimes.” According to Wikipedia, “Japan is currently the largest pornographic producer in the world, producing more pornography than that of the United States.”

So if pornography does in fact reduce the incidence of rape, what are the theories? How does this work? And at what cost to the psyche?

Demystification

In Plato’s *Republic*, Socrates attempts to demonstrate that the just life is the happy life, by examining the macrocosmic example of the city-state. He defines justice as everything being properly ordered. But there are countervailing forces, there are competing goods which call for radical solutions. One of the key obstacles to justice in the city-state is the favoritism which comes with romantic love and family. If we had to adjudicate between competing claims and one of the plaintiffs was our beloved, we would naturally side with our beloved rather than seek justice. Therefore, if we wish to establish a just state, we must re-engineer society without particular attachment. We must re-engineer society so that romantic love will not flower.

To do away with love, Socrates prescribes gymnastics in the nude for men and women together. This is one of the most shocking and memorable scenes in the work, and it has often been cited to discredit philosophy as indecent and subversive; but some readers of Plato have defended the passage by saying that Socrates was being ironic: engaging in deliberate overstatement in order to highlight the irreconcilable tension between the state, on the one hand, and the family and the individual on the other. The psychological truth underlying Plato’s prescription is the attractive value of the exotic otherness of the opposite sex. It is the veiled mystery of the other which is alluring. Remove the veil and in short order every woman is more of a sister than a lover. There is no place less erotic than a nudist colony.

As D’Amato and company demonstrate, Internet pornography achieves

in fact what Socrates had proposed ironically. Edgy, libidinous, repressed, and sublimating young men are an endangered species, in Japan and, increasingly, here in the West. Young men experience vicarious heroism through video games like *Mortal Kombat*, and relieve themselves of any arising sexual tensions through Internet porn, virtual sex, or relationship-free escort services.

Delayed gratification, repression, and sublimation, which once fueled self-overcoming, creativity, and heroism, now seem mildly pathological. For increasingly large numbers of young men there is no fire within motivating them to marry and have children or even live as common-law spouses. Young men's personalities are softer and more rounded. Contrast the edgy, staccato enunciation, and abrasive attitudes and interactions of men in movies from the 1940s and 1950s with those of today. Relations among and between the sexes are easy and familiar, drained of urgency and tension. And like their counterparts in Japan, increasing numbers of American and Canadian young men are eschewing sublimation-driven achievement in education and the professions. Whereas two generations ago most university students were male, and 20 years ago there was numeric parity, this fall at virtually every American and Canadian university close to two-thirds of the students will be female, and the proportion of male entrants continues to drop.

Some might argue that the softer, more rounded metrosexual male is an improvement over his edgy, conflicted predecessor, but this decreased atmospheric pressure may have just left us depressed. Depression among the Canadian population as a whole has increased dramatically. A University of Toronto study shows a 353 percent increase in anti-depressant prescriptions in the past 20 years. But among university students the mental-health crisis is even more dramatic. In a study by Richard Kadison of Harvard, 30 percent of the post-secondary-student population have some kind of mental-health or substance-abuse issue, compared with 18 percent for the general population. Queen's University in Ontario has seen counselling-patient numbers triple in the past ten years.

Numerous studies have linked pornography to depression, social isolation, and lack of motivation for the men who use it, but there have also been effects on young women. One of the biggest causes of depression among university-aged females is the anticlimax of male/female relations. Many bright, disciplined young women enter university hoping to meet a focused, intense, and interesting young man who will fall in love with them. It is natural that women are attracted to men at or above their education level, since there is a strong correlation between education and income, and women want good providers for their future offspring. But when they show up, there

are almost no men at the party. It's a two-to-one buyers' market for young men, and with those sorts of odds, compounded by cavalier, porn-fueled male indifference, many are left to choose among three options: (1) a decided indifference, immersing oneself in studies and profession; (2) a degrading accommodation, offering sex without expectations; and (3) seeking intimacy among other women.

Neuroplasticity

In his book *The Brain That Changes Itself*, psychiatrist and medical researcher Norman Doidge deploys a number of case studies to demonstrate that the brain is not a fixed, one-location, one-function machine, but rather highly adaptive, reshaping itself according to use and disuse. Of pornography, Doidge writes: "It influences young people with little sexual experience and especially plastic minds, in the process of forming their tastes and desires. Yet the plastic influence on adults can also be profound. . . . Brains are reshaped by it . . . ultimately affecting relationships and sexual potency."

Doidge cites Eric Nestler of the University of Texas, who has shown how addictions cause permanent changes in the brains of animals. A single dose of many addictive drugs will produce a protein called "delta Fos B" that accumulates in the neurons. Each time the drug is used, more delta Fos B accumulates, until it throws a genetic switch, affecting which genes are turned on or off. Flipping this switch causes changes that persist long after the drug is stopped, leading to irreversible damage to the brain's dopamine system and rendering the animal far more prone to addiction. According to Nestler and Doidge, delta Fos B accumulations also cause permanent changes in the brains of those who use pornography.

Doidge writes: "Pornography, by offering an endless harem of sexual objects, hyperactivates the appetitive system. Porn viewers develop new maps in their brains, based on the photos and videos they see. Because it is a use it or lose it brain, when we develop a map area we long to keep it activated. . . . Each time they felt sexual excitement and had an orgasm when they masturbated, a 'spritz of dopamine,' the reward neurotransmitter, consolidated the connections made in the brain during the session. . . . Because plasticity is competitive, the brain maps for new, exciting images increased at the expense of what had previously attracted them—the reason, I believe, they began to feel their girl-friends less a turn-on."

Neuropsychology thus provides a sound basis for Anthony D'Amato's sociological observations. There are brain-chemistry explanations for his theory that pornography *has* dramatically reduced the incidence of rape over

the past 25 years. But the good news comes at a high price. Pornography is dissipating *eros*, which has been the wellspring of marriage, family, and the potent combustive force of repression and sublimation that has driven men to sacrifice, work hard, and create. It all ends not with a bang, but a whimper.



"Whew! That was one HOT asexual reproductive act!"

Saving Dad

Brian Caulfield

The doctor's face was grave as he spoke about my father's condition and offered us the options. We could choose *aggressive care*, a term that sounded rough in his throat, or we could opt for *comfort care*, a more warm and attractive sound. We could have a respirator breathing tube pushed down his throat, or we could just . . . keep him warm, hydrated, and comfortable and let nature take its course.

The choice was ours.

I stood with my mother and brother, the three of us still reeling from the whirl of the past three hours, which had seen my father rushed from a rehabilitation nursing facility to this New York hospital emergency room. It had all started a week earlier when my dad, 83 years old, broke his brittle right femur while getting up from his chair at home. He had undergone the first surgery of his life for a rod to be placed in his leg, and spent the previous week making considerable progress in physical therapy. Now he was on a gurney, with labored breathing, barely getting enough air into his lungs despite an oxygen mask over his nose and mouth. He was dazed and made little sense when he could talk. We thought he'd had a heart attack, but the medical team was still running tests to determine the exact problem. His white blood count was high, which indicated infection. His EKG was normal, though it was not always a reliable indicator.

With all this information being bandied about us—and with various specialists, residents, interns, and nurses flowing in and out of the room, each with a bit of information or an opinion—we were standing in the hallway being asked by one of the top doctors if we wanted dad to live. This isn't the way it's supposed to happen, we thought.

"What kind of doctor are you?" I asked. It turned out he was the chief of the intensive-care unit where dad would be moved if we chose to put him on a respirator. It struck me only later how strange it was that this doctor was called down to lead this "consultation" with the family. Was this a form of triage to make sure his unit doesn't fill up with elderly patients on respirators—sure money-losers under Medicare reimbursements?

Trying to control my anger and show respect, I said to the doctor in measured words, "Well, if you're in intensive care, don't you think we should treat him intensively?" The doctor took a few moments to explain that the

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decision was ours, but we should be aware that men in their 80s who suffer a fall and break a limb usually have many ups and downs, and by treating one symptom they may cause trouble elsewhere. Somewhere in his flurry of words, we heard the term, "Quality of life." My brother, also with a controlled tone, told him flat out that our father had spent much of the past four years in the apartment he shared with our mother, watching TV and doing crossword puzzles. If the only quality of life he has from now on is to sit on the balcony in a wheelchair watching the tugboats on the East River, that would be fine with us. Our mother agreed, saying that the respirator tube should be inserted. After assuring us that we could change our minds at any time, the doctor called for the intubation team, and I asked the nurse to get a priest. If my dad was on the verge of death, as the doctor suggested, at least he would have all the benefits of religion, even if modern medicine wouldn't go all out to keep him alive.

The priest came just as the intubation team was injecting my dad with a substance that would paralyze his throat muscles so he wouldn't gag while the tube went down. Mom, my brother, and I stayed by the gurney as Father Trainor administered the Sacrament of Anointing for those who are gravely ill or dying. I marveled at the positive and powerful words and actions of the ancient religious rite that were directed to the body and soul of the sick one and for the comfort and consolation of the family members. They were a welcome contrast to the ambivalence and indecision that modern medicine had just presented to us when weighing the fate of a frail, elderly father. I also must say, in fairness, that the intubation team worked with great care and concern for my dad, and showed respect for the work of the priest, keeping their voices down as he read the prayers and pausing so he could administer the sacred chrism to my father's forehead. There was a tacit recognition by all in the room that the doctors were working solely on the body, whereas the humble man in the black suit was dealing with higher issues that were ultimately more important.

After Father Trainor left, the medical team drew the curtain for the most difficult part of the procedure. After peeking in to see my dad with his mouth open so wide that his tonsils were almost showing, and with tubes and suction machines sticking out, I could understand why they didn't want family members to see this procedure. It's not how you want to remember your father, especially if things don't go well.

Yet everything went well. For three days in the ICU, my dad breathed by the power of a machine and was fed through a tube snaking through his nose and into his stomach. Nonetheless, his greatest discomfort was that he couldn't speak. His eyes indicated he wanted to say so much and share his pain and

anxiety with his wife and three sons, who took turns at his bedside during his waking hours, yet the tubes made that impossible. Finally, through many prayers and the intercession of Blessed Mother Teresa—as my father would later claim—he was taken off the respirator and the feeding tube and was able to breathe and eat on his own.

I saw the head of the ICU—whom my brothers and I had nicknamed “Doctor Death”—only once in those days. He called to me as I was exiting the unit on the second evening and assured me everyone was taking good care of my father and it looked like he was going to get off the respirator soon. In my younger, more activist pro-life days, I would have given him an earful about the sacred duty of doctors to preserve life, even the elderly who cost us time and money, and the pledge of the Hippocratic Oath to do no harm. But I’ve mellowed over the years, and also figured it was prudent not to make an enemy of the doctor who was overseeing my father’s care. He seemed to be offering an apology, and I decided to take a more tactful approach that I hoped would make him think. “I am sure you are doing everything you can to make sure my father gets better,” I said. He assured me he was.

Life in the Balance

I wrote about the struggle to keep my father alive on *Headline Bistro*, a news website sponsored by the Knights of Columbus, and was shocked—though I shouldn’t have been—by the number of comments from readers who had gone through similar or worse experiences with their own relatives.

“We had similar experiences with my mom,” wrote one woman. “She had a severe stroke after heart surgery at 82. I cannot tell you how many times we were pressured by different doctors, nurses, social workers, in different facilities, to sign a DNR (do not resuscitate) order. In fact, one time a doctor pulled me aside in the hallway and lectured me, implying I was being irresponsible for refusing.”

Another woman wrote of her mother: “She had been suffering from the after effects of a broken hip at age 82. . . . One day, we went to the hospital around 10:00 A.M., and the doctor informed my sister and me that she’d had a difficult night and that they were now commencing ‘comfort care.’ . . . My mother was very weak but she was not in great pain nor was she gasping to breathe.”

A doctor commented, “As a geriatrician I am daily confronted with these scenarios. It is true that most doctors make decisions on the ‘quality of life’ measure instead of the sacredness-of-life concept our faith teaches. The more we embrace physician assisted death as in Oregon and Washington state we

will see much more aggressive attempts to ‘comfort’ instead of correcting potentially correctable conditions. Soon we won’t be given the option of aggressive care.”

I knew all about the culture of death from an abortion perspective—serving as a sidewalk counselor for ten years outside New York City’s busiest clinic, and reporting for *Catholic New York* during those years on Cardinal O’Connor’s pro-life words and works. But I knew only second-hand how the culture of death was creeping into care of the old and frail. It was quite an eye-opener to be introduced to the insidious tentacles of this “quality of life” culture in the emotional atmosphere of making life-or-death decisions for my own father. Not that I hadn’t done my homework. I had been schooled by Msgr. William Smith, the great professor of moral theology and a prophet for life, who taught New York seminarians for nearly 40 years before his death in January 2009. Well before many people were taking notice, Msgr. Smith was talking about the dangers that awaited old people in nursing homes and emergency rooms.

“The fact that you are here shows that you have escaped the abortion holocaust,” Msgr. Smith would begin many a classroom lecture and pro-life speech. “But don’t relax. We are all candidates for the impending euthanasia holocaust.” The time is fast approaching, he warned, “when you will need to ask as the doctor comes toward you with a hypodermic needle whether he intends to heal or to harm.”

During the first few days my dad was in the hospital, while he was confused and unable to speak, I felt a great amount of pressure as his secondary health-care proxy (my mom was his first proxy but she looked to me to make the decisions). Despite my master’s of theology degree and my years of writing about pro-life issues, the answers were not so clear when my father was the patient. I felt wholly inadequate to determine the meaning of “ordinary” and “extraordinary” care, the distinction that the Catholic Church has traditionally made in weighing the necessity of a particular treatment. I was in constant e-mail and phone contact with a number of Catholic ethics experts who dealt with these issues every day in clinical situations. They assured me that I was making the right decisions and doing all I could. But how do you do enough when all you want is for your father to recover, to get better, to be like he always was, or at least like you always want to remember him?

When I walked into his hospital room, I didn’t see an elderly man with a scraggly gray beard, who was kept alive by the force of machines pumping air and food through tubes placed in his mouth and nose. That’s what I saw when I walked along the hallway and glanced into the rooms of the other patients who looked deathly ill and uncomfortable, contorted into impossible

positions or moaning aimlessly as warning bells rang from their machines and red lights flashed above their doorways. When I entered my father's room, I knew his critical condition, but in my heart I saw the strong and confident man who joined the Navy when he was 17 years old, because he was afraid the war would end before he reached full enlistment age. I heard the sure and positive words of the man who lived out the theme of one of his favorite songs, "Home On the Range": "Seldom is heard a discouraging word." When I took his hand, I didn't feel the wrinkles or sense the weakness. I held, instead, the strong hand that lifted me onto the seat of my first two-wheeler. My dad couldn't speak, but I could hear him read portions of Edgar Allan Poe's short stories that opened for me a world of literary imagination, and see him singing his favorite Clancy Brothers' songs from the scratched, vinyl album *Hearty and Hellish*. Most of all I saw the father who loved his three sons and let us know in so many ways that he loved us so much. The man who loved his wife and was always faithful to her, through many good years and a few tough days in their marriage. It was this love that was a foundation of my life, and the depth of the love and commitment that I find in myself each day as I live out my own marriage and fatherhood to two young boys.

What is "ordinary" or "extraordinary" when it comes to the man who means all that and more to me and to others?

Fortunately, after that incident in the emergency room, I didn't need to make any other tough decisions. My father made it easy on all of us by improving quickly and getting off the respirator and feeding tube. On the third day, to put it in familiar Christian terms, he rose again. The night after the tubes were removed, he lay on the bed, fighting the pain in his leg, and repeating in a desperate tone with his eyes fixed on heaven, "Mother Teresa, pray for us. Mother Teresa, pray for us." He had never met the saintly nun, but years earlier I had shown him a Miraculous Medal that I had gotten from her during a visit to a Missionaries of Charity home in the Bronx. Over the years, he had developed a quiet devotion to her that was now coming out in full-throated prayer. There was an inescapable sense that there was something real behind the words, and someone real listening to them. "Mother Teresa, pray for us."

The Care in Health Care

As I write now, it is nearly two months since my father broke his femur and entered the web of our health-care system. He has been a resident at a Catholic "sub-acute" rehabilitation nursing facility, and is making such steady progress with his walker that they plan to send him home two days before

Thanksgiving. It will be a joyous family gathering, with children and grandchildren, when we sit with dad once again at the table. A day truly to give thanks.

Yet these past two months also have given our family a crash course in the state of our health-care system, which is the topic of much political debate and economic study. I must say that, apart from the experience with Doctor Death, I am impressed by how well the system has worked for my father. Or, I should say, I am impressed not so much by the “system” as with the web of health-care professionals who, despite many apparent disincentives to care about the condition of one elderly man in a city of 8 million residents, took the time to make the difference between comfort and pain, life and death.

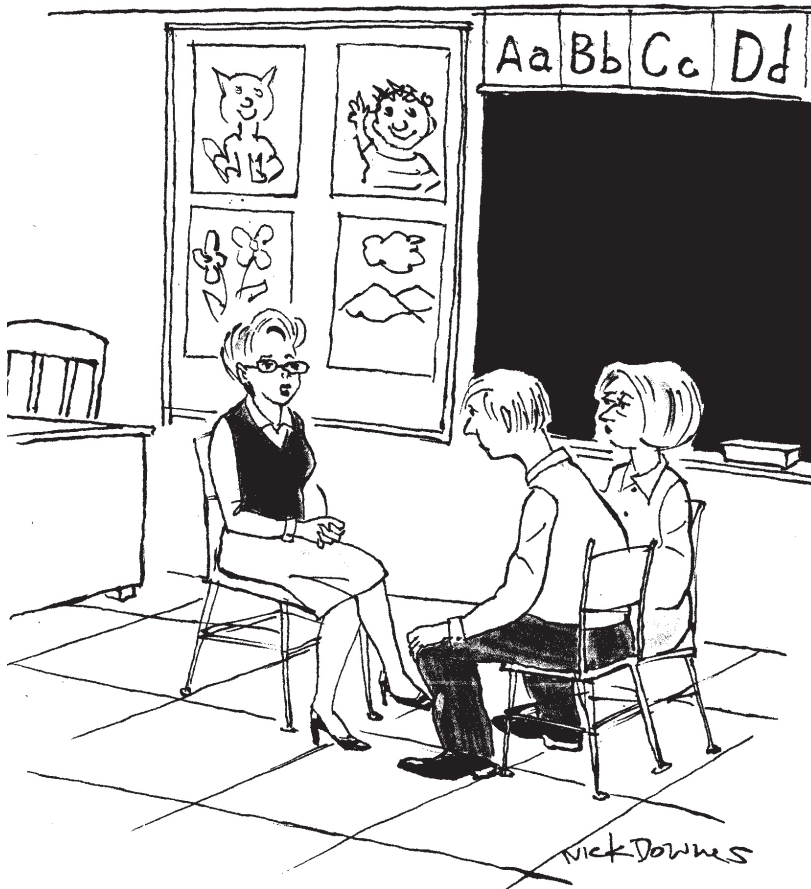
From the time he was picked up from his living-room floor and placed on a stretcher by a pair of emergency responders, my father and my whole family have relied on the kindness and competence of strangers. This is an amazing fact that I don’t think is much considered in the heated debates about health care. The metrics of incentives and rewards, cost and benefit, are almost impossible to measure within a system so large and complex. But after spending a couple of months dealing on a daily basis with the actual people who make up our health-care system, I would advise our legislators and regulators to pave a way for the goodness of the human heart, for the altruistic urge within each of us. I don’t know how this would play on Capitol Hill, yet it is the essence of health care, with emphasis on the word *care*.

There is one more important lesson we have learned in these past two months, and it is a tough one to swallow. Despite the best efforts of medical science and the best wishes of his family, dad will die one day. It may be trite wisdom to say that we are all headed toward death from the day we are born—or the moment we are conceived—but it is true. It looks like my father will live a good deal longer after returning home, with the strides he has made in the past few weeks. He will need visiting nurses and physical therapists, and—most important—the love of his family and the simple will to go on day to day. He seems to have all these and more.

But as a family, we have come to realize, in a way beyond the abstract, that life has an end, and we must die. We must not hasten the day and refuse to preserve life—as Dr. Death had suggested—but we must not seek against all reason to fight death with each and every extraordinary treatment of modern medicine. At a certain point, each one of us must be given the opportunity to die with as much peace and comfort as the situation allows. To “rage against the dying of the light” would be to deny the basic fact of human existence—it would be irrational and, ultimately, destructive of

the dignity of the person. It would negate the hope we have as people of faith in a life with God after death.

This realization hit me personally when my dad made his second trip to the emergency room, about a month after the first, this time with chest pains. Voicing again his devotion to Mother Teresa, he said, "I think she has given me this trial so that I will be more ready when I meet God." He didn't say it in a dramatic or pious manner, but as a matter of fact. I took his hand in mine and tried to think of an equally meaningful response, but all I could say was "Amen."



"He shows great artistic pretension."

Joy Drops

Richard Hurzeler

“It’s not enough to talk about the right to life; we must talk about, and celebrate, the joy of life as well.”

—Mary Meehan, *Human Life Review*, Winter 2010, p.53

I am a volunteer who visits elderly and disabled persons in nursing homes. Altogether, I cover six nursing homes and two assisted-living centers. On the average, I encounter some sixty persons a week. Some I may spend a few minutes with and others, hours. I am there to affirm them just where they are and to be a witness of hope. Officially I am a volunteer for Heart to Heart Hospice in Tyler, Texas, where about half my clients come from. Unofficially I pick up on those whose insurance has lapsed or those who appear to be alone and don’t have much human contact. It is these pro bono cases that are often the most complicated, taxing, and challenging.

The reader probably wants to stop reading at this point, because a little self-praise can go a pretty long way. But before you give up, let me assure you that there’s a lot of self-interest in my work. Very often, it is the people on the margins of society who bless me: Sometimes it is their sense of humor or their good will; often they teach me about patience, and most of all they radiate to me a rich faith in human living.

Encountering persons in poor health can be serious business, which often calls for a lighter touch. Robert was an African American, blind for many years, whose nearest relatives were hundreds of miles away and unable to visit. At first, he resisted my efforts to communicate with him. He felt awkward about opening up, and was unsure of my motives. I told him I had a disability too, as I was hard of hearing. I wear hearing aids and read lips and still sometimes I don’t get what people are saying. He began to take more of an interest in me. In a world where most of the persons he encountered, like medical staff, controlled the communication flow; now here was someone who was, at least part of the time, like a patient. The Bible was something that Robert was open to hearing and I was glad to read it for both of us. At times Robert would start to quote from that book, recalling sections that he had memorized, back in the days of youth when he could see. It was refreshing to hear him speak the Scriptures in his deep, resonant voice. Curious

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staff workers began to take an interest in our meetings; they often had a smile as they peeked around the corner. When Robert died, I wanted to talk to his relations and tell them what he meant to me. I was told that they were poor and living far away; he would be cremated and they would receive his ashes. As I talked to the social worker we worked out a deal. I could write a testimony of Robert such as I am presenting here. She would mail it to his kin.

About two-thirds of the persons I visit have some form of dementia. Often this is the Alzheimer's type, with accompanying memory loss. There are some advantages here: The same old story or the same old joke can be told over and over again and it gets a fresh response. On their end, there are lots of experiences to reminisce about. Many times it is enough to just seize the moment and make the best of it. Woody was one such case. He would tell of being in the Army Air Corps in India during the Second World War. Smiling, he spoke of driving an old truck and killing more snakes on the roads than any of his army buddies killed. Or of Hindus carrying rifles to protect their sugar-cane fields. As I would look around the dementia wing I'd see a staff worker yawning on a couch and some other patients appearing glassy-eyed or numbed by the blaring noise from the large TV set. And here I'd sit, with the best seat in the house, listening to living history narrated by Woody.

Some persons I meet are younger but have disabilities. Melissa, in her thirties, has taught me a lot about living with cerebral palsy. I have learned how it takes a half hour to eat a meal, and what it's like to be in a kind of holding pattern when she needs help and the staff is backed up on a busy day. Most of all, she has taught me about faith. While others might be tempted to drown in self-pity, on most days she radiates a sense of humor and good will. We have learned to sing together and pray together. We share our hopes, fears, and blessings. If it took her disability for her to reach the Lord, she has told me, it was all worth it. Every day she and I encounter dozens of people with so much more physical health who seem empty and wasted in their own sense of purpose. This is not to say that one must have disability to know the blessings of God; but sometimes it can act as a catalyst, prompting our appreciation for the little moments of precious life. So we, Melissa and I, remain as prayer partners lifting up those who seem so anxious and stressed among us.

Claudia was the widow of a Baptist minister and she had committed to memory long passages from the Bible. It was a delight to hear her recite them. She was a Baptist and I'm a Catholic, so we did have our differences. She kept on asking me why Catholics were so concerned about Mary, the mother of Jesus. Each time I would refer her to the first chapter of Luke's

Gospel and explain what it meant to me. And she would always react like she was hearing it for the first time. We did agree on the basic Christian message and we became regular prayer partners, and regular friends. During the last six months of her life I would visit her on Friday afternoons and she would say, “You’ve made my day.”

Colleen was of the Methodist faith, as was her husband, Jack. He visited her daily and did exercises with her to combat the loss of muscle control from Parkinson’s disease. This bought her more time—possibly a year. They were such a dear couple that my mission was merely to support them. I did read to Colleen from the Psalms, which she appreciated hearing. Then within a few months her body slowed down, and finally she died. When Jack saw me he burst into tears and we hugged. Colleen had taught us so much about trust in God.

Jewel had made it known that she wanted to be called “Ruth.” I obliged but slipped in a quip now and then to say “Hi” to her distant cousin Jewel. She always laughed at this. Ruth was a survivor. Shifted around between different relatives while growing up, she knew how to adapt. All this change had taken place in California and now here she was in Texas, stuck with a roommate who it seemed had lived eons of time with the same family in the same town. It was the clash of the traveling gypsy with the quiet lady entrenched with her kinfolks. Sometimes all Ruth could do was vent about the woman on the other side of the curtain. And all I could do was to listen and listen. When Ruth would pause I would offer some of the good qualities of the roommate; typically Ruth would glare at me or gripe that the other person was unfriendly. Or then she would try too hard to be friendly and her roommate would be taken aback by her. We’d pray about the “situation.” Slowly, almost imperceptibly the two roommates would share little bits of news. Like old-fashioned oatmeal on a wooden stove, the grittiness of differences began to melt. They learned to share little jokes and when I visited we’d all share some news. When Pauline died, Ruth told me she was sad: She had lost a friend. Both of these women had taught me a lot about how time is a great healer, and how hope heals.

Not all my advances are received in a positive way. A few persons tell me to leave. I try to come back later on and about half the time the outcome is better. But some are adamant in not wanting me there. I wish them well and try to say a short prayer for them as I head out into the hall.

One man resisted my efforts to communicate several times. He finally relented and became a kind of friend who called me by my name when I arrived. A former oil-company executive with Parkinson’s disease, he was basically very self-reliant. It frustrated him when his mind knew where it

wanted to go but his body would not cooperate. He had learned to let me put things within his reach or listen to his carping about not getting quick responses from workers. He never wanted prayer but he would accept my visits and always thanked me for coming by.

Some of the public has a mistaken idea about hospice. They say it is about death. That is not true. Hospice is really about life. It is valuing each moment, each particle of life. It is making the best of the time we have to live. And on that journey, volunteers can help. But the big payoff for those who are trying to help is the reward of the patients who help us. Each smile, each laugh, every tear shared with another can be like a drop of joy. And all these precious little bits add up to a river sustaining all of us on our sojourn on this planet.

No discussion of what unfolds would be complete without mention of our two prayer warriors from Heart to Heart Hospice. Julianne is flat on her back; Josephine is a little bit more mobile, getting around with walker and oxygen tank. At first, both women planned to pray for the patients I visited and to send cards along to them. But often the cards never reached their destinations as patients frequently get shuffled between nursing homes, private residences, assisted-living centers, and hospitals. Given this difficulty, I suggested they include me in their prayers—I needed wisdom and strength to make my way through the world of patients’ needs and medical care. So now they pray for me as well as for those I visit, and I call them regularly to let them know how the patients are doing. I thank them from all of us.



Nick Downes

"We have no interest in loaning you money."

Slouching Towards Sodom

Donald DeMarco

On April 18, 2007, the Supreme Court, in its *Gonzales v. Carhart* decision, upheld a ban on partial-birth abortion. In dissent, Justice Ruth Bader Ginsburg complained that the ruling treated sympathetically such traditional notions as “the bond of love a mother has for her child.” Ginsburg believes, uncompromisingly, in a woman’s “autonomy” and “privacy.”

Abortion would be finally free of all controversy if only human beings could be seen as purely individual entities that bear absolutely no affiliation with any other human beings. But affiliations persist, despite consistent attempts to deny, dissolve, or degrade them. The very word “affiliation,” in fact, bears testimony to the normalcy of parent-to-child sympathies. “Affiliation” is derived from *affiliatus*, past participle of *affiliare*, meaning to adopt a son (*filius* = son; *filia* = daughter).

If unborn life must be denied, its incriminating witness, language, must be denied along with it. Even the apparently politically correct term “compassion” must go. In Hebrew, the word for womb is *rechem*, which is also the root for the word “compassion.” Accordingly, a mother naturally has compassion for her child that has dwelled in her womb. Nonetheless, motherly feelings aside, Justice Ginsburg states that “the destiny of the woman must be shaped . . . on her own conception of her spiritual imperatives and her place in society.” And such an “imperative” might be one of a radical individualism that harbors no concern for anyone else.

The one philosopher who has best depicted the human being as absolute individuality and privacy is Ludwig Wittgenstein. In his *Tractatus* he sees man, as well as everything else, solely in terms of so many logical atoms that have no relationship with each other. Thus, he declares: “*Any one fact can either be the case, or not be the case, and everything else remains the same.*”

We will put aside the metaphysical conundrum of how a “fact” can not be the case. In response to Wittgenstein’s proposition, the distinguished philosopher William Barrett, in *The Illusion of Technique*, rightly finds it to be “an astounding statement to fling in the face of our ordinary experience. . . . Connectedness is more generally the case than not. One fact does make a difference to others; and if certain facts did disappear, it seems to me that everything else would surely not remain the same.” Indeed! If my mother

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never existed (if the fact of her being was not the case), would my existence not be affected? If the fact that an unborn child is no longer the case, does the aborting mother remain completely unaffected? An abundance of women have come to regret their decision to abort. Their public testimonies indicate that abortion has not left them unaffected.

Perhaps the root of the problem is the very word “child,” which denotes an intrinsic *relation* to a parent. Ginsburg and her Planned Parenthood affiliates would prefer to define “child” in Wittgensteinian terms as a fact that is or is not the case without affecting anything else. A lost child, therefore, is one that is equivalent to one that never was. Why then, as the majority stated in *Gonzales v. Carhart*, do “women who have abortions come to regret their choices, and consequently suffer from ‘[s]evere depression and loss of esteem’”? Perhaps it does not happen. According to Ginsburg, the majority “has no reliable evidence” for claiming that such negative sequelae could happen to aborting women.

Redefining human beings as disconnected and essentially unrelated to others, however, has dire consequences. Non-relatedness, as psychiatrists have amply elucidated, is a psychiatric disorder. The attempt to justify partial-birth abortion by denying the importance of the sympathetic bond between mother and child is also an attempt to multiply the number of psychiatric disorders in society.

A college student is quoted as saying that he wants abortion to remain legal because he does not like using condoms. This attitude well exemplifies the non-relatedness that, as Martin Buber contends, is the dominant pathology of the modern world. It is also a disturbing exemplification of slouching towards Sodom.

Sodom, according to Rabbi Yaakov Culi, the primary author of *Me'am Lo'ez*, a 19-volume compendium of Jewish law, history, philosophy, and customs, was an extremely wealthy city. Although it had enough resources to free its citizenry from financial worries, its moral climate was poisonous. It was renowned not only for the sin that bears its name, but for an excessive lack of regard for one's neighbor. This is particularly evident regarding its law governing the case of a man who beats a woman and causes her to miscarry. In this case, if the injured woman lodged a complaint against her assailant, the law required her to live with him until she became pregnant again. In the eyes of the law, this was considered “restitution.” In other words, she must sleep with her assailant, and conceive and bear his child. She does not get her own baby back, but a replacement baby. Therefore, she is asked to treat two different babies as if they were equivalent, disregarding the fact that her first child may have resulted from a loving union with another man.

Finally, she must allow herself to be treated as an incubator.

Such a devastatingly impersonal arrangement is hardly just. Nonetheless, there is a cold logic to this Sodomite law: If a man takes a baby away, he should replace it with another baby. Citizens of Sodom could regard this law as fulfilling the demands of justice. In modern terminology, this attitude toward life is analogous to the operation of a vending machine. The various purchasable items in a vending machine exist entirely separate from each other. When the Mars Bar is selected, no other candy bar is affected, nor does the machine have the sense that it has lost an offspring.

But a mother is not a machine. Rachel wept for her lost children and would not be consoled. Nor would she have been consoled by Wittgenstein's *Tractatus*. A mother is naturally and undeniably part of a web of relationships. She is part of a family. This family is the core of a series of graduated associations leading up to a society, even a nation. Alexis de Tocqueville saw the relationality of the woman as a key to understanding the greatness of young America. In *Democracy in America* (1835-40), considered by many the best book ever written about America, he wrote: "I have no hesitation saying that although the American woman never leaves her domestic sphere and is in some respects very dependent within it, nowhere does she enjoy a higher station. And if anyone asks me what I think the chief cause of the extraordinary prosperity and growing power of this nation, I should answer that it is due to the superiority of their women."

Lady Macbeth understood that in order for her and her husband to carry out their plot against King Duncan, she had to shed both her womanliness and her motherliness. "Unsex me here," she beseeches her "murdering ministers." "Stop up the access and passage to remorse . . . and take my milk for gall." Her womanliness and her motherliness had to be "murdered" so that she could be transformed into a non-relational entity. Was this transformation one of liberation or one of self-destruction? Has the American woman undergone a metamorphosis from the time that Tocqueville wrote so admiringly of her, to the present when she is presumed to be autonomous? According to Ginsburg, the majority in the *Carhart* decision "reflects ancient notions about woman's place in the family and under the Constitution—ideas that have long since been discredited." But has the woman changed so radically since that "ancient" time when Tocqueville appraised her preeminent role in the strength of a nation? Tocqueville would have thought that America's respect for her women, in the 1830s, was a major stride away from Sodom. If he were alive today, though, he might be tempted to think that America is now slouching back towards Sodom.

Scripture teaches that Adam's side was opened so that Eve could be formed. The evident meaning here is interpersonal, that the man is *for* the woman, as the husband is *for* his wife, and as all humans are *for* each other. Moreover, Christ's side was pierced and opened by a lance, symbolizing that Christ, the new Adam, is *for* all humans. The notion that human beings by design are *for* each other, that they are not isolated individuals, must be rejected by abortionism. And so, too, must the entire Judeo-Christian tradition. "We are trying to overturn 2,000 years of Christian tradition," writes Derek Humphry. Peter Singer concurs: "After ruling our thoughts and our decisions about life and death for nearly two thousand years, the traditional Western ethic has collapsed."

We moderns, if we are to believe Jean-Paul Sartre, are "beings-for-ourselves" (*être-pour-soi*). As an extension of this logic, in Sartre's deathless phrase, "Hell is other people" (*L'enfer, c'est les autres*).

All the talk about woman's "autonomy" and her "privacy" and her right to "control her own body" is not only chauvinistic, but unrealistic. The very fact that a woman finds herself with an unwanted pregnancy is proof enough of her lack of autonomy. The absolutely autonomous person is, of course, pure fiction. Aristotle saw us as "social animals"; the Roman playwright Terence wrote, "I am a man, I consider nothing human alien to me" (*Homo sum, humani nihil a me alienum puto*); Martin Buber viewed our authenticity in terms of "I-Thou" relationships; for John Paul II, man is "incomprehensible to himself" without love; for G.K. Chesterton, "We are all in the same boat in a stormy sea, and we owe each other a terrible loyalty."

To defend abortion requires the construction of a false anthropology. But it is more than "false," it is iniquitous, and harkens back to Sodom. Rabbi Culi states that inhospitality, in that city that God destroyed, reached the point where it was illegal for Sodomites to provide bed and board to a transient, though it was acceptable to steal his goods, to torture him, and even to take his life.

This extreme inhospitality toward the transient brings to mind abortion's most often reprinted and most widely circulated apologia, "In Defense of Abortion." In this essay, author Judith Jarvis Thomson argues that no unborn child has a *right* to occupy a woman's uterus. This most fundamental form of inhospitality, if carried through every tier of society, is enough to destroy it.

The phrase, repeated by Ginsburg and others, concerning the "right to control one's destiny" is just so much hot air that swirls in an atmosphere of radical inhospitality. Moreover, it has no application to the unborn. Human beings are best characterized as *interdependent*, certainly not as *autonomous*.

A right must be framed within the realm of possibility. There can be no right not to die, for example. Since no one can possibly control his own destiny (or anyone else's) given the radical contingencies that are wed to mortal flesh and accurately describe human existence, there can be no such "right." How can anyone have control of his destiny when we have little or no control of 1) the stock market; 2) the environment; 3) cancer; 4) foreign politics; 5) terrorism; 6) illegal immigration; 7) health; 8) the weather; 9) the price of oil; 10) accidents of all kinds; 11) job security; 12) the national debt?

The courts have employed the ludicrous in order to rationalize the perilous. This is inevitable since they could not rely on reasonableness to produce their desired outcome. Here, the Constitution takes a back seat to the reigning ideologies of the day. In his *Slouching Towards Gomorrah*, Robert H. Bork speaks of "the extra-constitutional individualism that undergirds the 'constitutional' right to abortion." He refers to the so-called right to "autonomy" as a "heretofore unheard-of constitutional right." Indeed, he writes, it is merely "grandiose rhetoric, to appeal to a free-floating spirit of radical autonomy." One might as well talk about the constitutionally protected right to conquer the world (was that not the destiny of Alexander the Great?).

Certain Supreme Court justices now seek to protect what is impossible, while leaving unprotected the very real possibility, for the unborn, of continued life. This is a strange inversion of the meaning of protection. Yet it is the logical result of an equally strange inversion of the human being who is seen not as a *person* of finite freedom who combines individual uniqueness with interpersonal and communal responsibilities, but as an autonomous and private entity that has no obligations to anyone.

To rationalize abortion, a new, though entirely fictitious, anthropology must be invented. But this new anthropology, with its radical autonomy and concomitant inhospitality, bears a disturbing resemblance to the climate of an ancient city that could not continue to exist under the weight of such a grotesquely false understanding of the nature of the human being. Abortion brings with it a second peril, what C.S. Lewis referred to in the title of his book, *The Abolition of Man*.

APPENDIX A

[Evelyn Birge Vitz is Professor of French and Affiliated Professor of Comparative Literature at New York University. Paul C. Vitz is Professor Emeritus of Psychology at New York University and Senior Scholar at the Institute for the Psychological Sciences. A somewhat different version of this article originally appeared on The Public Discourse (www.thepublicdiscourse.com)].

Women, Abortion, and the Brain

Evelyn Birge Vitz & Paul C. Vitz

I (EBV) teach a multidisciplinary seminar at New York University called “Abortion: Examining the Issues.” In this course we look at abortion from a wide range of perspectives—legal, medical, psychological, political, religious, ethical, and others. We visit dozens of websites. We read narratives of all kinds and discuss films that deal with abortion. A central purpose of the seminar is to provide a forum for informed and civil discussion of this controversial topic.

This past semester, we spent some time on women’s stories about their abortions, focusing particularly on a website called *afterabortion.com*. This website was founded by a pro-choice woman and on it, no mention of politics, religion, or morality is allowed. The website contains thousands of women’s stories about their abortions—and about their post-abortion feelings. Many of these women are in acute pain; some are almost totally incapacitated. One posts: “I am not coping at all; I feel as though the top of my head is going to fly off.”* Another says: “I am just grieving like crazy!” A third: “I don’t understand why I am not getting better, but worse all the time! I am so depressed!” Many cannot go outside for fear of “triggers”—that is, the sight or sound of things that will bring back the abortion experience and give them panic attacks. These triggers include the sound of a vacuum cleaner (many abortions are done by the vacuuming out of the fetus from the uterus) or of the music that was playing at the abortion clinic while the abortion was being performed; or the sight of pregnant women, or maternity clothes, or babies, or toddlers, or schoolchildren, or of the place (even the neighborhood or town) where the abortion took place. Other triggers are anniversaries of all kinds, especially of the abortion and of the EBD (expected birth date); Mother’s Day is yet another powerful trigger.

What is particularly striking is that most of the women who have these powerful emotional reactions to their abortion are stunned by them. They were not opposed to abortion; many were actively pro-choice. They were blind-sided by their own reaction. One woman lamented—and thousands of others echo her mystified anguish—“If this was the right decision, why do I feel so terrible?”

What has happened to these women? How are we to account for their extremely painful surprise—for the radical disconnect between their expected reaction of relief to their abortion, and the hugely negative emotional reaction to it that they actually experienced?

Where can we turn for an explanation? PCV (the co-author) steps in here, noting

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that various psychological or political factors may contribute to this disconnect between the anticipated vs. the actual emotional outcome. But since this disturbing phenomenon is so widespread, and found among women from varied backgrounds and different parts of the world, it seems likely that the brain itself—in particular, the nature of women’s brains—may shed some particularly useful light on this unexpected negative emotional reaction.

Women’s brains are, of course, in many fundamental ways the same as men’s. Men and women think and reason in similar ways. But recent research shows that there are some significant differences in the brain and brain-related psychology of the two sexes. And a few of these differences can make a very large difference with regard to decision-making and its emotional consequences.

Here are some key differences between women’s and men’s brains: First, the female limbic system—where emotions are primarily processed—works differently from that of men: Emotions are handled differently. Second, women cope with stress differently from men. Third, women’s brains process memories differently from those of men. Finally, women are physiologically—that is, in terms of brain chemistry—more vulnerable to depression and to post-traumatic stress disorders than men.

Let’s look at these four differences in somewhat more detail.

Emotion and the limbic system. Down deep in our skulls is a relatively primitive part of the brain, sometimes called “the old mammalian brain” since we share it with other mammals. This limbic system is generally defined as composed of the amygdala, cingulate, hippocampus, and septum. This is a major area in which, still today, human beings process and handle emotions—and the limbic system of women functions differently than that of men. Women experience emotions largely in relation to other people: What moves women most is relationships. Females are more personal and interpersonal than men. (Differences show up as early as a day after an infant’s birth: newborn baby girls look at faces relatively more than boys, who focus more on moving robotic figures.) There is wide consensus among scientists and researchers on this fundamental issue.

More on the limbic system: the handling of stress. Recent research has also studied the ways in which males and females cope with stress. Whereas men’s behavior under stress is generally characterized by what is called “fight or flight,” women respond to stress by turning toward nurturing behavior—nicknamed “tend and befriend.” (See in particular the recent work by Shelley E. Taylor.)

Memory processing. Here too, women and men differ, in ways that recent cognitive research has been able to pinpoint, and that are relevant here. Men’s and women’s brains work differently in handling memory—and memories. Men are more apt to recall facts of all kinds, on the one hand, and a global picture of events, on the other. By contrast; women remember people (for example, faces); and emotion-laden narratives—and they may return to them obsessively. (There is substantial research on these issues; see among others Cynthia Darlington, p. 120; Larry Cahill has worked on amygdala differences in memory processing in the two sexes.)

Depression. Women are more vulnerable to depression and anxiety than men, perhaps because they have a lower level of serotonin, an important neurotransmitter. In addition, women are twice as likely as men to suffer from post-traumatic stress disorders. (See Breslau et al. That women have a higher level of depression is widely agreed upon by researchers; see, for example, Darlington, pp. 172-6.) Men suffer more than women from other mental pathologies, such as autism, dyslexia, and Narcissistic Personality Disorder; the two sexes suffer about equally from yet other mental problems, such as bi-polarity.

What do these differences add up to, practically speaking? Let's walk quickly through an unplanned pregnancy and abortion. A woman may reason her way to the decision to terminate the unwanted pregnancy: "This is the wrong time"; or "I don't want a child by this man"; or "My partner may leave me if I go through with the pregnancy." A woman may think she sees her way clear to the abortion, and may have few if any mixed feelings—in advance. Her abortion decision may seem, and may indeed be, rational in terms of her long-term goals and interests, and her chosen values. But afterwards, a woman may experience several powerful reactions, which are rooted in her biology: in the structures and basic chemistry of her brain.

* Women's brains are, more than men's, "about" relationships—and a woman may discover, emotionally, that she has (now, *had*) a far more powerful relationship with the fetus than she had thought. This may be particularly true if the relationship with her partner (in the interests of which she may have decided to have the abortion) should deteriorate after the abortion.

* She is now stressed by these feelings; she may well feel guilty about how she handled her relationship with her fetus. Instead of fighting or fleeing, as a man might (and anyway, whom can she fight? where can she flee?), she may well be drawn to nurturing, to "tending and befriending" behavior; this is, we saw, characteristic of women. But one of the key persons she might have tended and befriended—her unborn child—she has just terminated. She therefore has no ready outlet to cope with this significant stress.

* Add to this already toxic mix the very power of the memories involved in most unwanted pregnancies and abortion experiences, such as: the nausea or other physical symptoms, often exacerbated by hormonal instability and mood swings; the anxiety over the unwanted pregnancy; the drama of the pregnancy test; often, the difficulty of making the decision, then the waiting before the abortion can take place; perhaps protesters in front of the clinic; the abortion-clinic waiting room, crowded perhaps with other emotional women and men; the abortion itself—the doctors and nurses, the stirrups, the vacuum or other machinery—then the recovery room; the pain and bleeding afterward. All these dramatic experiences are likely to provide her with indelible memories. A woman may return to them and relive them over and over. (Similarly—but on the whole far more happily—many women relive, and enjoy recounting to their friends, their experiences of labor and childbirth.)

* And to cap it off—as a woman, she is more vulnerable to depression and

anxiety, and to post-traumatic stress disorders.

Thus, though a woman can decide rationally to have an abortion, afterwards the other shoe may drop—and it may drop very hard indeed. For the thousands of women on afterabortion.com and similar websites, a terrible and shocking reaction set in after their abortion. Many women have discovered that somewhere down in their psyche—deep in their limbic system—they were *already* in a living relationship with the fetus, their “baby” (though they may have *thought* they thought it was just a random clump of cells). Their feelings and concern for their baby have kicked in powerfully, far outweighing the sensation of relief that they had anticipated (and may briefly have experienced after the abortion). Often what lasts is not the relief or the power of the logical arguments: These may prove very short-lived. It is, rather, the failed, betrayed relationship between the woman and her fetus—now, in her mind, her dead baby—that has staying power. Many of these women feel “haunted” (their word) by their lost child. They cry: “I miss my baby!”; “It has been three years, and I still think of my baby girl every single day!”; “I want my twins back!” The babies they *****¹, they now desperately want to love, to hold. (Those asterisks represent one of the words—“killed”—that are so painful and triggering that their use is prohibited on afterabortion.com.) A good many women on the website have named the aborted baby: That appears to promote healing.

For some women, this surprising and terrifying shift from cool logic to hot maternal feelings may be the result of particular experiences: seeing, on a sonogram, the fetal heartbeat, or watching a pair of twins move; or, in a medical abortion at home, recognizing that what fell into the toilet bowl was not (as they had thought it would be) undifferentiated tissue but, rather, “a tiny, pale-gray baby,” and then agonizing over the dilemma of what to do with it (flush it down the toilet? bury it—and where?).

Sometimes, however, the shift cannot be explained by any one particular memory; it seems more profound and inexplicable than that—more hard-wired, one might say. Women care about relationships—and a woman’s relationship to her baby is one of the most powerful of all.

If we look at all this in evolutionary terms, we cannot be surprised. Human mothers (unlike the females of most other species) produce few offspring. For infants to survive, they must be very carefully tended and protected, over many years. Historically, culturally, the investment of women in their young has been tremendous. Millions—make that billions!—of mothers have lavished their time, energy, and attention—their love—on their children. And what is the reward, the reinforcement for all this maternal time and effort? What does the mother get out of it? Whatever it is, it must be a reliable, immediate, and strong reinforcement. Otherwise, infant mortality—always high in the human and primate past—would have led to our extinction. Thus, we should not be surprised that human mothers are richly rewarded—by their own feelings, their own brain responses, their own chemistry—for good mothering, and that they are emotionally punished, internally, for failure.

But what to do for these wounded women? Afterabortion.com provides an

impressive virtual support system: Women from around the world send hugs, visualized as (((hugs!!!))), and loving messages of support, understanding, and affirmation to one another. Thus, women from around the world “tend and befriend” these suffering women. After a while, many who were previously beside themselves with grief write in to say that they are now feeling better; they are healing; they have stopped hating themselves; they feel once again that they have a future. This valuable sisterhood is supplemented, for many women, by psychotherapy in some form.

But can’t we work to *prevent* at least some women from having to experience this painful surprise? One important change would surely be for the medical and psychological professions, and the university health centers (it may be too much to ask of abortion-providers!), to be more honest about the psychological impact of abortion on substantial numbers of women. Is it not like the fine print on prescriptions? (“This medication may cause internal bleeding, or blindness, or [other grave side-effects].”)

Some women appear to have no regrets whatever after abortion. (See, for example, *Imnotsorry.net*.) Some experience modest sadness. But for many women, their abortion turns out to have been a nightmare from which they cannot wake up. Some awaken each morning to *THAT*. Women and those who advise them need to be more aware of this risk, and what causes it. Human beings—and women in particular—are not just made up of cortices, we are not just what used to be called “gray cells.” As “Anonymous, MD” (now known to be Dr. Miriam Grossman) argued in her powerful book *Unprotected*, women need to be told the truth: They need to be prepared for what may be the consequences of this major life decision.

This is what informed choice means.

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APPENDIX B

[Vincenzina Santoro is an international economist in New York. She represents the American Family Association of New York at the United Nations. This article was published September 13, 2010 on www.mercatornet.com and is reprinted with permission.]

A Nation Turns Away from Abortion

Vincenzina Santoro

As the United Nations, encouraged by the US Administration, presses on with advancing abortion across the globe as a form of family planning—and even a human right—not all countries have embraced this practice. As reported in MercatorNet last year, one major country that is turning away from abortion is Italy. Abortion numbers and rates there have continued on a downward trend for over two decades.

The recently released 2009 report on abortion—which the Ministry of Health presents to Parliament each year—confirms another drop in the number of abortions and in the abortion rate. Abortion, which was legalized in Italy in 1978, reached a peak of 234,801 cases in 1982. In 2009, 116,933 abortions were performed, a decline of 3.6 percent from the previous year—a figure that for the first time was less than half the number in the peak year. The numbers have declined consistently for the last five years.

The abortion rate for women of child-bearing years (15-49), a more meaningful measurement of abortion prevalence, in 2009 showed a result of 8.3 per 1,000 women, a 3.9 percent decline from the previous year. In 1982, the ratio had been 17.2 per 1,000.

Interestingly, abortions have declined for all age segments of child-bearing women and are particularly low for minors especially when compared with other developed countries. For females under age 20, in 2008 the abortion rate was 7.2 per 1,000 in Italy, down from 7.5 the year before, and differed sharply compared with 13.5 for Spain, 15.6 for France (2007 data), and 20.5 for the United States (2004). Only Germany had a lower rate of 5.0 per 1,000.

Observing a divergence in trends, since the mid 1990s the Ministry of Health began disaggregating data to show abortions by both Italian and foreign women in Italy. The abortion rate for foreign women alone has continued to rise since data commenced, and for 2008, the latest data available, foreign women accounted for 33 percent of all abortions in Italy, compared with 10 percent in 1998. Were it not for the foreigners, Italy's abortion total and abortion rate would be even lower. Compared with 1982, the number of Italian women having recourse to abortion dropped by nearly two-thirds—by 65.2 percent to be exact!

The trends indicate that the most rapid decline in abortions has occurred among the more highly educated, the employed and married women. In 2008, among Italian women having abortions, 45 percent reported not having any children, compared with 33 percent for foreign women. About half of both groups were married.

Data for repeat abortions (second or higher) showed that in 2008 the rate held

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steady at 27 percent, of which 22 percent was applicable to Italian women and over 37 percent to foreign women. By this yardstick, Italy again compared favorably with such countries as Spain (34 percent), Sweden (38 percent) and the United States (47 percent).

The growing number of foreign women resorting to abortion has been attributed to increased immigration, failed contraception practices, and looser attitudes towards terminating a pregnancy held by women from foreign countries, especially by Eastern Europeans who accounted for 52 percent of non-Italian abortions. In 2009, foreigners comprised 7 percent of Italy's resident population of 60.3 million.

To allow international comparisons, the Italian Ministry of Health report assembled a list showing abortion rates for 19 countries. The compilation, presented below, indicates that there are four European countries which have a lower abortion rate than Italy. However, all of them were reported to have a much higher rate of contraceptive usage.

To determine the latter, recourse to United Nations data showed that for the 2003-2008 period, the contraceptive prevalence rate—defined by the UN as the percentage of women aged 15-49 in union currently using contraceptives—was 60 for Italy, while the other four ranged from 75 to 82. (The rate for the United States was 76 and 84 for the United Kingdom.)

Abortion rates per 1,000 women aged 15-44, 2005-2009

Country	Year	Abortion rate
Switzerland	2009	6.4
Germany	2009	7.0
Netherlands	2008	8.7
Belgium	2007	9.6
ITALY	2008	10.3
Finland	2006	10.8
Spain	2008	11.8
Lithuania	2006	12.7
Canada	2006	13.0
Denmark	2006	14.3
Norway	2008	16.8
France	2007	17.4
England & Wales	2009	17.5
USA	2005	19.4
Sweden	2008	21.3
Hungary	2006	22.3
Bulgaria	2006	23.5
Romania	2006	31.3
Russian Federation	2006	40.3

Source: Compiled by the Italian Ministry of Health from national statistics, Eurostat and the Guttmacher Institute.

Another positive phenomenon in Italy is the rising number of doctors who are declared conscientious objectors. The percentage of doctors who refuse to perform abortions rose from just under 70 percent in 2007 to 71.1 percent in 2008. The highest share was accounted for by the Lazio Region, which includes the City of Rome, where the proportion rose from 80 percent to 85.6 percent over the same period.

So why do Italian women turn away from abortion, make less use of contraception compared with other Europeans — but also have a fertility rate that is below the European Union average (1.4 versus 1.5)?

The Ministry of Health report does not present any analysis as this is outside its competence, but does make a passing reference to “socio-cultural issues.” From other sources, it can be observed that in Italy the concept of the traditional family remains strong (divorce rates are lower as are out- of-wedlock births compared with the rest of the European Union), religious practice is higher than in many other European countries and, unlike many northern European countries, secularism and relativism are not widespread in Italy. The Catholic Church is still influential in shaping morals. Finally, Italians do celebrate life in faith, music, art, and traditions—and a sense of *caritas* prevails.

Women in Italy, however, do face discrimination in the workplace which helps explain why not only fertility but the employment rate too, is much lower in Italy than in most other European or North American countries. Only 47 percent of working age women were employed in 2008, compared with an average of 59 percent for the European Union.

Professional and non-professional women struggle to cope with practices that are not sanctioned in other developed countries. For example, the prospect of pregnancy—as in the case of a newly married woman who “might” get pregnant—could result in that woman being laid off. Some employers discriminate by letting women go after they return from maternity leave—which is granted by law for 20 weeks—simply because they may feel that a woman with a newborn at home could not be as attentive and productive as previously. This is very different from the United States where the 1978 Pregnancy Discrimination Act provides that women cannot be fired or denied employment or promotions due to pregnancy.

Large industries, where unions secure job protection, may not be guilty of such practices, but most Italian industry is comprised of small and medium-sized companies that function very independently. Simply making maternity-related discrimination illegal could result in more births in a country where abortion and contraception are notably on the wane.

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[*John Jalsevac reports for LifeSiteNews.com where this story appeared December 9, 2010. Reprinted with permission. Copyright ©2010 LifeSiteNews.com, Inc. All rights reserved.*]

Hundreds of pro-life student groups sweeping across U.S. college campuses

John Jalsevac

December 9, 2010 (LifeSiteNews.com)—In 1996 a sobering Gallup Poll was released that confirmed what many pro-life activists already suspected, but nevertheless hoped wasn't true: while 47% of women said they were pro-life when they entered college, by graduation, a whopping 73% said they were now pro-choice.

Frighteningly, the pro-life movement was losing 26% of all female students who went through a university program. Clearly, if the movement had any hope of survival in the long run, more needed to be done to reach out to students.

At that time there already existed a group whose mission was to create a pro-life presence on campuses - American Collegians for Life. But without a full-time staff, and without a significant source of funding, there was only so much that the Collegians for Life, which was entirely student-run, could do.

In 2006, all of that changed. In that year American Collegians for Life received a sizable start-up grant, changed its name to Students for Life of America (SFLA), hired a professional staff, opened its first national headquarters in Arlington, VA, and launched its historic Pro-Life Field Program.

Since then, Students for Life has gone on to become one of the most active, and most successful, pro-life organizations in the country.

Meet SFLA executive director Kristan Hawkins

In fact, says Kristan Hawkins, SFLA's first executive director, their organization has been so successful in founding pro-life student groups, that they have far surpassed anti-life organizations in establishing a campus presence. When Students for Life launched in 2006, there were only about 180 pro-life college student groups in the whole of the United States. Now there are over 500, and more are being added every day.

Amazingly, Hawkins was handed the helm of the newly minted national pro-life organization at the tender age of 21. She describes the process of getting SFLA off the ground as being akin to starting up a small business—interviewing and hiring staff, opening an office, doing the accounting, and developing all of SFLA's programs from the ground up.

She describes that time as “really exciting,” but jokes that, “had I known how much work it was going to be, I probably would have given it a second thought instead of immediately saying, ‘Yes, I’ll take it!’” And for her, things have only gotten busier over the years, now that she is married and has two children.

But, she says, the hard work has clearly paid off. In the past five years, SFLA

has grown to ten full-time and 2 part-time staff. Every year SFLA hosts a conference in Washington to coincide with the annual March for Life—this year they are expecting a record-breaking 1800 youth attendees, making it “the largest pro-life youth conference in the world.”

And then, of course, there is the core of SFLA’s outreach—those 530-plus SFLA-affiliated pro-life campus groups. That might sound like a lot, but for Hawkins it’s only the beginning—the goal is to reach at least 1,000.

It’s all part of an effort to build up what she terms a “critical mass,” in preparation for the day when *Roe v. Wade* is overturned.

She points out that, “when that glorious day comes,” there will be 50 statewide battles in the United States over abortion that will “need trained activists in the states.” Hawkins hopes these activists will be SFLA alumni.

“They’ve been trained, they know exactly what works and what doesn’t work,” she says. “They’re already ready. They’re on the ground, they’re in the states.”

Campuses: Ground Zero of the abortion fight

Hawkins argues that an organization that focuses exclusively on students, and especially college campuses, is crucial because “this is where these girls are having the abortions, this is where Planned Parenthood is targeting for new business, and this is where hearts and minds are being changed.”

The power of SFLA’s presence was illustrated in an amazing way just this week. Steve Macias, one of SFLA’s field agents, was on the campus of Sacramento City College gathering information when he went up to a passing student and asked her what she knew about abortion. She turned to him in amazement and asked how he “knew.”

When he assured her that he knew nothing at all about her, she explained that she was being pressured by her boyfriend to abort their unborn child, even though she knew abortion was wrong. Thankfully, Steve was able to put the girl in touch with a local pregnancy resource center and put her on the path to saving the life of her child.

But it isn’t always that easy. SFLA has found over the years that their deadliest enemy isn’t necessarily pro-abortion activists, but rather, “apathy.”

Hawkins says her field agents frequently encounter students who say they are pro-life, “but are unwilling to take a stand.” She attributes this to the fact that students are “inundated with so much information and media” that they begin to grow numb. “It’s funny, because even now you’ll show people a graphic image of an aborted baby, and we have some people who’ll just look right at it and walk the other way. It doesn’t really affect them,” she said.

Pro-life 2.0

Nevertheless, Hawkins says she holds a great deal of hope for the future: Increasingly, she says, “this generation sees abortion as a human rights issue.” Part of this is thanks to pro-life parents, raising children who understand the value of

human life. Part is thanks to advances in technology.

“You’ve got 3D and 4D ultrasounds now, something we’ve never had before in previous generations—where a girl can go to Google, type in abortion and see that baby in the womb,” said Hawkins. These technologies are educating students “about what is life, and they’re showing these students that there’s unborn life in that womb.”

Hawkins is convinced that right now “the momentum is on our side.”

For veteran pro-life activists, organizations like SFLA are the answer to their most earnest prayers. No longer do they need to worry about whether or not there will be anyone to fill their shoes when they are gone. Thanks to SFLA, and other similar organizations, there is a whole new generation of smart, savvy, devoted, and energetic pro-life activists.

And they are striking fear into the heart of the old guard of the pro-abortion movement. When Nancy Keenan of NARAL, one of America’s top pro-abort organizations, stumbled on the March for Life in Washington last January, she told *Newsweek*: “I just thought, my gosh, they are so young . . . There are so many of them, and they are so young.”

SFLA is at the forefront in pioneering techniques that allow them to reach out directly to this new generation of pro-life warriors. “We use a lot of social media,” Hawkins explains. “I think we were one of the first pro-life organizations back in ’06 to utilize the power of Facebook to find pro-life students, or students who we think should identify with the pro-life message.”

The SFLA website is also one of the most cutting edge in the pro-life movement—packed with well-organized, crisply presented information.

You could call it pro-life 2.0.

But at the same time, says Hawkins, there is no replacement for the tried and true methods of boots-to-the-ground outreach.

“You can do a lot via the Internet. You can do a lot via referrals and e-mail and calls,” she says. “But really a lot of grunt work comes down to hitting the pavement, being there in person, right on the campus meeting the students. I think that that’s actually one of the most critical things that you have to do. Students are swamped with messages, e-mails, text messages. Getting out and personally meeting these students, I think that’s the best thing that you can do.”

And this is exactly what Students for Life of America does best.

To those pro-life students who feel alienated on their college campus, she says, “don’t be discouraged.”

“We are the majority. National polls are telling this,” said Hawkins. But for those students who don’t believe her, she encourages them to come to the SFLA conference in Washington in January, “where I’m sure every single student will leave knowing that we are the majority and that we will be victorious.”

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[Lila Rose, who graduated from UCLA in June, is president and founder of Live Action, a nonprofit educational group. The following article first appeared in First Things, and is reprinted with permission. Copyright © First Things (October 2010).]

Fighting for Life

Lila Rose

One cold, wet day in San Jose, California, I was stuck inside my childhood home, looking for a book to read. Because I was homeschooled, the daughter of passionate book lovers, and one of eight children, our home was full of books of all kinds. It was my goal, at the age of nine, to read all of them. On the bottom shelf of a bookcase, I found something called the *Handbook on Abortion* by Dr. and Mrs. J.C. Willke. Curious, I opened it. And there they were: pictures. In shock, I quickly shut the book and pushed it away. And then I opened it slowly and looked again. I was looking directly at the picture of a tiny child, maybe ten weeks old, with tiny arms and legs, who had been the victim of an abortion.

Right then I knew it was ugly and wrong. But over the next decade I grew in my understanding of the gravity and urgency of this holocaust of unborn children, of our duty to protect them, and of my desire to help.

When I was thirteen I wrote in my journal, “God, it’s time I actually do something about abortion.” I began to research online and think about what I could do to tell other people about this terrible crime being committed even in our own neighborhoods. A friend and I wrote a letter to the community of Almaden, where we lived, exhorting people to vote only for pro-life candidates. We put up copies of the letter around the local shopping center. When I was fourteen I began planning a “Pro-Life Club.” Within months it became Live Action. It began in my parents’ living room, with a meeting of about a dozen of my closest friends, all whom I had convinced to come.

I had little idea then that within a few years I would be leading undercover investigations of the abortion industry, founding a pro-life nonprofit, editing a national pro-life magazine, and serving as a spokesperson for the pro-life cause.

I launched my first investigation four years ago, as a college freshman at UCLA, with my friend James O’Keefe. I had met James months earlier at a training session for student publications, and our shared interest in bold activism made us instant colleagues. We soon were working together on projects to “wake up” the UCLA campus to the reality of abortion and the lack of pregnancy services for students. James helped me start a pro-life student magazine that January. That magazine—the *Advocate*—is now published nationally and has a distribution of over 100,000 copies per issue.

“UCLA doesn’t support women who are pregnant,” I was told by the head nurse at my campus student health center in the fall of 2006, when I posed as a pregnant student seeking pregnancy counseling. She instead gave me information about two local abortionists to contact.

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Evidently, on my own campus, vulnerable, pregnant girls my age were being hustled off to the abortion mills, with no other choice offered. After such startling discoveries at the campus health center, James and I were eager to expose the abortion giant—Planned Parenthood.

Our idea—to investigate the abortion industry at the ground level—wasn't new. In 2002 Mark Crutcher, of the pro-life group Life Dynamics, ran a study that surveyed over eight hundred Planned Parenthood clinics and National Abortion Federation affiliates. An actor posing as a thirteen-year-old girl impregnated by a much older man—a rapist—called the facilities. As Life Dynamics recorded these conversations, the group found that over 90 percent of the clinics promised to cover up the rape the girl had suffered and to provide her with an illegal abortion—a plan and procedure unreported to either police or parents. For reasons difficult for most people to fathom, the abortionists took it on themselves to perpetuate the vicious cycle of sexual abuse.

James and I wanted to find our own way to expose this corruption and bloodshed. Months after our first investigation of the UCLA health center, we went undercover to two Los Angeles Planned Parenthood clinics.

I posed as a young, scared, pregnant girl, fifteen years old, the victim of a twenty-three-year-old statutory rapist. The Planned Parenthood staff told me, into our hidden cameras: “Figure out a birth date that works.” Lie about your age on the paperwork. Say you are older than you really are. We will give you a secret abortion, and no one will ever know.

The YouTube videos we made of our tapes went viral. Planned Parenthood threatened to sue me—an eighteen-year-old college freshman. I remember returning to my dorm room to find a personal email from the California director of Planned Parenthood, informing me that if I did not “relinquish the tapes” of my investigation to the organization, it would sue me for privacy violations of its employees. With less than \$200 in my bank account, threats to sue me for “\$5,000 for each offense” might have seemed daunting if I had not had a deep sense that God, as he always does, would use this only for good.

And, of course, he did. Because of the threat of the lawsuit and the added media attention, I had my first *O'Reilly Factor* interview—and, after the bad press, Planned Parenthood did not pursue the threat of the lawsuit. This inspired me to think even more carefully and work even harder to come up with more projects to expose the dark heart of the abortion industry.

My summer vacations turned into summer research projects—undercover investigations into abortion clinics across the country. In the summer of 2007, we investigated six different Planned Parenthood development departments, talking with directors of development and other staff to see whether rumors of Planned Parenthood's racism were true.

Planned Parenthood has historic ties to the now-discredited eugenics movement in the United States. More recently, abortionists have worked hard to reach out to minorities. This is reflected in skyrocketing abortion rates among minority women.

African-American women account for less than 13 percent of the U.S. population but submit to nearly 37 percent of all abortions. Approximately 80 percent of abortion clinics are located in minority neighborhoods. Although most people in our country do not know it, such a heavy abortion rate among minorities was planned and desired by the founders of Planned Parenthood, particularly by founder Margaret Sanger, an open racist and eugenicist.

Sanger is still revered by pro-abortionists. Are her policies still in circulation? We decided to investigate.

By phone, James posed as a racist asking whether he could donate to Planned Parenthood for the abortion of a black baby. Like the racism that James acted out, the response to these proposed race-based donations was horrific. No Planned Parenthood employee hung up the phone. All agreed to accept the donation or find a way to do so, and some made understanding remarks about the racism or showed excitement about the race-based donation. In one conversation with a Planned Parenthood office in Idaho, when James said there were “way too many blacks,” the development director laughed and said, “Understandable, understand-able.”

It was clear that Planned Parenthood had much to hide. The investigation by Life Dynamics was inspiring, but no videos corroborated Mark Crutcher’s version of events. Moreover, that investigation was six years old.

I began to dream: A multistate inquiry to investigate child sexual abuse cover-up. Once the investigation was completed, a series of video releases, on the local level, to stir up controversy in each city or community as the overall national story built. With help from two close friends and my always-supportive parents, I prepared a budget and a project plan.

Miraculously, all the needs for the project were met. We scheduled it for the summer of 2008, one week after my school got out, and began to assemble the team. As I took my final exams, I juggled last-minute meetings with donors and interviews with potential investigative team members. A dear childhood friend named Jackie agreed to be my fellow investigator. We were joined by a videographer and a trip planner. Less than a handful of people knew about any of our plans, and even fewer knew details—all to preserve our ability to operate covertly. A lawyer filed pro bono for our tax-exempt status. A generous donor team transferred \$30,000 to our bank account. Our research team—three friends who had been involved in past Live Action projects—worked to chart out the investigation and develop briefs on every clinic and state. I researched and purchased police-quality undercover equipment and began training.

We were about to begin my most ambitious investigation—a probe deep inside the closed doors of Planned Parenthood called the Mona Lisa Project.

For this investigation I had to disguise myself by bleaching my hair platinum blonde because Planned Parenthood had put up warning posters—showing me as a natural brunette—in many of its clinics nationwide. There seemed to be one reason Planned Parenthood might give the police a call: Apparently, to Planned Parenthood, I was a more dangerous criminal than the group’s pedophile clientele.

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I was nineteen years old, leading a team of other young people to travel nationwide in twenty-one days and go undercover into clinics posing as sex-abuse victims. I began each morning and ended each night in a hotel room, on my knees in prayer. There were so many unknowns and variables on this project. And my weaknesses were always before me as I tried to be the best investigator I could, inspire the others, lead them, and know what to do myself—all with little outside help. A prayer team of close friends and donors was formed. They didn't know what we were doing or where, but they signed on to intercede for this "special project." And my parents were always on call to encourage and give advice. With such a support network and the Holy Spirit leading us, we had great confidence. We also witnessed literal miracles on the trip, including one where our team prayed in a car outside a clinic that our metal-strapped investigators would get through the clinic's metal detectors without any cause for suspicion—and, miraculously, we did.

Soon afterward I was sitting in the waiting room of a Planned Parenthood clinic, posing as a thirteen-year-old girl named Brianna. Even though I was in character, I wanted to talk to a woman sitting a few chairs away from me. The woman was with her sister, who had two little daughters, maybe five and seven. The little girls were playing on the floor with the brightly colored toys that this Planned Parenthood surgical abortion mill had placed in its waiting room for women who arrived with born children.

The woman looked sad and stared at the floor. She was just beginning to show that she was pregnant.

"What are you here for? Abortion?" I asked.

"Yes," she said, and looked away. She didn't want to talk about it. I felt helpless. Suddenly, her sister's little daughter, the five-year-old, started jumping up and down, demanding attention and asking for a cup of water. Then, just as suddenly, she went over to her aunt. Pulling on her aunt's pants leg, she climbed into her lap and cuddled close to her abdomen.

I remember seeing that and not being able to look away. I knew I was looking at the meeting of two cousins separated by just inches of flesh—and one of them, a little boy or a little girl, would be violently killed by abortion that very day. It reminded me of another meeting, one between two unborn cousins, when Mary, the Madonna, visited her cousin Elizabeth. And how could it not? We had named the Mona Lisa Project after these two women.

A year after the Mona Lisa Project finished, I began another multistate traveling investigation called the Rosa Acuna Project. From 2009 to 2010 our team has been inside dozens of clinics in many states. I have sat through counseling sessions, seen women with blood on their clothes, and heard the harsh words of abortion workers who cannot help but taste the evil of their work. "I don't want to go work in the OR room," one of them said to our undercover actors; "I don't like getting too close."

I've become an expert on what everyday abortion workers say to women because I've heard it firsthand and have trained and briefed investigators who go in and

collect the evidence firsthand. In clinics nationwide, Planned Parenthood employees have said the heartbeat starts at eleven weeks, at twenty weeks, or when the baby is born. They have said that hands and feet don't form until right before the baby is born. They call the unborn child's heart just an electrical flicker, and they call the unborn child fetal matter, an alien, a tadpole, a cup of coleslaw—any number of dehumanizing names. The Rosa Acuna Project has documented these lies in a series of public video releases.

We named the Rosa Acuna Project for a young New Jersey woman who sought an abortion. She was deeply troubled about her decision and spoke to the doctor.

"Is it a baby?" She asked him. "Am I killing a baby?"

"Don't be stupid," the abortionist told Rosa. "It's a blood clot. It's a bunch of cells."

He performed the abortion. Back at home, bleeding profusely, Rosa went to the emergency room. The nurse told her she had the remains of her baby inside her and would need an operation to extract it from her uterus. That's when Rosa realized her first trimester "pregnancy matter" was not a blood clot or a bunch of cells. It was a human baby.

In fewer than four decades, America has permitted the slaughter of more than 50 million tiny children. There has never been another slaughter as unjust and widespread as abortion because never has a human society destroyed so many of its young.

It is the dehumanization of the unborn child that allows the slaughter to continue. The once pro-life Rev. Jesse Jackson said: "Those advocates of taking life prior to birth do not call it killing or murder, they call it abortion. [They say] 'fetus' [because fetus] sounds less than human and therefore abortion can be justified."

People do not see the unborn as human beings equal in worth to ourselves or others—to a two-year-old toddler, for example. After all, fetuses and embryos cannot demand protection from us. They do not cry in front of us, or wail as a two-year-old might if he or she senses danger in a clinic waiting room. Their tiny vocal cords are hardly developed. We do not have to watch them hold out their tiny, newly developed hands. They are hidden in the bodies of their mothers. Because the unborn cannot beg us for mercy, many Americans may think that abortion is a tragedy, but a necessary one at times. Or many may think that abortion is a tragedy, but not their main concern.

We who know better must proclaim that the value of our unborn brothers and sisters is not based on what they give to society. It is based solely on the mysterious worth of their humanity, that mysterious imprint of the divine. To be human is enough. To be human should grant you a place of love and dignity in any family, any society, any nation.

America's public schools are either neutral or favorable toward abortion. The entertainment media are the same. Traditional news media fail to grasp the reality of abortion and often take positions leaning toward it. Young people live with a stifling din of pro-abortion instruction; we are urged to be morally transgressive

APPENDIX D

and politically conformed to the culture of death. A word of truth, an image, a video comes like a fresh breeze.

Live Action's mission is to educate the public with the truth about abortion and the dignity of the human person by using the power of creative new media. All of Live Action's projects are designed to work within traditional systems to reach young people with the truth and inspire them to join us in leading the pro-life culture.

Most people do not see clearly the evils of their own century, their own age. It is the history makers, the revolutionaries, and the visionaries who identify the failings, injustices, and opportunities of their century and work tirelessly to address them. Thanks to the revolution in media through blogs, Facebook, Twitter, webcams, and cell phones, everyone can create and distribute media. Like many other organizations, Live Action is seizing this opportunity to talk past the pro-abortion gatekeepers of previous decades and show the world the truth about abortion. Today, I aspire to do my part. I pray that many more, young and old, will join.

Now that I have graduated from college, I am grateful for the experiences I have been blessed with so far. I am moving forward with a wonderful team of talented and committed young people to continue our projects and undertake new and more ambitious ones. The investigative and educational work is far from over. Thousands more people must realize the gravity and urgency of abortion's injustice, must reject the murder of our unborn brothers and sisters, must repent of the indifference and hopelessness that allows this, and must recommit to a beautiful and life-giving vision of our life together in America. These thousands must be awakened to the truth so they can inspire and lead more thousands to reject abortion, stop the killing, and restore peace. I believe with my whole heart we will be victorious, just as I pray and believe in the Kingdom of God and that we can do God's will on earth. We have a perfect loving God who inspires and authors our work. If we lay down our lives, we cannot fail.

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