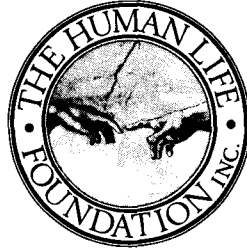


the HUMAN LIFE REVIEW



SPRING/SUMMER 2000

25th Anniversary Issue

Featured in this issue:

Mary Meehan • William Murchison • David Oderberg
Jo McGowan • Donald DeMarco • Lynette Burrows
Francis Canavan, S.J. • Wesley J. Smith • Stephen Heaney

John Cardinal O'Connor, R.I.P.

Faith McFadden • Maria McFadden • Fr. Frank Pavone
Meir Soloveichik • Nat Hentoff • Stanley Crouch
Michael Potemra • Sandi Merle • Agnes Mary Donovan, SV
plus the editors of *The Wall Street Journal*

Special Section: *The Cider House Rules*—Not!

Chris Weinkopf • Paul McNellis, S.J. • William F.
Buckley, Jr. • Steven Mosher

Published by:

The Human Life Foundation, Inc.

New York, New York

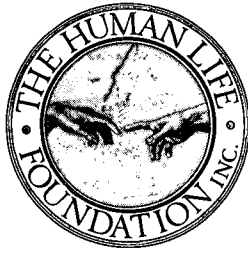
ABOUT THIS ISSUE

. . . The great advantage of a twenty-five-year publishing record is just that—the record. Glancing through the first issue of the *Human Life Review* (Winter 1975) is both humbling and sobering. Humbling because there one finds all the essential arguments against the then still relatively new abortion “right”—legal, religious, philosophical, cultural, scientific. Sobering because after 25 years there is even greater urgency that we make them. Indeed, as we go to press, the Supreme Court has just thrown out Nebraska’s ban on what Justice Antonin Scalia, in a deeply outraged dissent, called “live-birth abortion.” This special double issue, featuring such diverse fare as Mary Meehan’s profile of ex-abortion clinic staffers; Wesley Smith’s report on Oregon’s embrace of physician-assisted suicide; and David Oderberg’s argument against “animal rights,” not only marks our silver anniversary, but points to the long and winding road ahead. (Dr. Oderberg has two new books out: *Applied Ethics* and a companion volume, *Moral Theory*, both published by Oxford: Blackwell, and available here from amazon.com.)

But Justice Scalia also wrote that he is “optimistic enough to believe that, one day, *Stenberg v. Carhart* will be assigned its rightful place in the history of this Court’s jurisprudence beside *Korematsu* and *Dred Scott*.” So are we. The outpouring of love and affection on the death of that staunch and sassy defender of the unborn, John Cardinal O’Connor, was a heartening boost even as we mourn his loss. We have gathered together several tributes in a special section dedicated to our late archbishop and friend. Thanks to *America* magazine for permission to reprint their interview with Mother Agnes Mary Donovan of the Sisters of Life, the order the late Cardinal founded in 1991. If you’d like to learn more about how the Sisters implement their vow to defend the sanctity of human life, write to them at 450 West 51st St., New York, NY 10019. Also, after reading Fr. Frank Pavone’s tribute, in which he explains the “consistent ethic of life” teaching the Cardinal so eloquently espoused, you may want to learn more about Priests for Life, the organization Fr. Pavone heads. The address is P.O. Box 141172, Staten Island, NY 10314.

Finally, due to a production error (most likely my own) a line of type was dropped from the bottom of page 96 of Sandi Merle’s “Of Life, the Law and Roses” in our Winter 2000 issue. The copy should have read: “The organization had presented an award to Hillary Clinton for her work on behalf of children. In her acceptance speech, Mrs. Clinton spoke strongly of her pro-choice platform and (of course) mentioned her support for her husband’s veto of the ban on partial-birth abortion, which had, by then, passed both houses of Congress.” Apologies to Ms. Merle and to our readers.

ANNE CONLON
MANAGING EDITOR



Editor

Maria McFadden

Senior Editors

Ellen Wilson Fielding

Faith Abbott McFadden

John Muggeridge

William Murchison

Managing Editor

Anne Conlon

Consulting Editor, Europe

Mary Kenny, London

Contributors

Lynette Burrows

James Hitchcock

Rita Marker

William McGurn

George McKenna

Mary Meehan

David Quinn

Wesley J. Smith

Business Manager

Rose Flynn DeMaio

Production Manager

Ray Lopez

Circulation Manager

Esther Burke

Publishing Consultant

Edward A. Capano

Founding Editor

J.P. McFadden

Published by THE HUMAN LIFE FOUNDATION, INC. Editorial Office, 215 Lexington Avenue, 4th Floor, New York, N.Y. 10016. The editors will consider all manuscripts submitted, but assume no responsibility for unsolicited material. Editorial and subscription inquiries, and requests for reprint permission, should be sent directly to the editorial office. Subscription price: \$20 per year; Canada and foreign \$25 (U.S. currency).

© 2000 by THE HUMAN LIFE FOUNDATION, INC., New York, N.Y. Printed in the U.S.A.

the HUMAN LIFE REVIEW

Spring/Summer 2000

Vol. XXVI, Nos. 2 & 3

Introduction 2

Maria McFadden

The Ex-Abortionists: Why They Quit . . . 7

Mary Meehan

A Moral Muddle 29

William Murchison

The Illusion of Animal Rights 37

David S. Oderberg

John Cardinal O'Connor, R.I.P. 46

Just for Being 87

Jo McGowan

The Zygote and Personhood 91

Donald DeMarco

Britain's Cultural Conspiracy? 99

Lynette Burrows

The Dying of the Mind 109

Francis Canavan, S.J.

Under Oregon's Iron Shroud 117

Wesley J. Smith

The Cider House Rules—Not! 124

Pro-Life Voting 147

Stephen J. Heaney

Appendices 160

Matthew Scully

Hadley Arkes

Richard Stith

Maggie Gallagher

INTRODUCTION

THIS DOUBLE ISSUE celebrates over 25 years of continuous publication of the *Human Life Review*. We are thankful to be going strong, more than a year and a half after the death of our founder, editor and my beloved father, J.P. McFadden, who published our first issue in the winter of 1975. Now as then, the *Review* is unique: it is the only intellectual journal dedicated to combatting abortion and its related progeny.

We lead with a powerful article, titled *The Ex-Abortionists: Why They Quit*, by our valued long-term contributor, Mary Meehan. Be warned: this is a brutal exposé of the abortion business, largely from the mouths of those who know it best—abortionists, nurses and clinic workers. It is not for the faint-hearted. And yet, as Meehan writes, these first-person accounts offer hope for the future: “if people whose livelihoods depended on abortion can turn around, then certainly there is hope for everyone” who is “pro-choice.” Most of Meehan’s material comes from a series of conferences organized by Joe Scheidler, Executive Director of the Pro-Life Action League (and a defendant in the notorious RICO case, *NOW v. Scheidler*) called “Meet the Abortion Providers.” The speakers were doctors, nurses, administrators and clinic staffers who had become disillusioned with the abortion business and got out. Many of them are now passionate defenders of unborn life.

We go from the raw truth of abortion practice to abortion politics, in which the bloody reality of the “procedure” is buried under a barrage of slogans, euphemisms, and “rights talk.” In *A Moral Muddle*, Senior Editor William Murchison does his usual superb job of exposing hypocrisy. This time, he focuses on a now fashionable political cause: “The hue and cry is out for America to stop, in the name of mercy, the precipitate killing of death row inmates.” Capital punishment has become a major issue in the 2000 presidential race. What Murchison can’t figure out is: “Why does a certain kind of American get wrought up about capital punishment but not about abortion?” Who could be more innocent than a baby in his mother’s womb? What America needs, he says, is “A good, consistent theology of human life.”

Another “hot” rights issue today is the animal “rights” movement (also inconsistent: one is hard-pressed to find an animal rights advocate who is not also pro-abortion). Dr. David Oderberg, a professor of philosophy at Reading University, provides a welcome clarification as to why animals do *not* have “rights,” and that grasping the all-important difference in the *natures* of animals and humans is precisely what’s needed to understand “why the killing of even the tiniest, youngest member of the human species is an unspeakable

crime.” (Oderberg also emphasizes that animals’ lack of rights does not mean they should be targets for cruelty.)

We come next to a very special section, a collection of tributes to the late Cardinal John Joseph O’Connor, a hero of the pro-life movement. It has its own introduction (p. 46). One piece I’d like to highlight as of special significance to the *Review* is Father Frank Pavone’s *A Consistent Ethic of Love* (p. 58). The “consistent ethic of life” has been mis-used to relativize the importance of abortion, by casting it as “only” one in a series of life issues. For example, when Cardinal O’Connor died, his firm opposition to abortion was, for the liberal press, mitigated as a politically-correct sin by his opposition to the death penalty, and his concern for the poor. Father Pavone explains that in the true consistent ethic, “all the issues are linked but not equal”—a failure to defend life at its most vulnerable casts doubt on one’s defense of life in any other circumstances. Cardinal O’Connor preached and practiced a true seamless garment: the integral sanctity and dignity of every human life.

What follows is a gem of a piece by our good friend Jo McGowan, who lives and works in India. Readers of the *Review* were first introduced to her adopted daughter Moy Moy in 1990 (*Mini Moy Moy*, Fall, ‘90). *Just for Being* is a shining story of love and a powerful testament to the great gifts the disabled bring to our lives.

We go next to *The Zygote and Personhood*, in which another professor of philosophy, Donald DeMarco, considers that, before abortion became an “issue,” unborn life was a subject of great interest and awe, and one didn’t argue that the zygote wasn’t human. Ironically, today, when science knows so much more about the development of human beings, some “philosophers” claim that a zygote “has no rights at all because its degree of complexity is similar to that of insects” (Peter Wenz). Yet as DeMarco argues, a zygote has “all the DNA and all the genes that a human being will ever need” and it “exerts biochemical and hormonal influences on the mother as it begins to control and direct the process of pregnancy, a power amplification, considering its size . . . that is utterly astonishing.” And he or she is utterly human!

We proceed with two articles that discuss current crises in social mores, both here and in Britain. First, our “British correspondent” Lynette Burrows writes, in her customary lively style, about the social policies promoted in her native country in the name of “feminism,” but which really smack of Marxism. She leads into this by discussing a new book, *The Sex Change Society and the Neutered Male*, by British columnist Melanie Phillips. One of the policies Burrows deplores is government incentives for cohabitation, which in Britain is “vastly more economical” than marriage. Our esteemed contributor Father Francis Canavan’s article follows, in which he also discusses cohabitation, but in the light of the homosexual movement and the sexual revolution from which it resulted, and the collapse of the true understanding of marriage. As Canavan argues persuasively, the modern attack on marriage comes from

a “dying of the mind”: we live increasingly in a culture that relativizes truth, one which is “brilliantly successful in the natural sciences and technology, but at sea in its moral judgments because it lacks any substantive knowledge of the good.”

On to more disturbing social policy: Oregon’s 1994 assisted suicide law. Wesley Smith writes, in *Under Oregon’s Iron Shroud: Real People, Real Deaths*, about how the law is actually being used, and how much of what is really happening is being covered by “an iron shroud of secrecy.” Otherwise, right-to die proponents fear, other states won’t be keen to follow Oregon’s lead. As Smith makes clear, the conditions laid out by the law for assisted suicide are being deliberately mangled: for example, it seems that *none* of the deaths reported in 1998 involved patients suffering intolerable pain, and many did not have the cooperation of a physician with a long-term relationship with the patient. Instead, when the family doctor refused to write a lethal prescription, the patient went “shopping around” for any physician who *would* (and the willing doctor sometimes had ties to assisted suicide advocacy groups). Most disturbing, some cases seem to satisfy the wishes of the patient’s family *over* his own.

What follows is another special section, on the Oscar-winning movie about abortion, *The Cider House Rules*. This too has its own introduction, on p. 24.

Our final article is a fitting look-forward. Professor Stephen J. Heaney anticipates the November 2000 elections, and has written a perceptive essay about pro-life voting. This is a piece to read and pass on before election day: we all know good people, firmly against abortion, who nonetheless vote for pro-choice candidates, citing a certain politician’s concern for the poor, his position against capital punishment, etc. Here Father Pavone’s argument is echoed by Heaney, who writes that abortion and related life issues like euthanasia are not “single issues”: “It would be more accurate to call them ‘singular issues’—that is, issues foundational to human dignity and human rights, to the meaning of law and the common good.” He also establishes the importance of voting as “not something which *happens* to the voter, but it is rather something he *does*—a human action—he is personally implicated in the outcome.”

* * * * *

We have lost another great pro-lifer this spring: Robert P. Casey, former governor of Pennsylvania. He was, like O’Connor, a feisty Irishman, true to his working-class roots, who never wavered in his defense of the unborn. We’ve reprinted a stirring tribute by Matthew Scully, published first in the *Wall Street Journal*, to open our appendices section. It includes this wonderful observation about Casey: “Abortion, he said, is not a question of when life begins. It is a question of when love begins.”

Casey fought for the soul of the Democratic party, convinced that it had “lost its way, abandoned its calling to protect the weak and forgotten and

powerless." He also took on the Supreme Court: in the 1992 case, *Planned Parenthood v. Casey*, he fought to uphold Pennsylvania's Abortion Control Act, which placed some restrictions on abortion. It was widely expected and hoped by pro-lifers that *Casey* would revisit *Roe*, and—with six Republican appointees on the bench—find it an unconstitutional decision. In a staggering disappointment, the justices reaffirmed *Roe*, on the somewhat bizarre principle of *stare decisis*, saying in effect that whether or not *Roe* had been rightly decided, women had been depending on it for nearly two decades to plan their reproductive lives, so the Court would not overrule itself. It was not total victory for the pro-abortion forces, however: *Casey* did uphold most of the abortion restrictions under the Pennsylvania law, and also ruled that the states "may express profound respect for the life of the unborn."

In *Appendix B*, Professor Hadley Arkes (*A Season for Chameleons: Abortion and the Court*) opens with a trenchant look at the *Casey* decision. The three justices who were understood to be pro-life—Justices O'Connor, Souter and especially Kennedy—"defected" and "weighed in . . . to confirm *Roe*, to entrench it even further and to abjure ordinary citizens to . . . cease their agitation over the issue," an action which Arkes insists was nothing less than "treachery." Arkes explores "the change of Kennedy's colors," the moral relativism that has pervaded the court, and he writes about the future, and what hope we might have for change (such as Justice Kennedy experiencing "the quiet joy of meeting again his better self").

Unfortunately, the future is now. As we are going to press, it has been announced that the Supreme Court has dealt us another staggering blow, striking down a Nebraska law banning partial-birth abortions (*Stenberg v. Carhart*). In the first major abortion ruling since *Casey*, the justices said the Nebraska law violates the constitution by imposing an "undue burden" on women. The vote was close (5-4), and this time Kennedy joined the dissent—could he be feeling the stirrings of his better self already? And yet the partial-birth procedure is so horrifying that many who tout a woman's "right to choose" find it beyond the pale.

The Nebraska law before the court was one which forbids "an abortion procedure in which the person performing the abortion partially delivers vaginally a living unborn child before killing the child and completing the delivery." This describes the D&X procedure (dilation and extraction, i.e., partial-birth), and those supporting the bans insist that only the D&X method would be prosecuted. The court countered that this language could criminalize another common late-term method, the D&E (dilation and evacuation). This is the subject of *Appendix C*, written by Professor Richard Stith last April. Stith discusses previous appellate court judges who argued along these lines, yet in doing so they had to describe in graphic detail the methods of abortions they were defending, admitting, for example, that in a D&E, while part of the fetus (a limb) is grasped outside the mother's body, "the rest of the fetus remains in

INTRODUCTION

the uterus while dismemberment occurs, and is often still living.” Honesty about late-term abortion methods has now been forced into the courts—the Supreme Court certainly had to face the gruesome details. Stith was hoping that “facing for the first time a candid lower-court description of its handiwork, perhaps even the Supreme Court might begin to change its mind about abortion.” That hope has been dashed for now: nevertheless, the vote was too close for comfort for abortion activists, and, as George Will has written in response to the verdict, “Al Gore’s approving Wednesday’s decision, and George Bush deploring it, affirm strikingly different understandings of constitutional reasoning and elemental morality. With the court and the culture in the balance, let no one say this is an unimportant election.”

Our final Appendix (D) relates a bizarre story that takes us right back to where we started—how the abortion business affects those whose hands are bloodied. In “She’s Not Doc’s Only Victim,” New York *Post* columnist Maggie Gallagher writes about a doctor who lives with his wife and two children in Chappaqua, the affluent New York City suburb where Hillary Clinton now “resides.” On discovering that the nurse with whom he has been having an affair is pregnant and refuses to have an abortion, he says he will give her one and attacks her with syringes of the abortifacient methotrexate! The mother did not miscarry, but it remains to be seen whether the baby was harmed.

Stories as strange as this one *do* make the headlines; nonetheless, every day (hour, minute) unborn babies are being killed, often brutally. With the recent Supreme Court decision, we have entered, it seems to me, a new era of abortion extremism. We have come a long way from arguing about “blobs of tissue” and “potential life”—we have gone steadily down the slippery slope, to a place where the Supreme Court can coldly describe a partial-birth abortion with concern *only* for how the mother is affected and whether or not the “doctor” will be prosecuted. *Casey*’s allowance that states may “express profound respect for the life of the unborn” is mocked: 30 states have indeed expressed such respect in attempting to ban a procedure many find not less than infanticide.

It remains, however, that we cannot afford to despair. Hope for the unborn lies with individuals: every abortion kills a unique child and every mother who turns away from this “choice” saves an irreplaceable person. The *Review* will continue to try and sway hearts and minds to the truth by publishing the best material we can find in defense of life. A warm thanks to our faithful readers who have made it—and will make it—possible. Finally, thanks to Nick Downes, whose cartoons help lighten our hearts.

MARIA McFADDEN
EDITOR

The Ex-abortionists:

Why They Quit

Mary Meehan

As a young doctor in the early 1970s, Paul E. Jarrett, Jr., did a number of legal abortions. He began having doubts, though, after the urea-induced abortion of a mental patient. The child, weighing two pounds, was born alive, and the mother screamed, "My baby's alive! My baby's alive!" Dr. Jarrett later said, "I often wondered what we did for her mental status. That baby lived several days."

But it was a 1974 operation that "changed my mind about abortion forever." While doing a suction abortion, Jarrett found that the suction curette was obstructed by a torn-off fetal leg. So he changed techniques and dismembered the child with a ring forceps:

And as I brought out the rib cage, I looked and I saw a tiny, beating heart. And when I found the head of the baby, I looked squarely in the face of another human being—a human being that I'd just killed. I turned to the scrub nurse and said, "I'm sorry." But I just knew that I couldn't be a part of abortion any more.¹

Dr. Jarrett is one of many people who used to be deeply involved in abortion but have turned against it. Their experience tells us a great deal about the effects of abortion—most obviously on the children it destroys, but also on the women it traumatizes and the clinic staff it corrupts. Yet their experience also offers hope for the future. If people whose livelihoods depended on abortion can turn around, then certainly there is hope for everyone who supports abortion. (Leading abortion defenders, of course, do not view the situation this way; included here are comments from several of them.)

Although supplemented by other sources, what follows is based mainly on a remarkable series of conferences called "Meet the Abortion Providers," sponsored by the Pro-Life Action League of Chicago from 1987 to 1997. Joseph Scheidler, the League's director, has been involved in street protest against abortion clinics for many years. In that work, and through friends and supporters around the country, he kept hearing about disillusioned clinic staff. They included doctors, administrators, secretaries, a nurse, an ultrasound technician, a clinic guard, and others. Scheidler brought them together, several at a time, for one-day conferences in which they described their clinic work and explained the often-tormenting process of disengaging from it.

Mary Meehan, a freelance writer living in Maryland, is a long-time contributor to the *Review*.

While the League paid travel costs for many speakers, it did not pay them speaker fees.

Nearly all the ex-clinic staff had religious conversions that helped—or demanded—their exit. Religion was not their only motivation, but it certainly helped them see some truths they had refused to face for a long time.

What Abortion Does to Unborn Children

One truth involves the precise ways in which abortion destroys the unborn. Early abortions can be done by suction machines because the fetal bones and cartilage have not yet hardened. In the very earliest stages, this results in puréed remains. Even a little later, though, it brings out identifiable body parts that must be reassembled to ensure that nothing was left behind. (Parts left behind can cause terrible infections in the mother.) Dr. Beverly McMillan used to do such reassembly after performing abortions, but “I got to where I just couldn’t look at the little bodies any more.”² Many abortionists do not reassemble the parts themselves, but have other staff do it. Some staffers are not bothered by this; indeed, some are hardened enough to make jokes about it. Others do not want anything to do with it. “Clinic workers may say they support a woman’s right to choose,” said former Planned Parenthood clinic worker Judith Fetrow, “but they will also say that they do not want to see tiny hands and feet. They do not want to be faced with the consequences of their actions.”

Fetrow herself was committed to abortion when she first went to work at a clinic in California. But her view changed, partly because it was her job to look at aborted body parts and then store them, send them to a pathology lab, or dispose of them. While she didn’t especially want that job, she believed that the dead should be treated with respect. She did not want to hear a co-worker make a sick joke about “taking the kids and putting them in daycare.” So Fetrow mourned in the Jewish tradition: “I sat Shiva for the babies; I said the prayers for the dead. I also named each baby when I placed it in the contaminated waste container.”³

That was far more respect than the bodies of the dead receive in most abortion clinics. Debra Henry, who once worked in a Michigan clinic, said that if a woman had insurance coverage for a suction abortion, the fetal remains were sent to a laboratory. But if she had no insurance, the remains were “put down the garbage disposal.” As they prepared to open their second Texas clinic, Carol Everett reported to her abortionist business partner that it would have an “industrial-strength disposal—a double-action one that chops forward, reverses itself, and chops again as it reverses.” Their first clinic’s disposal had proved unable to handle the body of a child aborted at about

thirty-two weeks.⁴ In the Illinois clinic where she once worked, Kathy Sparks found that remains of children aborted in the second trimester were put down “a continually flushing toilet.” Late-term abortionist George Tiller of Wichita, Kansas, had his own crematorium to deal with fetal remains. Luhra Tivis, once a medical secretary at his clinic, recalled a day when Tiller was carrying “a particularly heavy load of dead babies” into the crematorium. He asked her to help him with the door. She did so, then returned to her desk nearby. “I heard him fire it up. . . . And the most horrible thing was: I could smell those babies burning, because I was just around the corner.” Tivis later exposed Tiller’s practices in a letter to members of the Wichita City Council and in testimony before a state legislative committee.⁵

Some doctors and clinic staffers are shocked by abortion techniques and tiny body parts when they first see them, but gradually become used to them. When the late Dr. David Brewer, as a young resident, first had to examine body parts after a suction abortion, “it was like somebody put a hot poker into me.” The next abortions bothered him, too, but he found that it “hurt a little bit less every time I saw one. And you know what happened next? I got to sit down and do one.” Again it felt like a hot poker, but again he got used to it. He compared his hardening to the way he developed calluses on his hands when he ran a lawn service as a teenager. With the calluses, he found, “my hands could work all day—and no blisters and no pain. And that’s what happened to my heart as I saw the abortions and then began doing them. My heart got callused.”

One night, after a saline abortion, Brewer saw a badly burned little baby “kicking and moving for a little while before it finally died of those terrible burns.” He assisted with a hysterotomy, which is like a Caesarean section but is intentionally done early enough that the baby dies soon after delivery. “And they simply took that little baby—that was making little sounds and moving and kicking—over and set it on the table in a cold, stainless-steel bowl,” he recalled. The baby “kicked and moved less and less, of course, as time went on.”⁶

Far more common than abortions involving live births are the “Dilation and Evacuation” (D&E) type. This euphemistic term actually means dismemberment by instrument within the womb. It takes over as the usual form of abortion at the point when fetal bone and cartilage have hardened, or calcified, so that suction abortion cannot be done. Dr. Joseph Randall, who did abortions for about ten years, explained that after a D&E, “you have to reassemble that baby—arms, legs, head, chest, thorax—everything. That’s when it gets rough even for old timers like me.”⁷

At least one clinic worker, nurse Brenda Pratt Shafer, turned against

abortion almost immediately after witnessing a partial-birth abortion. (This is also called a “D&X” abortion for “dilation and extraction.”) Shafer, who was “very pro-choice” at the time, accepted a temporary agency’s assignment to Dr. Martin Haskell’s abortion clinic in Dayton, Ohio, in 1993. On her third day at the clinic, she observed the D&X abortion of a Down Syndrome baby in the sixth month of gestation. She saw Haskell deliver most of the little boy’s body, keeping only his head inside the womb:

The baby’s little fingers were clasping and unclasping, and his little feet were kicking. Then the doctor stuck the [surgical] scissors in the back of his head, and the baby’s arms jerked out . . .

The doctor opened up the scissors, stuck a high-powered suction tube into the opening, and sucked the baby’s brains out. Now the baby went completely limp.

I was really completely unprepared for what I was seeing. I almost threw up as I watched Dr. Haskell doing these things. . . .

The woman wanted to see her baby, so they cleaned up the baby and put it in a blanket and handed it to her. She cried the whole time. She kept saying, “I am so sorry, please forgive me.” I was crying, too. I couldn’t take it.⁸

Shafer later gave congressional testimony about her experience and appeared widely in the media speaking against partial-birth abortion. Seldom, one suspects, has a doctor been so sorry that he hired a temporary worker.

Shafer also saw Haskell do D&E abortions. He would “take three-month-old babies and dismember ’em—just tear ’em from limb to limb while the baby’s heart was beating, yank off a leg, yank off an arm and just bring it outside . . . And that was horrible. I’d never seen it before. Never really wanted to think about it before.”⁹

She learned early what others learned so late. Carol Everett summed it up well when she looked back upon her own abortion, which her husband, Tom, had wanted and she had not: “Death was the ultimate winner; not Tom, and not Carol. Death.”¹⁰

Attitudes Toward Women, Minorities and Money

A few former clinic staffers reported that they or colleagues had negative attitudes toward women who came to them for abortions. Former ultrasound technician Joy Davis reported that in an Alabama clinic where she once worked, there were doctors who were “doing abortions because they hated women.” Dina Madsen, who worked in a feminist clinic in California, admitted that she didn’t have much sympathy for her patients. Her attitude was, “Well, you got yourself into this position; you better tough it out.” A couple of the doctors there, she said, “hated women. . . . And there was a lot of comment-making . . . crude jokes . . . sarcasm . . . touchy-feely type of games with the staff members.” Some of the women staffers “wouldn’t let

any of these guys touch 'em with a ten-foot pole," Madsen said. Yet they told women coming to the clinic that: "They're wonderful doctors. They won't hurt you. They're the best at what they do. He's really a nice man."¹¹

A few also reported wretched attitudes toward minorities. Mark Bomchill worked as a guard at a Minnesota clinic where he heard a doctor make racist and anti-Semitic comments. After former clinic worker Luhra Tivis became involved in pro-life work in Little Rock, Arkansas, she found herself up against an abortionist "who brags about killing black babies." She said he had told pro-life sidewalk counselors, "If you would just leave me alone, I could clear out Harlem."¹²

Far more commonly reported, though, was an avid interest in money. Doctors and administrators can make fortunes from abortion. Other staff—well-paid at some clinics, poorly-paid at others—are often single mothers in precarious economic circumstances, and they understand that their jobs depend on abortion sales. Hellen Pendley, who ran a Georgia clinic, would listen in on telephone conversations to see whether her staffers were good at sales. She said they knew the bottom line: "If you can't sell abortions over the phone, you will not last."¹³

Kathy Sparks described a skilled "counselor" at her clinic who would find what a woman's key pressure point was—perhaps a fear of telling her parents she was pregnant, perhaps money worries—and then "magnify it." She said that ninety-nine percent of the women who came in decided to have abortions. Joy Davis reported the careful training she received at her first clinic in Alabama: "I had to sit and listen to women answering the phone for at least a month before they would allow me to answer the phone . . . We had to find out very quickly what their problem was, play on that, and get them in that clinic for an abortion. We were very good salespeople." Hellen Pendley's staff learned how to play on money fears by asking a woman who was ambivalent: "Do you know how expensive it is if you go through with this? Let me just tell you. . . . It's gonna cost you about \$8,000 just to have [the child]. Now, where are you gonna get that kind of money?" Pendley commented that "it's really pretty simple to bring someone around to your way of thinking if you can manipulate what they've told you and use it against them. And that's exactly what we did."¹⁴

What Abortion Does to Women

Many women are psychologically devastated by abortion. And note that the word "women" should be interpreted broadly here: in many cases those having abortions are actually girls. Nita Whitten, who worked in a Texas clinic, said many women forced their daughters to have abortions. One such

daughter, subjected to a second-trimester abortion, was clearly miserable and kept making trips to the bathroom. On one visit there, she started screaming, "It's a baby! It's a baby! Mama, Mama, Mama!" She had seen the baby in the toilet.¹⁵

Dr. Arnold Halpern, who had seen women harmed by illegal abortions in the 1960s, thought of legal abortion as an aid to women. He performed abortions for years, but became "more aware of the adverse reactions women were having. Many felt badly about their decision to abort and still felt guilty years later." While doing abortions, he was also "treating women who had had abortions but now desperately wanted to conceive." Often abortion complications had made them infertile. (Halpern was also concerned about "the big problem of sexually transmitted disease," which he said was "growing by leaps and bounds.")

Staff at Hellen Pendley's clinic saw many women who suffered psychologically from their abortions. But they were trained to tell such women that, if they had a problem, then "you had it before you had the abortion" and the abortion "has nothing to do with it."

Joan Appleton was a committed feminist, an activist in the National Organization for Women, when she became head nurse of an abortion clinic in Virginia. She was deeply committed to women's welfare. But in the course of her clinic experience, she became tormented with the question of why abortion "was such an emotional trauma for a woman, and such a difficult decision for a woman to make, if it was a natural thing to do. If it was right, why was it so difficult?" She also asked herself: "I counseled these women so well; they were so sure of their decision. Why are they coming back after me now—months and years later—psychological wrecks?"¹⁶

Women whose babies were aborted at other clinics sometimes were physical wrecks as well. Judith Fetrow said she saw a doctor "perforate a woman's uterus and then lie about the severity of the perforation." Her clinic "often had women come back with severe infections caused by retained tissue or incomplete abortions—especially when we were training new doctors."

Perforating or tearing the uterus appears to be far more common than lay people realize; even competent doctors can do it. Dr. Jarrett explained that "the pregnant uterus in the first trimester is often the consistency of a wet paper bag"; it is frighteningly easy to push a suction curette or other instrument through its wall.¹⁷

Hellen Pendley recalled how a doctor at her clinic, performing an abortion on a fourteen-year-old girl, tore her uterus and pulled the bowel through. He asked Pendley, "What do I do?" She interpreted that to mean, "What do I do

to make sure that this stays under wraps?” Consulting the girl’s medical record, Pendley found that she lived some distance from the clinic and was accompanied only by a friend. So Pendley said, “Poke it back in, and send her home.” When she later described the case, Pendley admitted: “Whether she lived or died, I do not know.”

Once an acquaintance of Pendley’s alerted her about a young woman who was desperately ill in a local hospital. “She’s comatose right now,” Pendley’s informant said. “We’re getting ready to amputate her limbs. She’s throwing blood clots. I don’t think she’s gonna make it. But we were able to determine that she had had an abortion today.” They didn’t know where the abortion was done, so Pendley drove to her own clinic at midnight to see if it was involved. She did not find any record of the woman at her clinic; if she had, she would have shredded it. “We had a personal shredder in my office for that purpose,” she said. “There would not have been a medical record if the D.A. had shown up on my doorsteps the next morning.”

Pendley described how Atlanta abortion providers responded to news reports that a woman had suffered cardiac arrest at one clinic. (The woman never recovered from her coma, and died months later in a nursing home.) Worried people from the clinics in the area met, but expressed no concern about the woman in coma. “We didn’t care what happened to her,” Pendley recalled. “We cared about what happened to us.”¹⁸

Pendley said that state inspectors, visiting the clinic where the woman’s abortion had been done, found:

- a patient chart claiming that the woman had recovered from anesthesia and could be discharged
- vacuum tubing that had not been properly disinfected
- insects in the clinic

“The list goes on and on and on,” Pendley remarked, “and this is in a state where it’s *regulated*.”

Some clinics, Pendley suggested, put women at risk of Hepatitis B or HIV/AIDS infection. “If you reuse a vacuum-aspiration cannula,” she said, “you’re going to infect the next person. But when you get busy in a clinic, there is no time to sterilize instruments. I’m sorry. You wash ’em; you repack ’em; and you reuse ’em.”¹⁹

Carol Everett and her abortionist partner had what they felt was “the Neiman-Marcus of the abortion industry” in the early 1980s. They had a record of no complications—until they decided to go for the big money by doing late abortions. Operating on one woman who was about twenty-two weeks pregnant, the abortionist perforated her uterus and pulled out the lining of her colon. Instead of calling an ambulance—which could have given

the clinic bad publicity—Everett drove the woman to a hospital, where she had a colostomy. The abortionist persuaded a colleague to reverse the colostomy later at no charge; he also arranged for the hospital to write off bills for both surgeries. There was no lawsuit.

Another abortionist at an Everett clinic perforated a woman's uterus and also severed her urinary tract. Again Everett drove the woman to a hospital instead of calling an ambulance. "We were maiming at least one woman a month," at one point, she recalled.²⁰

Then there was the woman named Sheryl, who, after an abortion at twenty weeks, was in the recovery room "lying in a pool of blood." Everett said her bed "was soaked with blood, the privacy curtains were splashed with it, and even the wall had blood on it." The staff were finally able to control the bleeding; but the abortionist, eager to leave for a date, did not examine the woman to find the source of the bleeding. The woman was anxious to go home, and the staff let her go a few hours later, although her blood pressure was very low. She lost consciousness the next morning and was rushed to an emergency room, but she died. The abortionist and his girlfriend changed her medical chart so that the blood pressure readings appeared to be normal. But the coroner established the cause of death as hemorrhage due to a cervical tear. Everett said she "went numb" upon hearing this:

We could have saved Sheryl's life! my mind screamed. We only needed to have sutured her cervix. We had everything we needed in the clinic to save Sheryl's life, with one exception—a doctor willing to take the time to re-examine his patient to determine the cause of the bleeding. But he had a date, and the margaritas were waiting.²¹

Some clinics have lay staff do what only nurses or doctors are supposed to do. Mark Bomchill indicated that "untrained people" gave injections and medications to patients at the clinic he guarded. Hellen Pendley, who was a clinic administrator but not a doctor, said that when a patient had severe bleeding outside of regular clinic hours, "that was my problem, not the doctor's. . . . I was the one who called in all the drugs. I was the one who prescribed the medication."

Joy Davis, an ultrasound technician, went even further. Working for abortion doctor Thomas Tucker, she eventually managed a chain of six clinics in Alabama and Mississippi for him. Tucker, finding that he couldn't cover all the clinics by himself, trained Davis to do abortions and other routine clinic work. Davis described what happened:

I never spent the first day in medical school. . . . But I started doing abortions. . . . I did Norplant, cryosurgery, Pap smears, pelvic exams. Anything he did, I did. And I was real proud of that, because I felt I did it better than he did.

All of the employees would say, “Oh, you need to see Dr. Davis today,” because *they* felt that I was better than he was. I never had any problem patients. I never put a woman in the hospital. And he was putting ‘em in the hospital almost every month in very critical condition—hysterectomies, retained tissue. Everything that could go wrong with his patients did go wrong.

This included the case of one young woman who had breathing difficulty, heavy bleeding, and extremely low blood pressure after her second-trimester abortion. Tucker, who had told Davis to stabilize the woman, canceled an ambulance Davis called when the situation became desperate. “We cannot send this patient to the hospital in this condition,” Tucker said. “They’ll hang us.” But the woman’s blood “was pouring like a faucet,” Davis recalled, “and I couldn’t stop it.” Tucker finally allowed her to call an ambulance as he left to catch a plane. Davis was greatly relieved when the ambulance rushed the woman to a hospital—“until the hospital called me and told me that she had died.”

Tucker’s persistent, extreme malpractice caught up with him when Davis went to state authorities and urged them to shut his clinics down. The Alabama authorities were in no great hurry to do so. People at the state medical board, Davis said, told her that “abortion was a hot political issue, and they really didn’t want to touch it.” Finally, though, Tucker lost his medical licenses in both Mississippi and Alabama.²²

Abortion has a politically privileged status in many other states. Politicians who have spent their careers supporting “safe, legal abortion” cannot admit that, after *Roe v. Wade*, many incompetent back-alley abortionists just moved around to the front and obtained instant respectability.

Whether competent or incompetent, many abortionists understand the value of campaign contributions. Luhra Tivis reported that Dr. George Tiller—the late-term abortionist with his own crematorium—made a great deal of money. “And, believe me, he spreads it around,” she added, “because I mailed out the checks to the legislators, so I know.” In 1996 Tiller contributed \$25,000 to the Democratic National Committee and attended one of President Clinton’s White House coffees. Nita Whitten said that Texas abortionist Curtis Boyd made large campaign donations to people “he knew would be effective in keeping abortion legal in Texas and in the United States.”²³ In this, as in so many other ways, abortion has become just another business.

Why People Become Involved in the Abortion Business

Those who are in the business, though, know that it is different in significant ways. Involvement in the planned, routine administration of death can take a heavy toll. Many former clinic staffers report that they suffered from nightmares, depression, alcoholism, and/or drug abuse. Some considered suicide.

Some had enormous personal problems before they ever worked in the abortion business. Indeed, they may have wound up in the clinics largely *because* of their personal problems. Former Planned Parenthood worker Judith Fetrow said that over one-third of the workers at her clinic “had child sexual abuse or forcible rape in their backgrounds.” Some were from alcoholic homes; some had suffered emotional or physical abuse. Many were lesbian or bisexual, she said, adding that “their lesbianism was a response to having been abused.” (This is often the case, according to literature on lesbianism.)²⁴ Fetrow said that, for a woman who has grown up in “a world of secrets and pain, where the only safe place is the company of other wounded women, then it is not reaching very far to come to the wrong conclusions: that killing children means saving them and that women are safer, more autonomous and better able to care for themselves in a dangerous world if they bear no children.”²⁵

Hellen Pendley, in her searingly honest account of running a clinic, portrayed herself as a greedy monster who cared nothing for the women she was supposedly helping—much less for the children she was destroying. But then she revealed her own world of secrets and pain. When she was only twelve years old, a man who had given her rides to church youth gatherings raped her and “told me, as he raped me, that God sent him to do this to me.” The predictable result: “I felt nothing but hatred and bitterness and anger that a God could send anyone to do this.” She thought that God “was a hateful, destructive man.” She started using drugs and eventually ran away from home. Retrieved by her father, she finally told him about the rape. Instead of comforting her, he turned her over to the juvenile authorities, saying: “You can have her. I can’t do anything with her.” By age twenty-eight, after one “shotgun wedding” and two divorces, Pendley “was taking anti-depressants just so I could get out of bed in the mornings.”²⁶

Dr. Bernard Nathanson, the most famous of the ex-abortionists, a brave man who blazed a path for everyone else, described a tormented life in his autobiography, *The Hand of God*. Among the stories in Nathanson’s past:

- His father’s father, supported by his poverty-stricken immigrant family in a tuberculosis sanitarium, committed suicide so that his children would have more money for food. Nathanson’s sister also committed suicide, and his father once attempted it.
- His father, after making an unhappy marriage, bullied his wife mercilessly, so that Nathanson grew up in a “hate-filled household.”
- His father made him attend Hebrew school, but then methodically attacked the religion he learned in that school.
- With the influence of “this warped and twisted man,” Nathanson said, “a

monster was germinating within me. The monster recognized nothing but utility, respected nothing but strength of purpose, craved love—and then perverted it.”²⁷

Nathanson was also influenced by his own experience with illegal abortion as a medical student, when his girlfriend aborted their child—with his agreement and using money provided by his father. And he was influenced, as were many doctors of his generation, by having to care for women badly injured by illegal abortionists. Dr. Beverly McMillan, rotated to Chicago’s Cook County Hospital as a young resident, found that fifteen to twenty women per night “were coming from the back-alley abortion mills of Chicago.” She was delighted, four years later, when the Supreme Court struck down laws banning abortion in its *Roe v. Wade* decision.²⁸

Both doctors ultimately concluded that legal abortion was not the answer to the tragedies they had seen. When Nathanson was asked to clean up a *legal* abortion clinic in New York in the early 1970s, he found that the abortion doctors there were “an extraordinary variety of drunks, druggies, sadists, sexual molesters, just plain incompetents, and medical losers.” One, he said, “was a fugitive from justice, with the FBI close on his tail.” Nathanson replaced the old crew with skilled doctors. But then competition from other clinics led him to reduce the doctors’ pay in order to reduce the price of abortions, and many of the most competent doctors left his clinic. The result? “Abortion clinics, my own included, were increasingly populated with younger, inexperienced physicians and—yet again—the medical losers.” Nathanson finally concluded that “the abortionist problem is inherent to abortion and likely to get worse, not better.”²⁹

Dr. McMillan and others decided that the answer to crisis pregnancies is helping women with counseling, prenatal and obstetrical care, and other assistance. Many of the ex-abortionists do volunteer work for pregnancy aid centers started by pro-life activists in the past thirty years. What if such centers had been started by senior doctors and medical professors *sixty* years ago? It seems fair to say that millions of children’s lives would have been saved, and women and health professionals would have been spared much guilt and grief.

For many people who became involved in abortion, however, it was not because they had been abused as children or because they wanted to help women. Some of the doctors started doing abortions simply because this was expected in their residency training or because they wanted to be agreeable to their medical partners. Dr. David Brewer described himself as having “no real convictions” and being “caught in the middle” when he became

involved in abortion as a young resident. Dr. McArthur Hill, involved as a young Air Force surgeon, later said that his participation “was not as an avid abortion proponent, but as a reluctant puppet in a world gone berserk.”³⁰

Money was certainly a major incentive for some. Dr. Noreen Johnson became medical director of a California abortion clinic in the late 1970s when she was still a hospital resident. Averaging 30 to 40 abortions a week, she was making \$70,000 to \$80,000 per year from abortions alone. That was over twice as much as her resident’s salary of roughly \$30,000 per year. By 1994 the main doctor at a North Dakota abortion clinic made \$100,000 a year while working there only two days per week.³¹

Carol Everett described herself as consumed by greed during her years in the abortion industry. When she surpassed her first goal of two hundred abortions per month at her clinic and \$5,000 per month for herself,

I already had my sights set on my next six-month goal—four hundred abortions and ten thousand dollars a month in take-home pay by the end of March, 1982. When I got there, I planned to reward myself with a new Oldsmobile Toronado. . . .

Insanely, I kept pushing to do more abortions and “bigger” ones. I was hopelessly hooked by the love of money and what it could do for me next. After remodeling my home, I planned to buy two new sports cars for the children. I was consumed with the thought of all the things I was going to do . . . and blithely forgetful of the horrors we were committing at the clinic.³²

Hellen Pendley recalled that “I walked in the laboratory every day. I saw dead babies every day for three years. . . . If I could see fifty, I was so happy. Because, you know what? That meant I was really gonna have a good bonus in my next paycheck.”³³

At the other end of the payscale were single mothers who could not easily leave their jobs even if they became assailed by doubts about what they were doing. When Joy Davis was hiring staff for Thomas Tucker’s chain of abortion clinics, she looked for single mothers who “needed us and needed the money. That way, I knew that I would have their loyalty and that they would stick with it no matter how tough it got.”³⁴

What Abortion Does to Clinic Staff

It can get very tough, indeed. When Dr. McArthur Hill took care of saline-abortion patients, he started having a recurring nightmare that he was holding a newborn baby and waiting for a faceless jury to signal thumbs up or thumbs down. Debra Henry, a medical assistant at a Michigan clinic, had seen tiny body parts and had heard a baby’s skull being crushed within the womb. Her nightmare involved carrying a dead baby down an endless corridor.

Dr. Nathanson went through many painful years after he did his last

abortion in 1979. His guilt was overwhelming, not only because he had performed many abortions himself and had directed an abortion clinic, but also because he had helped bring about the legalization of abortion: "I would awaken each morning at four or five o'clock, staring into the darkness and hoping (but not praying, yet) for a message to flare forth acquitting me before some invisible jury." Although a longtime atheist, he had started reading religious literature, but still had "an unrelenting black despair." He considered suicide.³⁵

Dr. Brewer said that "when I was doing abortions, my life was in a shambles in terms of drugs, immorality and all the rest." Abortionists, he said, "have marriages that are on the rocks. They have a seed of greed that's so big (and bearing fruit now) that they are just clamoring for more money. And they're seeing their teenage children be lost. . . . And they're very, very lonely people."³⁶

Nita Whitten, working as a secretary in a Texas abortion clinic, became depressed and addicted to drugs. "I took drugs to wake up in the morning," she said. "I took speed while I was at work. And I smoked marijuana, drank lots of alcohol. . . . this is the way that I coped with what I did. It was horrible to work there, and there was no good in it." After having an abortion herself, she became severely depressed and at one point planned to commit suicide.³⁷

Kathy Sparks, medical assistant at an Illinois clinic, thought she was not bothered by the blood and gore. When she first witnessed an abortion, she thought it was no different from "dissecting a frog" in biology class. But she did turn to alcohol and other drugs. Some other staffers at her clinic were on drugs, she said, and several were alcoholics. Then a series of personal problems made her depressed and finally desperate: her father died; her marriage appeared to be ending when her daughter was only six weeks old; she lost her best friend; and she had a terrible relationship with her mother. At one point, Sparks actually put a gun to her head and cocked it, but found that she could not pull the trigger. Although hysterical, she had the sense to telephone her mother-in-law, who calmly told her: "Put the gun down. Pick up the baby and come over here."³⁸

How They Leave the Abortion Business

Fortunately, Sparks had already put the gun down to use the telephone. She drove herself and her child to her mother-in-law's home. Then she had her "born-again day" as the older woman told her about Jesus Christ, and "I just listened." The two prayed together; Sparks committed her life to Christ and repented. She did not leave the abortion clinic right away. But soon she felt very cold in the clinic and noticed "a stench in the air." After assisting at

a horrific abortion in the twenty-third week of pregnancy, she took the fetal remains to the clean-up room and found herself “weeping uncontrollably.” The next day, she told the clinic director that she would have to quit because of her religion. “What you’re doing here is wrong, and I *must* leave,” she said.³⁹

Religious conversions, either in the evangelical Protestant tradition or in the Catholic tradition, were typical of those who spoke at the “Meet the Abortion Providers” conferences. Dr. Nathanson was unusual in that he was still an atheist for years after he turned against abortion and started his awesome amount of writing, speaking and filmmaking against it. A long religious quest ended in his baptism as a Catholic in 1996.⁴⁰

Many did not leave the abortion business right after their conversions, or when they first realized that they were involved in deep evil. When Dr. McMillan, then the medical director of an abortion clinic, became increasingly disturbed by the tiny body parts, she started arranging the clinic schedule so that she wouldn’t have to do abortions. Later, she simply resigned. A former clinic nurse told this writer years ago that at one point she found she could no longer turn on the suction machine. Then she could no longer do the measurements to determine stage of pregnancy; so she retreated to counseling. When she started counseling everyone against abortion, she and the clinic soon parted. Hellen Pendley, worried about supporting her three children, decided to stay at her clinic while she looked for another job. But this previously hard-boiled administrator started looking for women who hadn’t yet had their abortions and who needed to talk with someone. When she found one, she would lead the woman into her office, lock the door, and say, “You’ve got to find another way. . . .”

Some staffers left their clinics under their own steam, but others were helped along by what might be called tugboats in human form. Pendley was aided by a pastor she had expected to respond harshly when she told him that she ran an abortion clinic. But the pastor was kind. “I didn’t know you were struggling with that,” he said, “but, you know, I’m glad you’re here.”⁴¹

When Joan Appleton was tormented by questions about abortion’s effects on women, she felt that she couldn’t go to a feminist leader such as Molly Yard and say, “Molly, you got a minute?” But there was one anti-abortion sidewalk counselor at her clinic, Debra Braun, whom Appleton trusted because “I really believed she cared about women.” Appleton went to Braun with her questions. The two had many conversations over several years; they became good friends, and Appleton eventually left her clinic. Now she and Braun both work for Pro-Life Action Ministries in St. Paul, Minnesota. Appleton helps staffers leave abortion clinics and achieve reconciliation and healing.⁴²

Dr. Anthony Levatino started withdrawing from abortion after a tragic

death in his family. He had done abortions as a resident but felt internal conflict about it. He and his wife were “going crazy trying to find a baby to adopt”—while at work he was aborting babies and “throwing ’em in the garbage at the rate of nine and ten a week.” He thought, “I wish one of these people would just let me have their child.” The Levatinos finally adopted a little girl, Heather, and later had a son. The doctor kept doing abortions, even the gruesome D&E type—until Heather, playing outside one day, was killed by a car. After that, he said, “I couldn’t even think about a D&E abortion anymore. No way.” He kept doing early abortions for several months, but “I began to feel like a paid assassin. That’s exactly what I was. . . . So I quit.”⁴³

Some clinic workers who were starting to waver had experiences with anti-abortion demonstrators that simply hardened their resolve. Judith Fetrow recalled that, at her California clinic:

. . . the Tuesday before I committed my life to the Lord, I had actually walked out of the clinic. I started down the driveway towards the Christians, because I wanted out. I wanted to not be there anymore. And one of the Christian women noticed me and started shouting, “Murderer! The blood is on your hands!” The other Christians started shouting the same thing. It felt like someone had kicked me in the stomach. I went back inside the clinic, and I went back to work.

She had a far better experience, though, with a pro-life sidewalk counselor named Steve:

He told me his name, and he asked me my name. He talked to me about how cold he was standing out in front of the clinic in shorts. He gave me a tape by Carol Everett. He invited me to go to church with him; and when I said no, he invited me to have coffee with him. . . . And although Steve did not condone my sin, he offered me unconditional acceptance.

It took some time; it took enormous dedication; and it took the patience of a saint. But over several weeks we developed a friendship across the lines, based on trust.

Notwithstanding her own initial bad experience, Fetrow mentioned that Planned Parenthood people have been instructed not to talk with abortion foes at the clinics “because too many staff and volunteers have been hearing the truth and repenting.” She added: “It’s hard to fight a battle, much less win a war, when your soldiers keep surrendering.”⁴⁴

Norma McCorvey, the famous “Jane Roe” plaintiff of *Roe v. Wade*, made a spectacular surrender in 1995. McCorvey was working in a Texas abortion clinic when the Rev. Flip Benham of Operation Rescue moved in next door. Benham befriended “Miss Norma”; so did the little daughter of an Operation Rescue worker. Soon Benham baptized McCorvey, who later started the Roe No More Ministry and still does a lot of public speaking against abortion. People sat up and paid attention when McCorvey described seeing empty

swings on a playground and thinking, “Oh my God, the playgrounds are empty because there’s no children, because they’ve all been aborted.”⁴⁵

Religious and intellectual conversions have changed many clinic staffers’ lives, but they do not take away all the psychological burdens. Joan Appleton has warned that the initial “honeymoon period” after leaving the clinics cannot last, because “the whole reality of the horror” clinic staff have been involved in comes to them gradually. “If I knew back in ’89, when I left, what I know now,” she said, “I would’ve gone to the nearest bridge and jumped.” If former clinic staff do not receive help early, she said, they are likely to turn—or return—to drugs, alcohol, and suicide attempts. She has organized a U.S. branch of the Centurions, which helps former clinic staffers with healing therapy and fellowship.

Appleton warns right-to-life activists against treating clinic defectors as “trophies” to be paraded in public right away. They need time apart, she explains, to face why they “killed in the first place”; they must deal with this if they are “to have any healing whatsoever.” Appleton advises former clinic staffers “to give it at least a couple of years before you go in front of a microphone.”

Some still have much work to do on old habits, perhaps including greed. “Some of us demand enormous amounts of money to talk about our sins,” Appleton once noted wryly, “and unfortunately, there are too many pro-life groups more than willing to pay the price to have their hero speak.” She believes that genuine reparation “cannot and must not include monetary profit for our sins.” She realizes, though, that former clinic staff must earn a living and that many have children to support, and she does not object to modest speaking fees.⁴⁶

Joseph Scheidler, on the other hand, said at one of his conferences that the speakers were “not getting a *cent* for this. I don’t give stipends to anybody—especially former abortionists. I think they owe us this testimony. And they know it.”⁴⁷

Their public speaking often comes at great personal cost. It involves mentally reliving the worst parts of their lives and exposing—in detail and to strangers—their complicity in abortion. For some, including Nathanson and McCorvey, it also involves admitting that their earlier public abortion advocacy was deeply wrong. The former clinic staffers who speak out are much like the Ancient Mariner, who had to keep retelling the terrible story where “the dead were at my feet.” As Hellen Pendley said, “It *never* gets easier.”⁴⁸ No one should underestimate their courage, or their suffering.

They can take comfort, though, in knowing that they have influenced the public debate and have helped save many lives already. Those who volunteer

for pregnancy aid centers or sidewalk counseling have the extra solace of knowing about specific lives they have saved and women they have aided.

What Abortion Defenders Say About their Former Colleagues

Last January Kate Michelman, president of the National Abortion and Reproductive Rights Action League (NARAL), held a press conference to complain about state laws concerning abortion, including efforts to regulate abortion clinics. She was asked about women who used to work in the clinics and “have now gone over to your opposition”: Don’t their accounts suggest “that some regulation is needed”? Michelman responded that women’s lives and health have been “vastly improved” since the Supreme Court legalized abortion. Reproductive health services, she claimed, “are the safest medical services available.” If there is occasional “faulty adherence” to high medical standards, “the states take care of that. But women are very safe.” Then she quickly moved to the next question.⁴⁹

Ronald Fitzsimmons is executive director of a trade group called the National Coalition of Abortion Providers (NCAP), which consists of about 200 independent (non-Planned Parenthood) clinics. In a recent interview, he acknowledged problems at some clinics, but said that every business has its “bad apples” and that he is “not shy about criticizing” them. Of allegations about destruction or falsification of records, he said that “people should be prosecuted for that stuff.” Responding to Pendley’s report about reuse of instruments without sterilizing them, he commented: “Oh, Jeez. I mean, that shouldn’t be happening. That disgusts me. . . . She should be going to NAF with that stuff.” NAF is the National Abortion Federation, a providers’ group that sets standards its member clinics are supposed to meet, whereas NCAP is more oriented toward the political, public-relations and business side. Fitzsimmons said at least one-half of NCAP’s members also belong to NAF.

On the question of calling ambulances for women with serious injuries, Fitzsimmons said they “absolutely” should be called. He added, though, that there have been cases where anti-abortion demonstrators at clinics have followed an ambulance to the hospital and actually entered the patient’s room. Of the story about the continually flushing toilet for fetal remains, he said that “I can’t tell you how disgusting that is to me, if that’s happening.” The clinic, he said, “should be cited for health-code violations.” (A current staff member of the clinic in question said it does not dispose of fetal remains in this way; she said state law requires it to submit tissue from any surgery to a laboratory for a pathology report.)⁵⁰

Fitzsimmons said there is more clinic regulation in some areas than abortion foes realize. He remarked that in New York, for example, it is sometimes

almost impossible to open a new clinic because “of the regulations and the paperwork that you have to go through.”

Yet some horrific operators have done many abortions in New York before finally being convicted of criminal violations. And Fitzsimmons’s own organization, on its Web site, has an interesting disclaimer: “We suggest that patients contact their State health authorities to make sure that the clinics and doctors they choose are reputable. NCAP makes no warranties or guarantees about the providers listed in this site. . . .” This disclaimer introduces a list of *NCAP’s own members*.⁵¹

Fitzsimmons was bothered by the assumption “that the folks who work at the clinics are uncaring and driven by greed.” He said again, “You’re gonna get those bad apples,” but he added that most clinic staff “really mean well. And they certainly think they’re doing the right thing.”

Asked about ex-providers’ reports of their nightmares, depression, and drug and alcohol abuse, Fitzsimmons said, “I don’t know about drug abuse and stuff like that.” But he did acknowledge that “everyone in this field” has medical and moral limits and that some doctors do not perform late abortions. As “the fetus becomes more developed,” he said, “it does become more of an emotional thing and all.” He suggested that people on both sides of the abortion issue should be asking why some women seek late abortions even though they know, from brochures and models, just what the older fetus looks like. (Point well taken.)

How about the reports of psychological suffering in women after their abortions? Fitzsimmons admitted that “a number of our clinics offer post-abortion counseling,” but he generally downplayed this problem. Trauma is not necessarily due to the abortion alone, he said, since “people often come to the clinic with a lot of emotional issues to begin with.” Relief may be the most common response after abortion, he suggested, although he conceded that “there *is* also guilt” and there may be regret. Mentioning postpartum depression and regret about releasing a child for adoption, he said it is not as though “abortion is the only thing out there that evokes emotional reactions.”⁵²

No, but it is the only one of the three that involves taking a human life. In the other cases, a woman can say, “It was very difficult, but I got through it—and my child is alive to be happy about that.”

Margaret Johnson, director of the Southern Tier Women’s Services, an abortion clinic in Vestal, N.Y., said that “the best way to help women is to make sure that they’re making a good decision.” Decrying the highly politicized national debate on abortion, especially during election years, Johnson said that women facing an abortion decision “feel so alone and so unrecognized or silenced” by *both* sides of the debate. Neither side, she remarked,

speaks to “what that woman is facing,” which is the question of how she balances “the needs of my family, myself, my partner, and this pregnancy.” Johnson deplored the “judgmental and uncompassionate climate for women” considering abortion.

Yet one might respond: Harsh and shrill language is often self-indulgent, and usually counterproductive. Yet if the question is reduced to one of “balance” and the party whose life is at stake is referred to as “this pregnancy” rather than “this child,” then the cards are certainly stacked in favor of the idea that “making a good decision” can include deciding to kill the child.

At least, though, Johnson does not start with the assumption that abortion is the best outcome. She has worked with women who ultimately decided against abortion, and she says “I’m happy for them.” She tries to be sure that a woman “is not being forced into a decision . . . has resolved whatever ambivalence there is”; that she is “not going against a major belief system or that, if she is, she has some help”; and that she “is not having a major relationship problem.” How about pregnant women (and girls) who are pressured by abandonment—kicked out of the house by a parent or abandoned by a boyfriend? She said “we see that a lot” and “we try to at least point her to her own resources” or to helpful community resources.

Johnson is not much impressed by the efforts of pro-life pregnancy aid centers, “mostly because they give out such distorted and propagandistic information.” Although she acknowledged that some centers offer help “quite in good faith,” she suggested that in an economic sense it is just “a drop in the bucket.”

Many would dispute her on both counts. Most of the information the centers offer is truth that women need to hear and see. The practical aid they give—which may include maternity and baby clothes, baby furniture and formula, and sometimes cash assistance—is quite helpful to women who are hard pressed economically. Their moral support, in welcoming both mother and child, may be even more important. Some of their staffers and volunteers become expert at directing women to community resources for additional aid. Some do informal but effective work in family conciliation.

But many of the women who staff pregnancy aid centers might agree with Johnson that welfare reform is harming women who have, or want to have, children. They might also agree with her contention that there is too little psychological support for those who have their babies despite difficult circumstances. She recalled, for example, the case of a teenager barred from an honor society because she had a child outside of marriage; where, Johnson asked, “is the support for that kid?”

Johnson suggested that horror stories about clinic conditions come from a minority of “bad providers.” Referring to a couple of former clinic administrators who described terrible conditions, she noted that they *were* in charge and “could have done things differently.” If you are out to take advantage of women and abuse them, she added, then “you’re gonna have nightmares, and you *should* have nightmares.”⁵³

Point well taken. But nightmares, depression, and substance abuse are by no means confined to staff in the sleaziest clinics. People who set out to give women what they considered quality service have been afflicted as well. And it is not just former clinic staff who suffer. Current staff, too, agonize over their work in sessions sponsored by the National Abortion Federation. According to an account in *American Medical News*:

They wonder if the fetus feels pain. They talk about the soul and where it goes. And about their dreams, in which aborted fetuses stare at them with ancient eyes and perfectly shaped hands and feet, asking, “Why? Why did you do this to me?”

One clinic worker described her use of ultrasound to find gestational age in late pregnancies. She said she started feeling miserable when she could see the fetal heart’s four chambers. She felt even worse when she placed her hands on a woman and felt the child kick. Right after their abortions, a nurse reported many women cry and say, “I’ve just killed my baby. I’ve just killed my baby.”⁵⁴ All of this sounds remarkably like what ex-providers said at Joseph Scheidler’s conferences.

Years ago, the Washington *Post* described a Chicago doctor who had seen poor teenagers injured or killed by illegal abortions before *Roe v. Wade*. It did not occur to him to set up a pregnancy aid center to help poor women; instead, after *Roe v. Wade*, he provided abortions in a hospital clinic. He even became the lead plaintiff in a lawsuit against restrictions on federal funding of abortion. Yet he was not happy about his abortion activism:

Dr. David Zbaraz spends most of his time delivering babies, but on those days when he performs an abortion, his wife can tell as soon as he walks in the door.

“I come home angry,” he says. “It’s a nasty, dirty, yukky thing and I always come home angry . . .

“I’ve become very good at it. I’ve become one hell of an abortionist. But it’s not something I tell my kids about.”⁵⁵

There is room for debate over how many “bad providers” there are. In a real sense, though, all of the clinics are bad providers. As Dr. Nathanson wrote when he looked back upon his efforts to improve an abortion clinic nearly thirty years ago: “I had replaced a gaggle of medical rogues and ruffians with a spotless, respectable collection of superbly trained, highly competent

physicians—and these new recruits continued to carry out the same grisly task . . .”⁵⁶

So that, as Carol Everett put it, death was still the winner.

NOTES

1. Dr. Paul E. Jarrett, Jr., “Meet the Abortion Providers” V, April 20, 1996. The “Meet the Abortion Providers” [hereafter MAP] audiotapes cited here are from the conferences in 1987-96. Tapes of the Nov., 1997 conference were not available, but the conference was reported in the Pro-Life Action League’s *Action News*, Jan., 1998. (The first five conferences took place in the Chicago area; the 1997 conference was in New York City.) Few copies of the audiotapes are left. Still available, though, are two videotapes, “Meet the Abortion Providers” (1989) on MAP I & II, and “Abortion: The Inside Story” (1995) on MAP III & IV. They may be ordered from the Pro-Life Action League, 6160 N. Cicero Ave., #600, Chicago, Ill. 60646. The information on travel costs and speaker fees is from the writer’s interview with Joseph Scheidler, April 3, 2000.
2. Writer’s interview with Dr. Beverly McMillan, Jan. 9, 1988. (Except when indicated otherwise, the writer’s interviews were done by telephone.)
3. Judith Fetrow, MAP III, April 3, 1993.
4. Debra Henry, MAP I, Nov. 14, 1987; Carol Everett, *Blood Money* (Multnomah Press, 1992), pp. 126 & 107-108.
5. Kathy Sparks, MAP II, Feb. 18, 1989; Luhra Tivis, MAP III, April 3, 1993; M. Luhra Tivis, letter to Frank Ojile *et al.*, July 9, 1991; and Judy Lundstrom Thomas, “Former Tiller Employee Testifies at Abortion Hearing,” *Wichita Eagle*, March 11, 1992, pp. 1-D & 3-D.
6. Dr. David Brewer, MAP II, Feb. 18, 1989.
7. Quoted in Leslie Bond, “Former Abortionist Finds Alternatives To Be a Better Way,” *National Right to Life News*, Aug. 21, 1986, pp. 9 & 13.
8. U.S. Senate, Committee on the Judiciary, Hearing on *The Partial-Birth Abortion Ban Act of 1995*, 104th Congress, 1st Session, Nov. 17, 1995, pp. 17-21.
9. Writer’s interview with Brenda Pratt Shafer, Washington, D.C., April 1, 1996.
10. Everett, *op cit.*, p. 68.
11. Joy Davis and Dina Madsen, MAP IV, Nov. 19, 1994.
12. Mark Bomchill, MAP V, April 20, 1996; Luhra Tivis, MAP III, April 3, 1993.
13. Hellen Pendley, MAP IV, Nov. 19, 1994.
14. Sparks, *op. cit.*; Davis and Pendley, *op. cit.*
15. Nita Whitten, MAP II, Feb. 18, 1989.
16. Arnold Halpern, “Individual Conversions Fuel Pro-Life Momentum: ‘Why I No Longer Perform Abortions,’” *National Right to Life News*, Jan. 9, 1986; Pendley, *op. cit.*; Joan Appleton, MAP III, April 3, 1993.
17. Fetrow, *op. cit.*; Jarrett, *op. cit.*
18. Pendley, *op. cit.*
19. *Ibid.*
20. Everett, *op. cit.*, pp. 7 & 103-125.
21. *Ibid.*, pp. 7-21.
22. Bomchill, *op. cit.*; Pendley and Davis, *op. cit.*; Joseph Scheidler, *ibid.*; Adam Nossiter, “Doctor Loses His License in Abortions,” *New York Times*, April 23, 1994, p. 7; Greg Jaffe, “Doctor’s License Suspended,” *Montgomery Advertiser*, April 28, 1994, pp. 1-A & 4-A; Kevin Sherlock, *Victims of Choice* (Brennyman Books, 1996), pp. 6-7 & 101-103.
23. Tivis, MAP III, April 3, 1993; Lorraine Adams, “Abortion Doctor Thanked Clinton at Coffee,” *Washington Post*, April 1, 1997, p. A-4; Whitten, *op. cit.*
24. Fetrow, *op. cit.*; John F. Harvey, *The Truth About Homosexuality* (Ignatius Press, 1996), pp. 259-301; Jeanette Howard, *Out of Egypt* (Monarch Publications [Great Britain], 1991).

MARY MEEHAN

25. Fetrow, op. cit.
26. Pendley, op. cit.
27. Bernard N. Nathanson, *The Hand of God* (Regnery Publishing, Inc., 1996), pp. 6-20 & p. 188.
28. Ibid., pp. 54-58 & 79-81; Dr. Beverly McMillan, MAP II, Feb. 18, 1989.
29. Nathanson, op. cit., pp. 102-124.
30. Brewer, op. cit.; Dr. McArthur Hill, MAP II, Feb. 18, 1989.
31. Dr. Noreen Johnson, MAP V, April 20, 1996; Barbara Carton, "The Dollars and Cents of the Abortion Business," *Wall Street Journal*, Jan. 16, 1995, p. B-1.
32. Everett, op. cit., pp. 103 & 108.
33. Pendley, op. cit.
34. Davis, op. cit.
35. Hill, op. cit.; Henry, op. cit.; Nathanson, op. cit., pp. 128 & 188-189.
36. Brewer, op. cit., panel discussion (tape 6).
37. Whitten, op. cit.
38. Sparks, op. cit.
39. Ibid.
40. Phil McCombs, "The 'Scream' of Bernard Nathanson," *Washington Post*, March 24, 1985, p. B-1 ff.; Joop Koopman, "From Abortion-Rights Pioneer to Convert" (interview of Dr. Bernard Nathanson), *National Catholic Register*, June 29-July 5, 1997, pp. 1 & 7.
41. McMillan, MAP II, Feb. 18, 1989; Mary Meehan, "Changing Hearts and Minds," *Harmony*, Sept./Oct., 1987, pp. 15-16; Pendley, op. cit.
42. Appleton, op. cit.; *Pro-Life Action News*, Dec., 1999, p. 3, and Feb., 2000, p. 3. See, also, Joan Appleton, *Raising Cecelia* (Pro-Life Action Ministries, 1998).
43. Dr. Anthony Levatino, MAP I, Nov. 14, 1987.
44. Fetrow, op. cit.
45. Sam Howe Verhovek, "New Twist for a Landmark Case: Roe v. Wade Becomes Roe v. Roe," *New York Times*, Aug. 12, 1995, pp. 1 & 9; Norma McCorvey, MAP V, April 20, 1996; Susie Powell Currie, "Jane Roe a Complex Woman 25 Years After Abortion Case," *Washington Times*, Jan. 20, 1998, p. A-2. See, also, Norma McCorvey and Gary Thomas, *Won By Love* (Thomas Nelson Publishers, 1997).
46. Writer's interview with Joan Appleton, March 31, 2000; Joan Appleton, "Why Heroes Can't Heal," *Pro-Life Action News*, Aug., 1998, p. 3. Appleton welcomes contact from abortion-clinic staff who are troubled by their work and want to speak with someone about it. She can be reached at Centurions, c/o Pro-Life Action Ministries, P.O. Box 75368, St. Paul, Minn. 55175; telephone: (651) 771-1500.
47. Scheidler, panel discussion (tape 6), MAP II, Feb. 18, 1989. As noted earlier, Scheidler's organization paid travel expenses for many speakers; but he said that some paid their own way. (Writer's interview with Scheidler, op. cit.)
48. Samuel Taylor Coleridge, "The Rime of the Ancient Mariner"; Pendley, op. cit.
49. NARAL press conference, Washington, D.C., Jan. 13, 2000.
50. Writer's interview with Ronald Fitzsimmons, March 30, 2000; writer's interview with Allison Hile of the Hope Clinic for Women, April 11, 2000. Hile neither confirmed nor denied the Kathy Sparks report about a continually-flushing toilet, but said Sparks preceded her at the clinic.
51. Fitzsimmons interview, op. cit.; Richard Pérez-Peña, "Doctor is Convicted in Case of Baby Who Was Maimed," *New York Times*, Feb. 23, 1993, pp. B-1 & B-3; "The Doctor Left Free to Murder," editorial, *ibid.*, Aug. 21, 1995, p. A-14; "Half-Safe Is Not Good Enough," editorial, *ibid.*, Aug. 26, 1995, p. I-18; Lynette Holloway, "25 Years to Life for Doctor in Woman's Death After a Bungled Abortion," *ibid.*, Sept. 13, 1995, p. B-3; National Coalition of Abortion Providers, "Finding a Clinic," www.ncap.com, April 4, 2000.
52. Fitzsimmons interview, op. cit.
53. Writer's interview with Margaret Johnson, March 31, 2000.
54. Diane M. Gianelli, "Abortion Providers Share Inner Conflicts," *American Medical News*, July 12, 1993, p. 3 ff.
55. Fred Barbash, "Abortionist," *Washington Post*, March 3, 1980, pp. A-1 & A-14. See, also, Warren M. Hern and Billie Corrigan, "What About Us? Staff Reactions to D & E," *Advances in Planned Parenthood*, vol. 15, no. 1 (1980), pp. 3-8.
56. Nathanson, op. cit., p. 108.

A Moral Muddle

William Murchison

What this country needs is a good, consistent theology of human life.

I am not here to offer it. I am here to illustrate the need.

Human life? Good, apple-cheeked—well, occasionally not quite apple-cheeked—life? Innocent, gurgling, carpool-driving, tennis-ball-swatting life? Don't all the diet books, health clubs, Lamaze classes, women's shelters, and elder-care centers prove endlessly our society's dedication to the good life for all?

That would not be precisely my point. My point would be that our society lacks a consistent theology of life: a blanket of assumptions about the origins, duties, and responsibilities pertaining to life; a guide to our actions in, so to speak, living out those assumptions.

What we have, after the intellectual and social upheavals of the past four decades, is a muddle of assumptions, no one assumption more compelling, except maybe legally, than another one; all up for grabs, despite the excitement which frequently grips us because of news stories about life. Stories, for instance, about "innocent lives" at risk.

There you go—innocent lives. The hue and cry is out for America to stop, in the name of mercy, the precipitate killing of death row inmates. Doesn't that prove something?

It proves, I think, the size and shapelessness of our moral muddle. It proves how differently, and how selectively, we look at the varied issues of human life. Generalized solicitude for convicted murderers, general nervousness and drumming of fingers at the very mention of that dreaded topic, abortion—you must back off a ways to appreciate such a picture. It is a picture of ourselves, sometimes at war with ourselves. This makes it hard to back off. So also it obliges some effort in that direction.

Page One of the *New York Times*, May 14: "Bush Candidacy Puts Focus on Execution." On execution of the innocent, as it happens. The concern at the *Times*, and elsewhere, centers on suspicions that particular Texas inmates put to death may in fact have been guiltless. Gov. George W. Bush, the pro-capital punishment governor of a pro-capital punishment state, is called to account for what his political enemies would like to show as his indifference to questions of guilt or innocence—Jes' So's Bubba Gits to See the Bad Guy

William Murchison, our senior editor, is a nationally syndicated columnist at the *Dallas Morning News* and a popular speaker on a wide range of current religious and cultural issues. His latest book is *There's More to Life than Politics* (1998, Spence Publishing Company, Dallas).

Go Out Hard and Fast.

It is no part of my business to arbitrate the wisdom or foolishness of Texas criminal justice under my own governor. It seems fair to propose that Texas criminal justice functions with a concern and disinterestedness as notable as that of the state in which the *New York Times* is published; this in spite of, or because of, the two states' different views of the death penalty.

A related question strikes me as no less interesting and maybe a lot more so: Why does a certain kind of American get wrought up about capital punishment but not about abortion? Doesn't this seem a bit, well, odd? Yet so it often happens in these times. Self-conscious friends of "civil liberty," who huff and puff over the taking of "innocent life" by the state, are unruffled when the state lets doctors take life you would reasonably suppose to have the tinge of innocence—unborn life.

What goes on here? Something hard to see because of the muddle that is our daily portion in a world more deferential to opinion than to truth-claims. Lacking a unitive vision concerning life—or, for that matter, death—moderns make it up as they go. We are all over the map on life questions: no common understanding of what it means to be alive in the world, or of the rights and duties that aliveness entails.

Politics—now that's different! Politics we understand far better than ethics. Politics is real and hands-on, a thing of the sunlight rather than the dark places where philosophers and theologians mutter incomprehensibly to each other.

Our modern views of life are perforce political. Not everywhere, not always—but enough places, and enough of the time, to warp and confuse discourse about the moral view of life. You see Hillary Clinton stalking New York State, claiming to be the pro-choicest of pro-choicers, and right away you know what she is about. The lady isn't running a philosophy seminar; she is panning for votes. As is, for that matter, her Republican opponent Rick Lazio, whose lone scruple (though not an insignificant one) on the issue is partial-birth abortion.

Now and again the new politics and the old ethics meet uncertainly, doubtfully, in public. You get the capital punishment debate and its manifold confusion of purpose and emphasis.

Just what do we think about life these days? A lot of things, some of them contradictory, others ambiguous. It may be no wonder, with respect to issues like abortion and euthanasia, that the great American public refuses to come down firmly on one side or the other, and that force (i.e., judicial decree) carries the day and rules the roost. As Lenin proved, a man with a plan wins out over any number of planless, clueless men and women.

There is no good, consistent theology of life. It seems logical, by way of getting into this question, to mention the ways our two great political philosophies—"liberalism" and "conservatism"—look at life. (I quote-mark the terms due to escalating doubt as to how much content they retain in the 21st century; but the device, once resorted to, hardly requires repetition.)

Life to many conservatives—though far from all—is holistic. There is a spiritual context to it. God is the author, and life is of a piece. Conservatives tend to read their Scripture with zeal if not literalness. When the Good Book, as well as the continuous tradition of the Christian churches, affirms the divine character of life, conservatives tend to draw protective rings around it.

Except regarding war and capital punishment. Here we come to something different in conservative discourse. Various liberals support capital punishment, if usually with greater delicacy than conservatives do. And as a pre-kind and gentle Bob Dole pointed out in a 1976 vice presidential debate, Democrats—good liberals for the most part—got us into every war this century.

Still, conservatives more strongly support the death penalty, consistent with their concern for divine justice and an orderly society. Likewise conservatives tend to back up the military and its endeavors. One reason is the habit they long ago formed of casting their buckets deeper than any liberal would into the well of unashamed, sometimes bawdy, patriotism. If America is our country, then the defense of America becomes a duty. Necessarily, the fulfillment of such a duty will involve some shedding of blood. One doesn't encounter a whole lot of conservative pacifists.

What about the liberal view of life and the contrasts it presents? The liberal would not present himself as one whit less concerned about life than the conservative. He would turn the question, though. He would talk about life in the here and now: life, in other words, outside the womb.

Liberal ministers and theologians—generally a this-worldly lot—acknowledge the divine lordship. What they would have us understand is how much injustice, despite this lordship, afflicts human affairs. God is a god of justice. Would not a conservative say as much? Of course. Let's see what we can do, then, to help spread the justice around.

For liberals, as for conservatives, life questions touch justice questions at two points of the moral compass: capital punishment and abortion.

Here we have living people, the liberal would say: people mistreated, abused, by The System. Abused? How's that again? Abused means "forced"—the phrase, or its like, permeates pro-choice discourse—to carry a pregnancy to full term. To stifle personal preference, out of fear or whatever, is to

submit to injustice. Notwithstanding that two lives, two destinies, seem to collide here, the liberal—particularly if running for political office—almost unfailingly comes down on the side of the mother. It would be cynical to observe that dead babies don't vote. But they don't, whereas ex-mothers do.

Then, for liberals, there's another consideration: the masses (downtrodden) vs. the classes (over-privileged). That introduces the question of women—the only known majority to enjoy “minority” status; women hunched over their washing machines (formerly it was “washing boards”), beaten down by circumstance and brutal or, at the very least, insensitive men. (“...[T]here are deep similarities between the situation of woman and that of the Negro. Both are being emancipated today from a like paternalism, and the former master class wishes to ‘keep them in their place’—that is, the place chosen for them.” —Simone de Beauvoir, 1949)

To do secular justice for women means to free them of imposed burdens, e.g., “involuntary pregnancy.” The life issue is about *women's* lives.

Capital punishment was where we came in—small waves of indignation starting to swirl about us and, more particularly, about George W. Bush. The matter is tough. But then that is nothing new in the experience of a civilization pledged to defend life in general through the retributive taking of specific life.

Capital punishment, whose popularity seems unique to Americans (for reasons that probably warrant a Ph.D. dissertation) is in force in 37 states. Proximate cause of the present excitement is the moratorium on executions imposed by Illinois Gov. George Ryan, a professed supporter of the death penalty. Ryan insists that before he will approve further executions he must receive “a 100 percent guarantee” that the executioner has the right miscreant. Lately in Illinois new evidence has exonerated 13 men on death row. Ryan is aghast. He wants no more of this.

Not that anybody else wants more, including George W. Bush, whose complicity in the execution of innocent men is implied by the *Times's* piece of May 14. The *Times* acknowledges that “No one can point with certainty to a case in which an innocent person has been executed” in Texas since reinstatement of the death penalty in 1976. But, then, you never know, do you? Classic (which is to say, pre-1960) theology speaks to the question: In any society of fallen men and women, imperfections of understanding and practice are sure to exist. Since 1994, 11 inmates of death row in Texas have been exonerated. The statistic stares meaningfully at advocates on both sides of the issue.

Meanwhile a senior Roman Catholic prelate, Roger Cardinal Mahony of Los Angeles, has called for a moratorium on executions in California, based

on his reading of the capital punishment system as “fatally flawed.” Among “the public,” whatever that woolly term may mean, support of capital punishment has lately dipped to its lowest level in 19 years. (A “mere” two-thirds now support it.)

Is a consistent theology of life starting to coalesce? Not quite that. Note the level of support that capital punishment still enjoys. Mark the determination of governors like Bush to carry out the traditional understanding; namely, an essential part of justice is the infliction on criminals of punishments equivalent to their own, original acts of injustice and violence.

No such argument is readily resolved, even by appeal to theology. Secular and theological premises get well mixed up here, both sides using both when it suits their respective purposes: the right to kill, based on theology; the duty not to kill, likewise based on theology. The biblical record is broad enough to encompass both viewpoints.

Thus St. Augustine famously found divine sanction for those who wage “just wars,” as well as for those who “put to death wicked men.” In particular cases, admittedly hard ones, public imperatives and special circumstances trumped the rule designed for everyday, ordinary life.

Pope John Paul II’s *Evangelium Vitae* justifies capital punishment in “very rare” cases of “absolute necessity.” A crack wide enough, perhaps, to thrust an executioner’s needle through, and to do so on Christian grounds. Yet what *Evangelium Vitae* calls “a positive attitude of absolute respect for life” is more congenial to Christian ethics in modern times.

Theology commands—at the barest minimum—reluctance to take life. No beer-bottle-waving, or songs of triumph, in celebration of an execution. No contempt or sloppy disregard for the rights of one in jeopardy of the death penalty.

And no abortion either? From secularists come the sounds of throat-clearing. When the theological bandwagon takes you past your intended destination, what is there to do but hop off—rapidly? Conservative Christians can frame the abortion debate any way they want to; that doesn’t mean non-Christians—or for that matter liberal Christians—have to give them the time of day.

You see how it is—no good, consistent theology of human life. Not any more. We are all over the map. We can’t come together.

Mention abortion to a knot of anti-death penalty demonstrators, and expect from some the knowing nod, from many more the impatient arching of eyebrows. The tender solicitude that death row inmates command transfers poorly, it would seem, to “fetuses.”

Not the solicitude paid on *Christian* grounds. Says John Paul II in *Evangelium Vitae*: “. . . I confirm that the direct and voluntary killing of an innocent human being is always gravely immoral . . . abortion is the deliberate and direct killing, by whatever means it is carried out, of a human being in the initial phase of his or her existence, extending from conception to birth.”

Which is all very well, you see—for popes. Who have to talk like that, one supposes. You use your popes where you can (as on capital punishment), and where you can't (as on abortion), you wander off, whistling softly. The same with other, non-Catholic theologians. You pursue the aim you want to pursue—“empowerment” of powerless women—in whatever context you want to, unconstrained by any generally accepted “theology” of life. As it happens, no such animal exists.

The torrent of rhetoric about the value of “innocent life,” when delivered from the secular perspective, starts to peter out as soon as the conversation turns to abortion. (Not always—there's Nat Hentoff.)

The American Civil Liberties Union's opposition to the death penalty (“an intolerable denial of civil liberties”) is well-known and of long standing. The ACLU energetically calls attention to the current vogue for decrying the execution of the innocent and calling for death penalty moratoriums. But what has the ACLU to say about abortion? Among other things, this:

“Anti-choice representatives are waging a new battle over reproductive freedom with the introduction of legislation that would create a new, separate offense to punish anyone who injures or causes the death of a fetus during the commission of certain federal crimes.” The congressional measure intended to deal with this state of affairs “is . . . an inappropriate method of punishing violence against women because it seeks to separate the woman from her fetus in the eyes of the law. Such separation is merely the first step toward overturning *Roe v. Wade* and eliminating a woman's right to choose.”

Likewise the ACLU stoutly supports a woman's supposed right to use the abortion-inducing drug RU-486, in furtherance of the “constitutional right to access abortion services.”

Not much sympathy in these enlightened precincts for a child whose mother declares him an encumbrance, then acts accordingly. We don't have children here, we have fetuses. We don't have “innocence,” we have the unspoken presumption that moral categories exist purely outside the mother's womb; that the womb may indeed be a preserve from the moral fistfights people get into when they have too much time on their hands. Let the mother exercise her precious reproductive freedom. We've got death row inmates to be liberated.

There isn't much pretense, in anti-death penalty literature, that innocence is the North Star by which the movement steers its course. The movement hates capital punishment, period. "Innocence" is a fortuitous talking point: a club with which to clobber the lukewarm or uncommitted (assuming a good, life-loving pacifist can be pictured "clobbering" anyone).

So where are we by this point? In a muddle, I would think; dispensing ad hoc judgments right and left. It is a condition that likely satisfies no one, including the most proficient ad hoc-ers.

You enter the assorted debates on human life with little expectation of convincing anyone: at best of overpowering rivals, shouting them down, shaming them; winning through intimidation, political or journalistic. The meeting ground is too narrow for easy patching up of differences. Though this clearly shouldn't be the case.

Take the matter of executing the imputedly innocent. Nobody wants any such result. Nobody. (The ACLU's own literature acknowledges, cannily or generously, this very point.) What's wanted is justice: always a slippery commodity, but one usually within the grasp of a people seeking it with common purpose.

The capital punishment wars of the past 40 years have exposed the lack of just such a common purpose. Proponents of capital punishment seek repair of the social breach caused by an act of violence. Opponents slough off the very idea of such a breach. What they see, usually, is a murderer who, for one reason or another—sociological, medical, familial—did something for which it would be unfair to hold him fully accountable.

The issue of "innocence" matters deeply, no matter how it may come to be employed politically. To execute the guiltless is to stain the criminal justice system, standing temporarily on its head the very purpose of such a system—that is, to protect and vindicate the innocent.

A good, consistent theology of life—distinct from our current muddle of assumptions—would allow a little deeper probing. It would help with the devising of remedies that do not undermine active use of the death penalty. It would show, further, the futility of seeking to perfect any man-made work. Gov. Ryan's insistence on "100 percent" certainty of guilt as a prerequisite for execution in Illinois assures us no one will get executed in Illinois while George Ryan remains governor. A moratorium on executions clearly means no innocent man will be executed; it means, likewise, no guilty man will be executed. Moratorium backers, in Illinois and elsewhere (including clerical backers), advance just this trade-off—rarely saying as much.

A good, consistent theology of life would help us work through the perplexities of the situation, keeping in view the necessities and rights of the

accused, the necessities and rights of the victim in whose name accusation is lodged, and the necessities and rights of the society acting—it trusts—to repair a breach in the social order. Do all sides in the debate see the need for such a balancing act? The secular/political opponents of capital punishment—who in our secular/political age greatly outnumber the theological types—seem not to see such a need. Against capital punishment the ACLU vaguely pleads injustice. Well, you know what?—it would be nice to know who earns the high privilege of defining “injustice”; I mean, apart from the ACLU’s in-house staff. Unjust? On what terms that non-ACLU types are bound to accept?

I keep saying “theology” of life. Why so? Why not “philosophy”? Well, you see, for a very good reason: Unless we draw God intimately into our conversation—and authoritatively, so far as that can be done—essentially liberal/secular premises kick in. We move from theology to politics, from the high ground of Bible studies and encyclicals and sermons to the very, very low ground of political speeches and appeals to interest.

How this works in the context of abortion we see all too clearly. Take away the divine sanction for life, and let the arguments begin over “convenience,” “fairness,” and other qualities peripheral to the main issue, which is the integrity of a life formed by God.

Richard John Neuhaus’ naked public square, where theologies of any sort meet a hostile reception, is a naked beehive, buzzing with viewpoints of every kind and description. Free thought is of God. Hooray for it. But to say that thought forever bars conclusion and consensus is to say something dangerous. A consensus about life we used to have, built up by clerics and judges and teachers and authorities of various sorts. It held that life, being good, was to be valued, protected, succored on premises that strengthened the society and gave due glory to the author of life.

Can anything resembling that consensus be reconstructed and put to use? Can the junkpile of easy, secular assumptions be cleared from our midst? It would be pleasant to say yes. It would be more accurate to say, God knows. It would be faithful and sensible and praiseworthy to say, with a smile, sure—let’s have a go.

The Illusion of Animal Rights

David S. Oderberg

You might be wondering what an article on animal rights is doing in a journal devoted to the defence of human life. It turns out that the connections are closer than you may think. Grasping them is crucial to a proper understanding of just why innocent human life must be defended, of why the killing of even the tiniest, youngest member of the human species is an unspeakable crime. For it is by analysing the issue of whether animals have rights that we come to see the core differences between humans and other animals¹—the differences in the *nature* of humans and animals that mean humans have rights and animals do not. Understanding the issue also gives us an insight into the ideological motivations of the anti-life movement, at least the significant strand of it which is influenced by Peter Singer and his followers.

The animal rights issue certainly has stoked up strong passions. In Britain, few other issues are capable of bringing so many people of apparent good will onto the streets; of causing otherwise quiet, politically inactive middle class citizens to pelt trucks (containing live animal exports) with rocks, form human barricades, break into laboratories to release captive animals into the wild, disrupt fashion shows and hunting meets, and bombard their politicians with letters of complaint about the abuse of animals.

True, Britain has been derided as a nation of “animal lovers,” but such sentimentalism aside, one finds much hard-nosed, ideological resentment at the way animals are treated, resentment which can turn into action at a slight provocation. When the philosopher Michael Leahy published a book against animal rights,² he was subjected to a fierce hate campaign. Academics like Roger Scruton³ and Peter Carruthers⁴ have braved ridicule and even contempt for their philosophical opposition to animal rights. Most people, seeing the passion and commitment with which animal rightists defend their cause, think: “Surely people who can get so worked up about an issue have a point?” And when someone stands up to say that animals do *not* have rights, or that it is at least an arguable issue, in many eyes it is tantamount to saying: “It’s OK to do what you like to animals—they’ve *got no rights*,” where the special emphasis on the last few words is supposed to convey the idea that because they have no rights, they have no moral standing whatsoever.

David S. Oderberg is Reader in Philosophy at the University of Reading, England. This article draws on material from chapter 3 of his recently published book *Applied Ethics* (Oxford: Blackwell, 2000), in which the argument against animal rights is set out in detail.

It is time the animal rights issue, like the abortion and euthanasia issues, was looked at in a less emotionally charged and more philosophical way. It's time that some myths, often deliberately sown, were cleared up. Here are a few. Myth #1: If you think animals do not have rights, you must think it is all right to do anything to them, that their welfare does not matter. Myth #2: Peter Singer and his followers believe in animal rights. Myth #3: Traditional moralists, who are both pro-life and oppose animal rights but believe in animal welfare, can make common cause with what I will call revolutionary moralists, who are both pro-abortion and either believe in animal rights or take a Singerian consequentialist line giving no special moral priority to humans just because they are humans.

Note the distinction between traditional and revolutionary morality. Singer himself subtitled his 1995 book *Rethinking Life and Death as The Collapse of our Traditional Ethics*,⁵ his target being precisely the morality that regards human life as both sacred and qualitatively distinct from that of any other creature on the planet. His use of "traditional" is correct. Indeed, one can go further: the traditional moral position of Western civilization is that humans have rights and animals do not. There are, however, people in the pro-life movement (their numbers are hard to assess), who believe that the sanctity of human life is justified by the same reason that justifies the sanctity of all (sentient? conscious?) life: these are all God's creatures, and they all have their special destiny. Whatever the merits of such a position—and I believe them to be few—this is not, and must not be portrayed as, the traditional moral position.

As a prelude to explaining the myths stated above, I want to sketch the traditional position on animal rights. Once we get clear on what ethical status animals *lack* we can be clear about what status they *have*, and about how the traditional and revolutionary positions differ, with such drastic consequences for the abortion debate. Note initially, however, that there is no puzzle in the idea that we have a duty, say, not to inflict unnecessary suffering on animals, but that they have no *right* not to be treated this way. There are many things one person ought not to do to another, but which do not involve a right by the second against the first. You ought to be kind to strangers, but they do not have a *right* to your kindness. You ought not to use bad language, but others do not have a *right* not to be subjected to your profanities. Rights and justice go together—when you violate a right you are being unjust. But when the priest and the Levite passed by on the other side, they were not being *unjust* to the man who fell among robbers; they were being *uncharitable*. Morality involves more than rights: it involves duties, virtues (like charity and compassion), customs, traditions, and so on.

So how do rights fit in? What is a right, anyway? In order to understand the concept of a right, we need to understand the concept of a good. Then we need to grasp why it is that paradigmatic holders of rights, namely human beings, have such a status; and we can then see why this status cannot be extended to other animals. To begin, a good can be defined as that end of an action which fulfils the nature of a thing. There are a number of goods which fulfil human nature, without which a human being cannot *flourish* or live a distinctively human life. These include such material things as food, shelter, warmth and health, but also things of a more psychological, emotional or intellectual nature, such as family, friendship, knowledge and understanding, work, play, artistic experience, and religion. These are some of the principal things which, to use Aristotle's term, fulfil us as *rational animals*. The absence of any of them diminishes our human dignity, our integrity—it leaves not just a quantitative but a qualitative *gap* in our lives.

But if human beings are rational animals, and have rights, this means some animals have rights—so why not others? What's so special about us humans? Isn't it arbitrary—to use Singer's term, “speciesist”—to say that human animals have rights but others do not? When we see how rights interact with goods, it becomes clear why it is not *insofar as we are animals* that humans have rights, but *insofar as we are rational*. A right is best thought of as a kind of protection conferred by morality. For example, my right to privacy means that I am protected *by morality itself* in my pursuit of the good which privacy constitutes, namely a sphere of activity which remains unknown to others. Without such a sphere of activity a person's integrity would be undermined; privacy is essential to human dignity, and is therefore a good. Now, like many goods it may not be protected by the legal system. But this does not mean we can invade each other's privacy, since morality itself confers protection: I have a moral right to privacy, and your violation of that right would be blameworthy unless justified by a greater right, say the right to life.

A right, then, protects a person in his pursuit of some good. It means that others are under a duty not to violate that right; that the right holder is morally permitted to exercise his right without hindrance; and even, in some cases, that he is permitted to use force in safeguarding his right (e.g. the right of self-defence). That is all well and good, say animal rights supporters—but why are animals excluded from being right holders? Don't they, just like humans, have whatever is necessary for the possession of rights? Why the distinction?

It is here that animal rightists start going off in different directions.

Traditionalists need to ask them: “So what do *you* think is necessary and sufficient for the possession of rights, seeing as you are so sure animals possess them?” A number of proposals have been put forward. Perhaps the most sophisticated defence of animal rights has been set out by the philosopher Tom Regan,⁶ who groups a number of ideas together into a complex criterion which he calls being a “subject-of-a-life.” Animals have rights, he says, because they are not mere “receptacles” of pain and pleasure, but *conscious subjects* with lives of their own just like us, goods to pursue just like us, and separate identities just like us. Now, I have no space to evaluate Regan’s theory in depth.⁷ Instead I will briefly discuss the most important elements of his criterion, one or more of which are fixed on by animal rightists in support of their case.

The first is consciousness. Surely being conscious is enough for a creature to have rights? For a start, not all animals are conscious, so consciousness, *if* it conferred rights, would only confer them on some animals. But you might also ask: what is meant by consciousness? Here the animal rightists might mean several things, such as sentience (the capacity to feel pain and pleasure), perception, memory, a sense of the future, and various other features that make a creature a psychological subject. It is true that we humans have all of these things, but that doesn’t mean that we have rights *because* we have these mental characteristics. The truth is that there is no straight entailment between consciousness in any or all of the respects just mentioned, and the possession of rights. What is the logical connection between sentience and rights? Feeling pain/pleasure is just another way that a creature’s life can go badly/well for it, along with having or lacking food, having or lacking disease, and so on. So why don’t plants have rights? They aren’t sentient, but their lives can go well or badly in other ways. What is so special about pain and pleasure?

The same goes for perception, memory or a sense of the future. Why should we think that a creature has rights simply because it perceives or remembers or anticipates the future? Conceptually, none of these take us beyond sentience. The animal rightist might say that what matters is memory of *self*, and a sense of *one’s own* future—but this brings in *self*-consciousness, which I will come to in a moment. For the present, it seems that sentience, perception, memory and a sense of the future guarantee that an animal is a psychological subject—but not that it is a *moral* subject. The animal rightist needs to bridge the conceptual gap between the two.

What about beliefs and desires, as well as other mental states such as being afraid, or contented, or sad—don’t they guarantee that the animal

possessing them has rights? To be sure, there is much philosophical debate about whether animals even *have* beliefs and desires, or other mental states such as those mentioned. (Note: it is the job of the *philosopher* to judge this, not the animal behaviourist—the issue is not just empirical but conceptual, though empirical evidence is of course relevant.) But I am prepared to accept for the sake of argument that some animals do have beliefs, desires and other mental states, even if their content is radically impoverished compared to human mental states. The question, however, is: Even if some animals have beliefs and desires, how does it follow that they have rights? Again, what is the logical connection between the two? It may be that an animal which has beliefs and desires (as well as perceptions, memories, and so on) has an *inherent value* in the sense that one can assess how well or badly its life is going independently of how useful it is to other creatures. But the same can be said for ants, amoebae and rose bushes. All that having complex mental states such as beliefs and desires does is to make the ways in which the possessor's life can go well or badly *more subtle and complex*: desires can be frustrated, beliefs can be the product of deception, memories can be disturbing, and so on. But none of this implies that animals which have these mental characteristics have rights.

Self-consciousness is one of the features which animal rightists most commonly refer to in support of their thesis. It is not mere awareness, they say, but awareness *of self* which confers rights; not a mere sense of the past or the future, but a sense of *one's own* past or future. Again, I am prepared to accept for the sake of argument that some animals are self-conscious, though there will not be many. Perhaps only higher apes such as chimpanzees are self-conscious: for one thing, they are capable of grooming themselves with a mirror and a comb. But whether the numbers are large or small, the familiar question reappears: what is the conceptual or logical connection between being self-conscious and having rights? How does being conscious of self add something importantly different from merely being conscious? What is important is not *that* an animal is self-conscious, but the *way* in which it is self-conscious, as I will explain. In fact, my argument against animal rights implies as a necessary consequence that right holders will be self-conscious, but self-consciousness is not part of *what it means* to possess rights.

A similar point can be made about another of the more common features appealed to by animal rightists: that some animals have language. The truth is that the empirical evidence for linguistic competence by animals is, despite the media propaganda, woefully inadequate. The only serious contenders are some kinds of chimpanzee, but even these creatures show very little if

any ability to communicate using language. They can imitate, they can react, they can be conditioned—but the rest looks like the product either of wishful thinking, or of deliberate skewing of the evidence, by the scientists who hopefully observe them.⁸ But even supposing they did possess language—why should it follow that they had rights? There is a philosophical mistake involved in basing rights on language: language is a tool of communication, of interpersonal relation; and to ground rights in it would be to take a *contractualist* or *communitarian* view of rights, a view which held that a creature has rights because it is “in relation” to other creatures. Such a doctrine is both false and pernicious, as much when applied to the unborn child (“It can’t communicate with others or enter into a meaningful relationship with others, therefore...”) as when applied to adult humans or any other creature. Having rights depends upon the way the *creature itself* is, not on what kinds of relationship it enters into. To be sure, it is a necessary consequence of having rights that a being has linguistic capacity as well as self-consciousness, but again having rights is not *grounded* in linguistic capacity.

Having put the main alternative views to one side, I can now say that what matters in the having of rights is twofold: (a) knowledge; (b) freedom. More precisely, a right holder must, first, *know* that he is pursuing a good, and secondly, he must be *free* to do so. No one can be under a duty to respect another’s right if he cannot *know* what it is he is supposed to respect. Similarly, no one can call another to account over respecting his right if the former cannot know what it is the latter is supposed to respect. By “call to account” I mean making a conscious demand on them, even without speaking a word. How can the right holder make a conscious demand on another if he cannot know what he is demanding?

Again, no one is under a duty to respect another’s rights if he is not free to respect or not to respect, if he is not able to choose between right and wrong. Similarly, no one can possess a right if he is not free to pursue the good it protects, if he is not capable of planning his life, ordering his priorities, choosing to live in a dignified and human way or a squalid and less-than-human way.

Now it becomes clear why animals—nonhuman ones—cannot possess rights. It is because they do not possess the two features which are necessary for being a right-holder. No animal *knows* why it lives the way it does; no animal is *free* to live in one way or another. Animals, from the smallest single-celled organism to the most human-like ape, are governed purely by *instinct*. That is why, for instance, even the most hard-line animal rightist does not advocate prison (or worse) for chimpanzees that go on random killing sprees,

as they are known to do. Nor do they advocate forcible prevention of lions from eating gazelles—"They can't help it," it is said. And that is precisely the point: they *can't*. Such is the paradox at the heart of animal rightism.

We humans are governed partly by instinct, of course: you do not get up every morning and think, "To eat or not to eat—that is the question"—you just go and make some toast! But note two things. First, the more animalistic our behaviour, the more instinctive it is. Food, drink, reproduction—these are the sorts of activities that are largely if not wholly instinctive. Secondly, no matter how instinctive, every such activity can come within the sphere of choice, or free will; otherwise there would be no hunger strikers and no celibates! As babies, when mentally handicapped or senile, or even comatose, humans may be governed far more by instinct than by knowledge and free choice, but this does not mean such people have no rights. They are still *qualitatively* different from other animals because of the *kind* of creatures they are; and so they have human rights just as much as the sleeping, the drunk and the drugged. Neither age, nor illness, nor abnormality can change the fundamental fact that all such people are instances of a distinctive kind of animal—free to choose and aware of why it does so.

Not so for the animal kingdom. No experiment that has ever been conducted into animal behaviour has demonstrated that animals know *why* they do what they do, or are *free* to choose one course of action over another. From insects to apes—all kinds of complex behaviour have been demonstrated, such as deception, tool-making, social group formation, mutual assistance. But nothing has been found which sets the ape apart from the insect in any *qualitative* sense bearing on freedom and knowledge of purpose. The "gee whiz" articles that appear in the popular press on a regular basis, revealing the latest trickery or intelligence on the part of some animal (usually an ape), are therefore useless as forming an empirical justification for regarding animals as metaphysically, in their nature, the same as human beings.

Now to return to the myths I stated earlier. First is the supposition that if you think animals do not have rights, you also think it is OK to treat them however you like. But how does one follow from the other? Only if rights are the whole of morality, which I have said they are not. The traditional moral position is that although we have no duties *toward* animals, we do have duties in *respect* of them. We are not free to be cruel to them or cause them unnecessary suffering. We are bound to look after and preserve the entire natural world that has been given to us, in a way consistent with our own flourishing as a species. Hence we are free to use animals for our benefit and for reasons that do not in themselves involve vice or immorality, such as

food, modest clothing and scientific research that can benefit the life and health of man. But if this also means condemning fur coats as fashion accessories, or investigation into the latest ways of pandering to our human vanity (such as cosmetics research), so be it. I do not imagine the animal rights lobby will object. We are also free to hunt animals for the protection of our property, of the countryside, and even for leisure. None of this, however, licenses cruelty, bloodlust, or the deriving of pleasure from a sentient being's pain. The basic principle is one of modesty: the living of an unluxurious life, attention to necessities, and respect for God's creation.

The second myth is that Singer and his followers believe in animal rights. As I have said in various places, and as cannot be repeated often enough, *utilitarians do not believe in rights*, for animals *or* humans. All that matters are the costs and benefits (however *they* are measured; some utilitarian comes up with a new way of calculating them every week). Singer himself is on record as saying: "I am not convinced that the notion of a moral right is a helpful or meaningful one. . . ." but that "[t]he language of rights is a convenient political shorthand. It is even more valuable in the era of thirty-second TV news clips. . . ." ¹⁰ Now if that is not a case of the cynical manipulation of ethical debate for one's own advantage, I don't know what is. So for all that Peter Singer has performed the service of alerting us to the mistreatment of animals in farming, science and elsewhere, and pleading for a radical change in our attitude to animals, the animal rightists can forget it if they think they will find support in his writings for absolute opposition to meat-eating, absolute opposition to animal experimentation, or to any treatment of animals that would be inconsistent with their having basic rights.

The third myth is that traditionalist moral theorists can make common cause either with animal rightists or Singerian utilitarians. They cannot make common cause with the second group because Singer's defence of animals rests on a conceptual move the traditionalist can only abhor—the *downgrading* of human beings as just another animal, with no special rights (indeed no rights at all), no special status; with every human able, in the appropriate cost-benefit situation, to be sacrificed for the benefit of other humans, or even for the benefit of other animals. When it comes to animal experiments, for instance, Singer does not rule them out per se: all he pleads for is *consistency*. If we are prepared to use animals, he argues, we should be prepared to use brain-damaged babies (or maybe even normal babies) at a similar level of mental development (whatever that means). And since research on humans will tell us more about humans than research on other animals, science itself dictates that it is the baby who would be the most desirable experimental subject. The traditional ethicist, ought, I think, to be able to

spot the Trojan horse that constitutes Singer's impassioned defence of animals.

As for the animal rightists, well, they may say they believe in human rights (though it's hard to find anti-abortionists among them), but they go astray by pretending to upgrade the status of animals to that of humans. While Singer collapses the distinction between humans and animals in one direction, the animal rights supporter collapses it in another. And the latter's position is no more a part of traditional moral theory than Singer's. Let the animal rightists try to defend a quasi-Buddhist reverence for all life, or some other ethical stance such as Deep Ecology—but it won't be the stance of traditional Western ethics, and it won't be coherent either.

Perhaps, as implied earlier, we look in the wrong direction for the source of our modern brutality towards animals. It is not the traditional distinction between man and beast that needs correcting, but our own selves: the moral degeneracy which makes factory farming, bullfights and horrendous scientific experiments on animals a part of life. It is the lack of virtue, and flowering of excess, which has resulted in there being far more animal suffering in the world today than ever existed in prior ages.

NOTES

1. Of course we humans are animals as well. Sometimes I will use the term "animal" in an inclusive sense, and sometimes in contradistinction to humans. The context will make it clear which sense I mean.
2. Michael Leahy, *Against Liberation* (London: Routledge, 1994).
3. Roger Scruton, *Animal Rights and Wrongs* (London: Metro Books, 2000).
4. Peter Carruthers, *The Animals Issue* (Cambridge: Cambridge University Press, 1992).
5. Peter Singer, *Rethinking Life and Death* (Oxford: Oxford University Press, 1995).
6. Tom Regan, *The Case for Animal Rights* (London: Routledge, 1984).
7. See chapter 3 of my *Applied Ethics* (Oxford: Blackwell, 2000).
8. For an entertaining and persuasive demolition of the thesis that apes have language, see Steven Pinker, *The Language Instinct* (London: Penguin, 1994), pp.335-49. See also my *Applied Ethics*, pp.109-14.
9. Singer, *Practical Ethics* (Cambridge: Cambridge University Press, 1993; 2nd ed.), p.96.
10. Singer, *Animal Liberation* (London: Jonathan Cape, 1990; 2nd ed.), p.8.

John Cardinal O'Connor, R.I.P.

The death of Cardinal John Joseph O'Connor, on May 3rd, was a blow not only to Catholics, but to those of all faiths and of none. This was clear in the accolades that came pouring forth in the days after his death, from people widely scattered along religious, ethnic and political lines.

For those in the pro-life movement, his death is a deep loss indeed. He was one of our heroes, a national figure who took every opportunity to proclaim the infinite value of every human life, a leader who did not hesitate to back up his words with a multitude of acts of practical kindness and compassion. For example, in 1984, the Cardinal announced from the pulpit at St. Patrick's Cathedral that any woman or girl who was pregnant and in financial need could come to the archdiocese for assistance. He repeated this publicly many times (though to his frustration, the media usually ignored this part of his message), and he stood by his words.

The Cardinal was for many years a source of great inspiration and support to the *Human Life Review* (and to the McFadden family); we dedicate this special section to his memory. Included here are some original reflections, and a number of commentaries we have reprinted from the press. Only a fraction, certainly, of what has been and what will be written about His Eminence, but a worthy tribute, I hope. The final piece is an interview with Mother Agnes Mary Donovan, the superior of the Sisters of Life, the religious order the Cardinal founded and called his "living cathedral." It was his conviction that our times needed "a religious community whose charism would be uniquely the protection and enhancement of a sense of the sacredness of human life itself." The Sisters are part of the great legacy he left to all those fighting the culture of death. If you would like more information about the Sisters, how they can help us, and how you might help them, please see the publisher's statement in our inside front cover.

MARIA MCFADDEN
EDITOR

A Magnificent Ride

Faith McFadden

“JOHN CARDINAL O’CONNOR: 1920—2000.” When that appeared, silently, on TV screens at 10:30 p.m. on May 3, viewers who’d been tuned in since that afternoon’s press conference knew the hour of death had finally come for this Prince of the Church, for 16 years shepherd of his 2.4 million flock. He’d not been seen publicly since before St. Patrick’s Day; now he would be back in his beloved cathedral, lying in state for three days.

And what days they *were*. From the Rite of Reception on May 6, when his body was brought from the funeral home back to the cathedral, till the end of the funeral Mass, the days of public mourning were such as had never been seen before. In the first hours of public viewing, more than 10,000 passed through the great bronze doors of St. Pat’s—some waiting up to 45 minutes in lines that wound four times around police barricades. Schedules of public and private cathedral “events” were announced on TV and radio and listed in all the papers; pictures of the Cardinal were front-paged, with articles and more pictures inside: the Cardinal was prime-time news on all the channels. All other news seemed somehow irrelevant.

Here in New York there are annual “happenings” that bring diverse elements into a sort of collective euphoric “togetherness”—Fourth of July fireworks, the Marathon, New Year’s Eve in Times Square—*secular* celebrations, with full media coverage. The unscheduled death of the Cardinal magnified this: as Susan Brady Konig wrote in her NY *Post* column on May 8, “. . . the city has been unapologetically and beautifully united by his loss.” And Archbishop Edwin O’Brien, prelate for Catholics in the U.S. armed forces, who has officiated at other major funerals and papal visits, said “I have never seen a bigger outpouring of people. It’s just overwhelming.”

But what was *most* overwhelming wasn’t *bigness*: it was the many-faceted sides of this “outpouring.” People of every religion and none, and from every walk of life, seemed to feel—in the words of my Jewish friend, and the Cardinal’s friend, Sandi Merle—“as though a kind king had died.”

On the day of the funeral, May 8, midtown Manhattan was pretty much shut down. From early morning, streets around the cathedral were blocked off; there were still long lines of people hoping to get inside to pay their last respects, but suddenly—extra early—the doors were shut. Scheduled morning Masses were canceled. All because of—Security. Bomb sniffing dogs,

Faith McFadden, the *Review’s* senior editor, is the author of *Acts of Faith* (Ignatius Press, 1994).

the works. Though the media had explained that this funeral would be basically the traditional Rite of Christian Burial that's offered for *all* Catholics, *this* would have some extra-ordinary elements since it was, after all, a National Event: the president and vice-president and scores of other dignitaries and luminaries from around the world would be there, thus necessitating extra-ordinary measures.

When the doors closed (not to open till 12:15) hundreds of the turned-away stayed on, keeping vigil on the cathedral's steps and surrounding sidewalks as the temperature rose and helicopters hovered and cops with walkie-talkies and bottled water mopped their brows, rearranged metal barriers and patiently answered questions about what would happen when.

At least the crowds outside got to see the procession of cardinals, bishops, priests, deacons, seminarians, acolytes as—two by two—they trooped along the sizzling sidewalks (the temperature would hit 92) from whence they'd vested to the doors of St. Pat's. (Wrote Dan Barry in the *NY Times* May 9: "Across Madison Avenue from the cathedral's rear entrance, the New York Palace hotel was awash with clerics from around the world. There were monks in the men's room, priests in the dining room, bishops in the lobby.") The procession (of some 2,000) took every bit of the predicted 45 minutes, and as it took measured steps down the cathedral's central aisle (with organ, trumpet, even harp accompaniment from the choir loft) I couldn't help but think that were this not a *funeral* procession it could be seen as an ecclesiastical fashion parade (the Cardinal *did* love parades). There were cardinals in crimson and satin, bishops in lace and purple, priests in glistening white albs, Eastern Rite and Orthodox primates with all manner of headdress—Russians with jewels in crowns, others with toppings of black squares, peaks, swirls. Also "Bobbing down the aisles," wrote Jim Dwyer in the *NY Daily News*, "are the feathered hats of knights from obscure societies, like birds you didn't know existed."

Of course the funeral Mass had live TV coverage and at the beginning some anchorpersons expressed surprise that the cathedral wasn't totally filled: tickets had been sent to 3,500—St. Pat's *seats* 2,300. I was surprised to be alone in *my* pew, while also wondering where—once the cardinals and bishops had filled the sanctuary—the hundreds of white-albed priests were going to go once they'd processed. Out the back door? This question was answered when four large clerics squeezed in with me. Others unable to find pew-space stood, sat on folding chairs, or joined various saints in the side altars.

"What I would like my own epitaph to say is simply that 'he was a good priest,' or even 'He was a kind priest.' That is infinitely more important to me

than all the titles or the prestige.” So said Cardinal O’Connor to Leslie Bennetts, who’d interviewed him for the August ’90 *Vanity Fair* piece titled “God’s Man in New York.” O’Connor had just returned from Northern Ireland, where he’d gone for the funeral of the “much loved” primate of all Ireland, Tomás Cardinal O Fiaich, and he seemed (wrote Bennetts) “melancholy” and even “brooding.” When asked why, O’Connor said that everywhere he went he heard people talking about what a good, simple, kind priest the late cardinal had been; he’d listened to the eulogies and thought: “That’s the last thing in the world that they’ll say when they’re burying me . . . they’ll say ‘The controversial Cardinal O’Connor . . .’ It will be something like ‘The lion has roared for the last time.’”

He was wrong about that. Sure, when he died there was a lot written about the controversies but there was far more about the love that went with the “roaring.” The *Daily News* Friday (May 5) invited readers to “Share your memories of the cardinal . . . how he affected your life, some small encounter or act of kindness . . . We’ll print a sampling of responses in a special commemorative edition Tuesday.” On that Tuesday the paper reported that “responses were overwhelming in number and emotion” and ran four pages of personal tributes, all attesting to the truth that the Cardinal was—as Ray Kerrison had written in the *NY Post* May 5—“at once profoundly spiritual and utterly human.”

In that 1990 *Vanity Fair* piece, my late husband was among those quoted: “‘I think O’Connor is just what New York needed,’ says Jim McFadden, editor of the anti-abortion Human Life Review. ‘O’Connor is a marvelously ingenuous man who really does believe what the church teaches, very uncomplicatedly and easily, and his ingenuousness has restored to New York a vast improvement in Catholic image and power . . . But he talks too much,’ McFadden acknowledges with a sigh.”

The Cardinal did indeed talk a lot when he visited Jim in the hospital in 1993, and again in 1996 when Jim himself couldn’t talk: he’d had his larynx removed, but he “communicated” loudly with red pen on yellow legal pad. (His Eminence was well known to visit hospital patients, especially those at St. Vincent’s, the “flagship” hospital, without any warning. He would emerge from the elevator and glide past the nurses’ station—we heard one nurse say “Oh, *no*—I hope the Cardinal didn’t hear the bad word I just used . . . he was right in front of me and I didn’t see him . . .”). Every morning when I’d arrive in Jim’s room he’d show me his Report of what had happened after I’d left the night before, and on one August morning in ’96 he “told” me that the Cardinal and his secretary had visited late last night. First there was (Jim had

written) “the Con-Ed remark.” Wasting electricity. O’Connor had “chastised” him for having the light on. Jim wrote, defensively, “I just dozed off.” Then His Eminence said Jim had misquoted him, somewhere in *catholic eye*. More scribbling on legal pad, by Jim, and His Em. said, “I see you haven’t forgotten how to write!” Then they got on to Serious Stuff: Jim wrote to me “O’C very pleased when I *hopped* out of bed and grabbed—held aloft—CNY purple cover.” That was the July 25, ’96 *Catholic New York*—our archdiocesan paper—that had a very purple cover, an “In Memoriam” photo of the flaming wreckage of TWA flight 800. But *inside* that memorial issue the Cardinal’s weekly half-page column “From My Viewpoint” spilled over *three pages*—six times the usual 1,000 word length. Titled “Reflections on Church Government,” the theme was that Catholic doctrine was at stake: O’Connor had zeroed in on San Francisco’s ex-archbishop John Quinn, who had—in June—given a “major address” at Oxford University, calling for broad Church reforms. He’d also sent copies of his talk *in advance* to liberal colleagues, thereby pre-planning his own coverage. Quinn had retired early, at 68, having—in Jim’s words —“left his own archdiocese a disaster area.” Jim penned O’Connor “How did you find the time/energy to refute Quinn at such length?”

After “talking” about that they went on to other things, mainly pres-hopeful Bob Dole, who had “very publicly” visited O’Connor at his residence, June 15—big headlines, photo-ops, etc. The Cardinal said he’d told Dole “all kinds of things” and “an hour later he was doing just the opposite . . . doing everything he can” to re-elect Bill Clinton. Jim scribbled “I’d call him Rip Van Dole—like he doesn’t know what’s going on . . . it’s a different world in the White House.” (Jim “told” me: “O’C’s new sec. threw back his head & laughed out loud.”)

Jim—scribbling away like mad to keep up his end of the conversation—surmised that the Cardinal (known to be an insomniac) was set to continue for *hours* (he always seemed to have all the time in the world) but the post-op patient was becoming “nervous and exhausted” so he did what he’d done on previous O’Connor visitations: “I got out of bed and down on my knees and signaled for a blessing. And then—more hand shaking—then *exit*.”

When Jim finally got out of the hospital *that* time, in September, he went right back to his Standard Royal typewriter at the office—*on* the way home, in fact. And as each new issue of the *Human Life Review* came out he’d send it to His Em. with covering letter about which articles might be of particular interest to him. O’Connor unfailingly replied with more than a polite “thanks for sending...” such as this, dated August 8 ’97: “I haven’t seen the biography of Clare Boothe Luce, and so your comments are as informative as they are interesting. Thanks.” And at the bottom of the typed letter he’d penned in

"I did read the CBL review in the NYT and decided the book wasn't worth reading. You never leave my prayers." At the bottom of another letter he'd written, "You are never out of my Mass and prayers. We need you."

In October of '97, Father Richard Neuhaus hosted a book party for William F. Buckley, Jr., whose *Nearer, My God—An Autobiography of Faith* had just been published. Among the guests there at New York's Union League Club—writers, editors, priests—and Bishop Edward Egan—was Cardinal O'Connor. Jim and I were a bit late and tried to enter the room inconspicuously, but the Cardinal—on the far side of the room—spied us and made a Red-Sea crossing through the crowd to give Jim a big hug. I said to him: "Isn't it nice to see Jim *dressed* and *standing* up?"

The next, and last, time the Cardinal saw Jim he was indeed "dressed" but not standing up. It was the final night of his wake—October 20, '98, and he'd been moved to the largest room at Frank E. Campbell's funeral home, so's to accommodate an expected "larger" number of people. The room was indeed full—relatives and friends from all over were leafing through photo albums and admiring floral displays and chatting quite noisily (Jim always *hated* whispering) when suddenly in swept the Cardinal, in black cassock and red robe. A cone of silence descended. He knelt at Jim's coffin to pray, then came over to me, gave me a bear hug, put his arm around me and began to talk. Not *speak*: just *talk* (as though he had all the time in the world) about Jim and their friendship and the *Human Life Review*; he told us that his next "From My Viewpoint" would be about Jim. He must have already written it, since his column in the October 22 *CNY* was almost word-for-word what he was telling us *then*, the night before Jim's funeral. "The only way I could have been at his Funeral Mass," the column began, "would have been to absent myself from another Mass reflective of everything he lived for. He would not only have objected; he would have censured me in his beloved *Human Life Review*. That is the quarterly publication Jim McFadden edited, arguably the finest collection of articles and commentaries on human life to appear anywhere in any language. The Mass I was already committed to celebrate on the day and at the very hour of his funeral liturgy was a Pro-Life Mass for high-schoolers. That is precisely what he would want me to be doing."

As he talked to us that night at the wake, not a soul in the room—including Jim's, I'm sure—would have said the Cardinal had talked "too long." And when he finished he "worked the room" greeting friends, relations, strangers—as though he had all the time in the world.

Harking back now to the Cardinal's gloomy prediction "They'll say 'The

lion has roared for the last time”—well, his final “roar” was delivered through the voice of Cardinal Law. When from the pulpit at the funeral Mass he spoke those now-famous words, “What a great legacy he has left us in his constant reminder that the church must always be unambiguously pro-life,” there was a split-second of breath-held silence; then the applause began. It sounded to me like rain pounding on the roof—strong at first, then fainter and then suddenly picking up again thunderously when the first person stood up and then *everyone* got up, including Bill and Hillary Clinton and others who had *not* applauded. Cardinal Law’s left hand was poised to quell the ovation but he let it go on for two minutes until the bishops and cardinals on the altar finally sat down. Whereupon Law said: “I see he hasn’t left the pulpit.” It was magnificent.

Later, when I used the word “magnificent” in an attempt to describe that Mass to a friend, my mind went back to a January night in 1998 when the Cardinal came to St. Agnes for the Re-dedication Mass. The church, destroyed by fire in ’92, had risen from ashes to Italian Renaissance splendor (in midtown Manhattan!) and O’Connor’s first words, as he stood before the altar, were: “Isn’t this *magnificent*?” Deafening applause and standing ovation were followed a bit later by a tremendous explosion of laughter: glorious, shimmering gold-on-white vestments had been specially created for the Cardinal and the dozen concelebrating bishops and some 50 priests, but the side-seams made the vestments flare out rather like triangles. In a memo to his *catholic eye* subscribers, many of whose contributions had helped build the new church, my husband wrote “When O’C took center-stage to begin his homily he did a dramatic pause, surveyed himself in the finery, looked out at the audience and said ‘I feel like the Infant of Prague.’”

Back in his own church—the cathedral—after radiation treatment, the Cardinal made Yul Brynner jokes about his loss of hair . . . on his *first* time back (less than three weeks after brain surgery) he got a sensational standing ovation and—after beaming and articulating his thanks—he quipped “I feel I have attended my own funeral, and I’m quite impressed.”

That the Mass on May 8 was his *real* funeral, and our Cardinal’s Last Goodbye, didn’t hit me until the eight pallbearers began their slow stately procession, bearing the casket on their shoulders up the central aisle and down the North Aisle, to the crypt. Once again we rose to our feet, now in pin-drop silence, as the choir began singing the “In Paradisum” from Maurice Duruflé’s *Requiem*: “May the choirs of angels escort you into paradise/and at your arrival may the martyrs receive and welcome you . . .” The organ’s undertones—impossible to describe but still in my ears—made the voices

seem to come from somewhere beyond this world. Almost like voices of angels, I thought—at times like the singing of welcoming children. And as the casket began to disappear into the nether regions, borne on serious shoulders down those 18 narrow steps to the crypt, it seemed perfectly appropriate that the congregation should erupt into one last spontaneous burst of applause.

The Cardinal hadn't been well enough to join his brother bishops at their annual Conference last fall, but he'd sent a letter to them in which he said jokingly, but facing his own mortality—"It's been a great ride."

It was—magnificent.



*The author and His Eminence: November 11, 1984,
after a taping of William F. Buckley, Jr.'s Firing Line.*

Holy Innocents

Maria McFadden

Cardinal O'Connor was a great friend to the *Review*; he was also, as you read in my mother, Faith's, moving account, a true friend and source of strength to my parents during my late father's difficult years of illness. I didn't know him as well, and yet few people have affected me as deeply.

I was married in June of '93, and my husband Bob and I were overjoyed to find "ourselves" pregnant soon after. Sadly, we lost our first baby at 10 weeks. I was devastated, and confused because there seemed to be no "right" way to mourn the loss. As someone working full-time for a pro-life organization, there was the irony that I would lose my completely wanted child. I was well aware of early fetal development, and the baby was a real person to me immediately. Many said, with the best intentions, "Don't worry, you'll have another one"—but it seemed like a dismissal of my feelings for the child I lost.

It was also a time of great turmoil for my family: my father had been diagnosed with cancer one month before my wedding. I thought the baby would cheer us all. And then, unbelievably, two months after my miscarriage, we got the news that my then 33-year-old brother Robert also had cancer, of a very serious kind. We were reeling. I had never before faced anything like these events, and it made the pain of the miscarriage, the pervading sense of loss, remain.

That December 28th, the Cardinal was to dedicate a new shrine to the unborn at Holy Innocents Church in Manhattan. Bob and I were asked to present the gifts of bread and wine to His Eminence at the Offertory. That morning, I had begun to suspect I might be pregnant again, but was afraid to hope. The Cardinal began his sermon by talking about his sister, who had lost her first baby to miscarriage. She went on to have several children, but the Cardinal said she never stopped grieving for her first-born. He said, "I'm not sure the Church at large has fully appreciated the loss of babies through involuntary miscarriages and the loss of babies who are stillborn" (later quoted in *Catholic New York*). He then said that every conception was part of God's plan, and that the lost unborn take part in the "conception of Jesus."

The Cardinal spoke of the tragedy of abortion, and explained the purpose of the shrine: it features a glass case with a "Book of Life," for parents and relatives of children lost through miscarriage, abortion or stillbirth to record their children's names. But his words about conception, and the fact that it

Maria McFadden is president of the Human Life Foundation and editor of this journal.

was the Cardinal himself who was stressing the importance of grieving a miscarriage, gave me a peace I had not been able to find. As I wrote him later that day: "... with all the things that have comforted me since August when we lost her, your words today have helped me the most. To believe that our baby's conception itself is part of God's good plan, and that each baby at the moment of conception is already, in a sense, a 'success' in God's eyes—well it was a beautiful way of acknowledging a real loss yet assuring us that no life is a waste, because God is there in the very beginning."

After the sermon, when we brought up the gifts, the Cardinal shocked me by saying as he leaned down: "How's your father?"! I just stuttered—I didn't think he knew who we were!

I was pregnant, and on September 15, '94 gave birth to our son, James Anthony. The Cardinal wrote us a letter soon after: "... know of my prayers for you and little James Anthony, a wonderful sign of God's love in our midst. Along with the sleepless nights spent walking the floors and all the other endless details of being a parent, be grateful for this beautiful gift from God."

On the feast of the Holy Innocents that year (Dec. 28th), my brother Robert died, after facing his illness with courage and grace. (Baby James was in the room with us, and seconds after my brother was gone he started to smile and make a sound a lot like laughter. I went to shush him, and my mother stopped me: "Maybe he's seeing an angel," she said.) The Cardinal was in touch with my parents swiftly, with words of comfort and compassion.

As it has turned out, the Cardinal became a guardian angel for James, now five and a half. It was not perhaps the most well-known fact about Cardinal O'Connor that his first love was his work with retarded children; he had at one time wanted to devote himself to ministering to people with special needs, as a simple parish priest—but of course God had other plans. While Archbishop of New York, the Cardinal pioneered religious instruction programs for the retarded and disabled, and established an Office for the Disabled in the Archdiocese.

James was a beautiful, happy, bright, loving child in every way. When he was three, however, he started not meeting certain language and social milestones. A preschool director urged us to have him "evaluated" (she rather cruelly told us "there is just something missing..."), at which point I took James out of her school while arranging for him to begin speech therapy.

As time went by, it became clear to us that, at least for now, James would not be able to handle a mainstream school. Quite unexpectedly, Bob and I had become the parents of a child with special needs. What followed was almost two years of a mighty roller-coaster of experiences and emotions. The dreaded word autism was brought up, though, as we argued, James was

too loving and connected to us to be autistic. We had to decide which “experts” to trust (not an easy task in this world of too many experts, some of whom are lacking in basic knowledge of children and/or simple compassion), which school programs to investigate, and how to protect James both from evaluations and programs that might be traumatic for him, as well as from our own increasing anxiety.

During a particularly scary period (right before a new evaluation), I read that the Cardinal was holding a forum to listen to parents of special-needs children (including developmental delays) so that he could find ways for the Catholic school system to do more. (There are presently few Catholic schools that have special-needs programs, though new programs are being developed). Since I couldn’t attend the meeting, I decided to write him my general feelings about how the current culture, with ever-earlier pressure for children to achieve, was inimical to children who were different, and that I hoped the Catholic school system would be able to offer a more Christ-centered approach to *all* children. But once I started writing I ended up pouring out my heart about James. I even considered not sending the letter, but I did, figuring the Cardinal, in his kindness, would forgive the over-the-top ranting of an extremely anxious mother.

The Cardinal promptly wrote back, and assured me he would do anything he could to help and that James would especially be in his prayers. I kept His Eminence in touch about developments with James (as I also did with our work at the *Review* after my father died); just being able to do that was a source of strength, and he never failed to answer within days, to give me encouragement, and to assure me of his prayers. We did eventually find an excellent school program for James, who has now been diagnosed with PPD, “Pervasive Developmental Disorder,” which, in his case, means he remains a bright (astoundingly bright in some areas), happy and loving child who is behind in language and mostly resists interaction with his peers. (Diagnoses of “PPD” have skyrocketed in recent years, which is a mystery: were there always children like this who were accepted as “normal,” or is something strange happening to our children?)

Last Christmas I wrote to thank the Cardinal for all he had done for the *Review*, and especially for his inspiration and prayers for James. I included a photo of James and his sister Anna, three and a half. His secretary wrote back, and said the Cardinal wanted me to remember that James and Anna would remain in his prayers.

When I get on the endless merry-go-round of worries—are we doing enough? will he be all right? will he make friends?—I try to think *not* as the

THE HUMAN LIFE REVIEW

world thinks but to shift my thoughts upward: I thank God for the great gift of James, and I pray that I will never forget that we *all* have special needs. And when I think of the Cardinal, and his concern and his love, I feel a great sense of peace.

I know in my heart that James has a special friend in high places.

A Consistent Ethic of Love

Fr. Frank Pavone

Every bishop takes a motto, and that of Cardinal John O'Connor was "There Can Be No Love Without Justice." This, indeed, was the theme of his life on earth. He both preached and lived "love" not as some vague abstraction or spiritual entity separate and disconnected from the things of this world. His, rather, was a practical and involved love, which had as its centerpiece the dignity and rights of the human person. He was an advocate for the unborn, the infirm, the handicapped, the immigrant, the worker, the victims of prejudice, hunger, and violence. He served at the altar, and he served in the military. He preached from the pulpit, and he intervened to help resolve labor disputes. He tended to the sick, and he worked for the healing of racial tensions. He tended his flock in New York, and played key international roles in Cuba, Central America, the Middle East, Ethiopia, at the Vatican, and numerous other places. He lived the full meaning of "priesthood," being a bridge between God and the human family.

The Cardinal lived in exemplary fashion the often misunderstood teaching of the "consistent ethic of life." Indeed, one of his lasting contributions to the Church may well be that we can see more clearly the significance of this teaching.

The full truth of human dignity

The "consistent ethic," first of all, is rooted in the full truth and dignity of every human person. For Cardinal O'Connor, there were not primarily "issues" or "problems." There were, first and above all, *persons*. For him, the immigration "issue" was about *immigrants*; the "issue" of homelessness was about *the homeless*; the "issue" of homosexuality was about *homosexual persons*; the "issue" of abortion was about *children* and their *parents* in crisis; the most complex international issues were about the men, women, and children directly affected by them.

This explains what some may see as "dichotomies" in the Cardinal's life. He passionately condemned the act of abortion, yet reached out to women of every age, religion, and ethnic background, promising that they could come to him for help in crisis pregnancies. He taught clearly that homosexual activity is a sin, yet opened New York State's first AIDS-only hospital unit and personally spent thousands of hours emptying the bedpans of AIDS patients

Father Frank Pavone is the national director of Priests for Life in Staten Island, New York.

and tending to their every need. He clearly preached Christ as the unique Savior, yet passionately condemned every form of anti-Semitism.

These are not dichotomies at all. It all made sense to the Cardinal. What held it all together was the dignity of the human person. The manifold concerns that consumed the Cardinal's attention were not simply an arithmetic sum of activities. They were held together, instead, with the kind of unity more characteristic of a living organism than of an equation. Human dignity was the dynamic unity of all the Cardinal's concerns—a unity whereby, if you touched it at any one point, in any one circumstance, you touched it all at once. That dignity demands that we offer all persons the full truth about the meaning of their lives, their freedom, their choices, and that we ourselves respond to that truth by serving their needs. The dignity of the person demands that we give all persons the truth, and deal with them according to truth. That same dignity is the basis for treating them with compassion. In fact, the Cardinal shows us that truth and compassion are not opposed, but are aspects of the very same reality.

Practical examples which highlight this dynamic were seen when the Cardinal was faced with the prospect of being ordered to supply teens with abortion and contraception referrals, or of having a national health care plan that would mandate abortion. On those occasions, he warned that the Catholic foster care agencies and hospitals under his care *would be closed* before he ever allowed them to violate Catholic teaching. In the world's view, such an action, which he fortunately did not have to take, would have been an absurd refusal to serve real human needs in favor of "dogma." In reality, the willingness to take such an action reveals that the Cardinal was committed to respect *the whole truth* about the human person, and knew that any "service" to the human person which violated that truth would be no service at all.

The Cardinal's service was consistent with the *full* truth of the human person which he was entrusted to preach and teach as a Catholic bishop. He did not tend to the needs of people from a purely natural or secular perspective. He did it with his focus on eternity and on the Gospel of salvation which alone can meet all the needs of the human family. He taught that Gospel as the Catholic Church teaches it, without compromise, and that teaching shaped all his activity on behalf of his fellow human beings.

Some criticize religion for making people focus so much on the promise of the world to come that they neglect to develop and improve this world. But the Cardinal was convinced that our belief in heaven is to make us *all the more concerned* with earth. The fact that we know human beings will live forever means we need to take better care of them now. His life reflected the teaching of the Second Vatican Council as expressed in the following

passage from the *Constitution on the Church in the Modern World (Gaudium et Spes)*:

We know neither the moment of the consummation of the earth and of man nor the way the universe will be transformed. The form of this world, distorted by sin, is passing away, and we are taught that God is preparing a new dwelling and a new earth in which righteousness dwells, whose happiness will fill and surpass all the desires of peace arising in the hearts of men. Then with death conquered the sons of God will be raised in Christ and what was sown in weakness and dishonor will put on the imperishable: charity and its works will remain and all of creation, which God made for man, will be set free from its bondage to decay.

We have been warned, of course, that it profits man nothing if he gains the whole world and loses or forfeits himself. Far from diminishing our concern to develop this earth, the expectancy of a new earth should spur us on, for it is here that the body of a new human family grows, foreshadowing in some way the age which is to come. That is why, although we must be careful to distinguish earthly progress clearly from the increase of the kingdom of Christ, such progress is of vital concern to the kingdom of God, insofar as it can contribute to the better ordering of human society.

When we have spread on earth the fruits of our nature and our enterprise—human dignity, brotherly communion, and freedom—according to the command of the Lord and in his Spirit, we will find them once again, cleansed this time from the stain of sin, illuminated and transfigured, when Christ presents to his Father an eternal and universal kingdom “of truth and life, a kingdom of holiness and grace, a kingdom of justice, love, and peace.” Here on earth the kingdom is mysteriously present; when the Lord comes it will enter into its perfection (GS 39).

All the issues are linked but not equal

The key proponent of the “Consistent Ethic of Life” was Cardinal Joseph Bernardin, who began his public reflections on this theme in the context of the work he did on the U.S. Bishops’ pastoral letter *The Challenge of Peace*, and of his position as Chairman of the Pro-life Committee of the National Conference of Catholic Bishops. He saw that in order to effectively articulate the Christian response to a wide range of menacing threats to human life, brought about by a new kind of interconnection between the forces of destruction made possible by modern technologies, it was necessary to highlight the interconnection of the many and varied efforts to defend human life. He noted that progress in the defense and protection of life in one arena meant progress for the defense of life in all arenas.

What links the many issues of human life is that such life is sacred: it comes from God, it belongs to God, it returns to God. All human beings have equal dignity, and nobody may ever directly destroy the innocent. These principles apply whether we are talking about abortion, capital punishment, war, poverty, drug abuse, street violence, or any other of the multitude of problems we face in society.

Some object to the idea of the consistent ethic because they interpret “consistency” to mean “of equal importance or urgency.” But that is not what the teaching means, as both Cardinal Bernardin and Cardinal O’Connor made clear many times. In fact, the entire body of bishops has made it clear in their recent document, *Living the Gospel of Life: A Challenge to American Catholics* (November, 1998).

Living the Gospel of Life explains that within the consistent ethic, there is a hierarchy of rights, the foundation and cornerstone of which is the right to life itself:

Adopting a consistent ethic of life, the Catholic Church promotes a broad spectrum of issues . . . Opposition to abortion and euthanasia does not excuse indifference to those who suffer from poverty, violence and injustice. Any politics of human life must work to resist the violence of war and the scandal of capital punishment. Any politics of human dignity must seriously address issues of racism, poverty, hunger, employment, education, housing, and health care. Therefore, Catholics should eagerly involve themselves as advocates for the weak and marginalized in all these areas. Catholic public officials are obliged to address each of these issues as they seek to build consistent policies which promote respect for the human person at all stages of life. But being “right” in such matters can never excuse a wrong choice regarding direct attacks on innocent human life. Indeed, the failure to protect and defend life in its most vulnerable stages renders suspect any claims to the “rightness” of positions in other matters affecting the poorest and least powerful of the human community (U.S. Bishops, *Living the Gospel of Life*, 1998, n. 23).

This assertion is not new for the bishops. In the 1985 *Reaffirmation of the Pastoral Plan for Pro-Life Activities*, the bishops wrote,

Because victims of abortion are the most vulnerable and defenseless members of the human family, it is imperative that we, as Christians called to serve the least among us, give urgent attention and priority to this issue of justice . . . This focus and the Church’s firm commitment to a consistent ethic of life complement each other. A consistent ethic, far from diminishing concern for abortion or equating all issues touching on the dignity of human life, recognizes the distinctive character of each issue while giving each its proper role within a coherent moral vision (p.3-4).

Furthermore, in their 1989 *Resolution on Abortion*, the bishops declared, “Abortion has become the fundamental human rights issue for all men and women of good will.”

The 1999 statement of the Administrative Board of the USCC, *Faithful Citizenship: Civic Responsibility for a New Millennium*, expressed it this way:

Every human person is created in the image and likeness of God. The conviction that human life is sacred and that each person has inherent dignity that must be respected in society lies at the heart of Catholic social teaching. Calls to advance human rights are illusions if the right to life itself is subject to attack. We believe that every human life is sacred from conception to natural death; that people are more important than

things; and that the measure of every institution is whether or not it enhances the life and dignity of the human person (Administrative Board, U.S. Bishops, *Faithful Citizenship*, 1999, p.13).

Faithful Citizenship is the latest in a line of statements on political responsibility issued every four years since the mid-1970's. In 1984, Cardinal Bernardin had this to say about the role of such statements:

The purpose is surely not to tell citizens how to vote, but to help shape the public debate and form personal conscience so that every citizen will vote thoughtfully and responsibly. Our "Statement on Political Responsibility" has always been, like our "Respect Life Program," a multi-issue approach to public morality. The fact that this Statement sets forth a spectrum of issues of current concern to the Church and society should not be understood as implying that all issues are qualitatively equal from a moral perspective . . . As I indicated earlier, each of the life issues—while related to all the others—is distinct and calls for its own specific moral analysis. Both the Statement and the Respect Life program have direct relevance to the political order, but they are applied concretely by the choice of citizens" (*A Consistent Ethic of Life: Continuing the Dialogue*, The William Wade Lecture Series, St. Louis University, March 11, 1984).

Notice that the Cardinal stated that not all issues are qualitatively equal from a moral perspective. A consistent ethic recognizes that there is justification for placing priority emphasis on certain issues at certain times. To ignore the priority attention that the problems of abortion and euthanasia demand is to misunderstand both the consistent ethic and the nature of the threats that these evils pose. To again quote Cardinal Bernardin,

A consistent ethic of life does not equate the problem of taking life (e.g., through abortion and in war) with the problem of promoting human dignity (through humane programs of nutrition, health care, and housing). But a consistent ethic identifies both the protection of life and its promotion as moral questions (Wade lecture, as above). The fundamental human right is to life—from the moment of conception until death. It is the source of all other rights, including the right to health care (*The Consistent Ethic of Life and Health Care Systems*, Foster McGaw Triennial Conference, Loyola University of Chicago, May 8, 1985).

On Respect Life Sunday, October 1, 1989, Cardinal Bernardin issued a statement entitled "Deciding for Life," in which he said,

Not all values, however, are of equal weight. Some are more fundamental than others. On this Respect Life Sunday, I wish to emphasize that no earthly value is more fundamental than human life itself. Human life is the condition for enjoying freedom and all other values. Consequently, if one must choose between protecting or serving lesser human values that depend upon life for their existence and life itself, human life must take precedence. Today the recognition of human life as a fundamental value is threatened. Nowhere is this clearer than in the case of elective abortion.

At present in our country this procedure takes the lives of over 4,000 unborn children every day and over 1.5 million each year.

The numbers are staggering. Comparing them, for example, to capital punishment (which the Catholic Church also actively opposes), we find that more babies are destroyed by abortion in the course of five days (about 20,000) than have ever been executed by capital punishment (close to 19,000) in the entire history of our nation.

Disputes among candidates about *how* to best secure rights that we agree people have (to food, clothing, shelter, education, protection from crime, etc.) are quite different from the fundamental dispute as to *whether they have any rights in the first place* or even belong to the human community (i.e., the status of the unborn before the law). No issue is more important to the political process than who belongs to the political community.

A teaching to be lived

Society owes a tremendous debt of gratitude to these two men of God, Cardinal John O'Connor and Cardinal Joseph Bernardin, for focusing our attention so clearly on the dignity of human life, and the respect which we must give to it consistently. I am privileged to add my personal gratitude to both of them for the assistance they gave me to carry out my mission as National Director of Priests for Life. To Cardinal O'Connor, in particular, I owe gratitude as the one who ordained me to the priesthood and commissioned me to do my pro-life work. We are sad at his passing from this world. Yet at the same time we should feel energized, ready to pick up the slack and continue the work that, no matter what our religious faith, we are all involved in. It is a work of defending human life, a work of building a just and loving society, and a work which is to be marked, from beginning to end, with a consistent ethic of love.

A Yarmulke at the March

Meir Soloveichik

When I heard the news that John Cardinal O'Connor had passed away, my thoughts went to a cold, blustery day in late January. On that winter morning I woke, laid the ritual Jewish phylacteries (*tefillin*), recited the morning prayers, and took the 181st Street subway to Pennsylvania Station. There I found the first train to Washington D.C. and quickly boarded it. It was late January, the anniversary of the *Roe v. Wade* decision, and I was the only Yeshiva University rabbinical student spending his day attending the March for Life at the White House and Capitol.

It was due to Cardinal O'Connor that I had planned my morning in so unusual a fashion. A recent article had reported the sickly Cardinal's regrets that he could not join the march, which was for him a sacred yearly tradition. His annual attendance was what Jewish tradition calls *mesirut nefesh*—literally the giving of one's soul, or the expending of extreme effort—on behalf of the unborn, the sanctity of whose souls has been denied by so many in American society. If the Cardinal tried so hard to attend, I thought it only proper that others follow his example.

I was looking forward to the march, to spending a day with allies in a cause near and dear to my heart. Yet when I arrived I felt the most unexpected emotion: extreme discomfort. Growing up in a somewhat insular religious community, and then attending college in New York, I had never before felt so acutely alone; I was, for the first time in my life, the only Jew in a crowd of 100,000 Christians. Large pictures of Mary dotted the field, while monks in robes and sandals cheerfully conversed with one another. Groups of people silently said Catholic prayers, which I was prohibited from joining. The one rabbi who spoke from among the crowd of bishops, cardinals and Christian congressmen at the podium only accentuated how outnumbered I was. One lady looked kindly at me, smiled and said "Shalom," as if my yarmulke meant that I didn't speak English. I became increasingly aware of how my skullcap singled me out. It sat on my head in a sea of bared ones, this symbol of traditional Judaism, an individual Orthodox outcry for the plight of the unborn.

As I pondered this there at the White House, a different emotion overtook my uneasiness: pride. For the yarmulke is meant to enhance identity, not conformity. It is supposed to unabashedly pronounce one's Jewishness to

Meir Soloveichik is a Presidential Fellow at Yeshiva University's rabbinical seminary in New York.

the world. How appropriate a symbol at The March for Life! How important a statement on behalf of basic biblical ethics at a time when Judaism is so often distorted in support of the culture of death!

I once read a sermon on the meaning of the Jewish skullcap which quoted the well-known Yiddish short story "The Three Offerings" by Isaac Leibush Peretz. Peretz tells of a shtetl-dweller who dies and, upon reaching the Court of the Angels, discovers that his life's actions can be divided evenly between good and bad deeds; the poor soul thus belongs in neither Heaven nor Hell. The ethereal judges decree that the soul may return to earth and seek gifts for the Saints of Righteousness that guard the doors to Paradise. The climax of the story is reached when the soul, wandering the Pale settlement, comes upon a group of soldiers cruelly beating an emaciated Jew. Forming a set of rows, the soldiers force the poor man to walk between them as he is whipped with birch rods. This was unfortunately, an episode that happened all too often—until the soul witnessed something unusual:

"A bestial grunt came from one of the soldiers—he had struck too high and knocked off the condemned man's skullcap. A few steps—and the Jew was aware of his loss. He stopped, thought a little and turned back—he would not walk on with his head bared. He came back to the spot where the cap was lying, picked it up, turned around again and walked on once more—all crimsoned with blood but calm and wearing his skullcap. He walked on, until he fell.

But no sooner had he fallen than the wandering soul flew up to him, seized the skullcap which had cost so many blows, and soared up with it to the gates of Heaven."

Through centuries of persecution, Jews have always challenged the assertion that they were no longer a chosen nation. They held on, their yarmulkes proudly proclaiming that they stood for something special, that they brought a biblical message to the world.

Their sacred text began with a simple story that their pursuers ignored, that of the dignity of Man: *And God made man in His image, in the image of God He created him.* We live now in a society that needs to be told this story once more. Jews must unite with fellow people of faith to tell this tale to America, to teach that human life is inviolable. Our identity has survived attempts at its eradication; now the Torah, the very text that made us special, demands that we speak out on behalf of the unborn, the persecuted people of today.

When Cardinal O'Connor visited the Wailing Wall, legend has it that one Israeli asked another which of the assembled priests he was. "The one with the yarmulke," his friend replied. What the Cardinal wore was, of course, not

MEIR SOLOVEICHIK

a Jewish skullcap. Yet his life was a lesson to all Jews who feel that their faith is being distorted, who need courage to state what biblical teachings demand. Now he has left us, and I continue to dream of a day when my skullcap will not stick out *so* much, of a time the Cardinal no doubt dearly desired: a sea of yarmulkes at the march, Jews and Christians united in defense of innocents. May it be God's will that we see this day soon.

Remembering Him

Nat Hentoff

I knew Cardinal John O'Connor for many years. His death, however sad, is an occasion for me to think back on the extraordinary man I was privileged to call a friend.

He had two main passions. One was the sanctity of every individual life. That meant that he was pro-life, of course, in terms of opposing abortion. But it also meant that he subscribed to what Cardinal Joseph Bernardin of Chicago called the "seamless garment": In short, if you were really pro-life, you had to be against not only abortion but also capital punishment, euthanasia and the effects of poverty on people both here in the U.S. and abroad.

Cardinal O'Connor was also as passionately pro-labor as any labor-union leader I've known—in part because his father was passionately pro-labor. I met him for the first time during a hospital strike, and the man running the consortium of hospitals, which included the Catholic hospitals, had decided to bring in strikebreakers. I heard O'Connor yelling in the corridor: "Over my dead body will you bring in scabs!"

He was heavily criticized by some major contributors to the church for having signed the pastoral letter on the economy, written by the Catholic bishops some years ago. His critics said he was advocating socialism. He responded: "I am a priest. There are at least 800,000 New Yorkers living in horrifying conditions. I am to do more than say Mass. I have to speak for them."

He could be wonderfully funny, even under trying circumstances. Once, at a pro-life rally in Toronto, I suggested at a session I was moderating that there ought to be more research on contraception—not the kind that leads to abortion. Two angry members of the audience snatched the microphone from my hands and denounced me. Cardinal O'Connor was watching all this bemusedly. After I introduced him, he said, "I want you to know that I'm delighted that Nat is not a member of the church. We have enough trouble as it is."

His humor was often self-deprecating, and he could be very sardonic, especially when it came to certain political figures. Whatever the subject, conversation with him was invigorating: His mind was sharp and his range of interests wide. (He reminded me of another man I knew very well, Justice

Nat Hentoff is a columnist for the *Village Voice* and author of *John Cardinal O'Connor: At the Storm Center of a Changing American Catholic Church*. The above commentary is reprinted from the May 5 issue of *The Wall Street Journal* © 2000 Dow Jones & Company, Inc. All rights reserved.

William Brennan.) And he had an amazing presence: Anyone who talked to Cardinal O'Connor, in whatever setting, got the sense that he was the most important person in the room at the time.

I remember in particular one O'Connor homily at St. Patrick's: You can't talk about filling people's souls, he said, until you talk about filling their bellies. The only time I heard of the cardinal being visibly hurt, emotionally, occurred when he was walking down the street one day in Greenwich Village. As Cardinal O'Connor told it, a man—who it turned out had AIDS—said very bitter things to him. These wounding comments were aimed at someone who had set up hospital space for people with AIDS, and who sat up on many a night caring for them—not only talking with the patients but emptying their bedpans.

If I were giving a eulogy for John O'Connor, the four words I would use are: He was a mensch.

Mourning the loss of Cardinal O'Connor

Stanley Crouch

The funeral of Cardinal John O'Connor at St. Patrick's Cathedral on 50th Street and Fifth Avenue in Manhattan on Monday was stuffed with the powerful and the formerly powerful, presidents and ex-presidents, governors and ex-governors, mayors and ex-mayors.

When old men such as this one die at an age like 80, they seem to take entire eras with them. Style, culture, morality, politics, bigotry, decay and revitalization shift direction and dimension at such speeds that they who believe there once upon a time was a civilization in place at their birth can conclude that everything's over except the shouting.

In the same cathedral, Sunday after Sunday, O'Connor brought a sort of dignity to the pulpit that now almost seems arcane. Oh, but he was not really arcane, if you looked at the man the way he should be seen. Everyone who lives in New York knew who he was, or had seen him somewhere—in the flesh, on television, in a newspaper photograph, in a magazine. O'Connor was an elite part of New York and he upheld a sort of religious majesty. His huge cathedral on Fifth Avenue was almost an argument, with its architecture pointing to the heavens, against all the wealth and money associated with that street, where little of celestial concern ever seems to hold sway.

This is not to say that we can always count on religion to do battle with our slavish materialism. We know better than that. Every religion, surely in every era, has produced its con men and its politicians in supposedly hot get-ups who were bent more on building testaments to their images of themselves and their appetites than to anything deemed permanent and unquestionably worthy of worship in its transcendence. America has had its share of those people over the years, the Elmer Gantrys.

O'Connor was not one of those, nor was he anybody's perfect guy trying to do a job between the world of the flesh and the world of the spirit. He was an American and he was Irish and hard-headed and a man who not only knew how to put his foot in his mouth but how to pull that foot out in front of everyone. He had a sense of humor, which made him a kind of religious leader almost peculiar to this country when it comes to Christianity, which doesn't leave much room for the making of jokes and the telling of funny tales. If you've read the New Testament, you know that there might not be one joking laugh to be had there.

Stanley Crouch is a well-known jazz critic and columnist. This article first appeared on May 10, 2000 in Salon.com, at <http://www.Salon.com> and is reprinted with permission.

To be a cardinal in New York and in this time is no easy job, and that sense of humor held O'Connor in good stead. His intellect didn't hurt him either. He was also helped by his street sense and his conception of faith as something that had to be encompassing enough to maintain itself in the face of whatever lions and rabid dogs stood in its path. That made him perfect for New York, a city of conflicts wrapped in enigmas of greed, self-righteousness, guile and ruthlessness—at least, partially.

At least part of his toughness and his faith as well as much of his compassion must have deepened as a result of the cardinal's having served under fire with the Marines in Vietnam. He was a man who knew well the immeasurably small distance between life and death, perfect health and suddenly being crippled or disfigured for life and all of the things that war teaches those who spend their time inside it.

But New York is also the capital of the national urban soul. It is the place where artists immigrate to find their expressive voices and their audiences and where all kinds of people from just about every place on this Earth arrive, sometimes poor, sometimes repulsively wealthy, sometimes well-educated, sometimes ignorant and ready to learn. But all of them have personal stories, and, to Cardinal O'Connor, they each had individual and immortal souls.

Yes, Cardinal O'Connor was up to it; he was ready for the protean beast and the multicolored butterfly that are equal parts of New York. He was a tough guy and he was wise to the ways of politics and human beings. There weren't any issues that he would back away from, and the opinions that he held were his own, whether or not they went with the commonest ideologies of the day. So even if he was an opponent, he was respected.

Women who believed in abortion thought him a hindrance because he did not. Homosexuals under the banner of ACT UP created a ruckus in his cathedral and threw condoms around for his anti-gay remarks. Those who were aware of the interrelationship of the Catholic Church and the brutal methods of colonialism didn't buy any of it. The people who took their orders from the Vatican had been on the wrong side too often as far as they were concerned.

It didn't matter. O'Connor knew the history of the church and he was not afraid to say that it had surely functioned sometimes more for the dark than for the light. He could be eloquent and stubborn and he would stand up for what used to be called "the little people," meaning the common folk with blue collars, callused hands and only a few bucks to show for their toil and sweat.

He condemned bigotry and was very helpful in handling the AIDS crisis

when, as former Gov. Mario Cuomo observed, most were emotionally out of orbit. While being berated for homophobia, O'Connor was washing out the bedpans of AIDS victims.

The cardinal nominated Pierre Toussaint, a former slave, for sainthood. In keeping with his belief that the love of God was not color-coded, O'Connor was laid to rest next to Toussaint in the crypt beneath the altar of St. Patrick's Cathedral.

The sweep of his authority and the strength of his example brought them out by the thousands to stand in the 90-degree sun while the ceremony went on inside St. Patrick's Cathedral. They were there in all the national colors, white, black, brown, yellow and everything else. In their differences they represented this country's diversity, just as the collective feelings of grief transcended those differences. Only our most special people inspire that kind of feeling.

Cardinal O'Connor, R.I.P.

Michael Potemra

He was a voice for hope, and the renewal of innocence.

John Joseph Cardinal O'Connor, the Archbishop of New York, has died at age 80. For the last 16 years, he had served as spiritual leader of 2.4 million Catholics in Manhattan and its environs. In this capacity, he was a central figure in the religious life of a vibrant metropolis—and would have merited a page in the history books for this alone. But his significance transcended the particular office he held, because he represented for America the same dynamic tension incarnated on the global stage by Pope John Paul II. Like the Pope, Cardinal O'Connor was engaged in an effort to deal with the consequences of Vatican II, and build a Catholic Church which cultivates—simultaneously—a strong moral and theological orthodoxy, and an openness to modernity and pluralism.

It was a difficult task, and the Cardinal paid the price for it. He was often ridiculed as a reactionary, which says far more about our culture than it does about O'Connor himself: The media, and his opponents, emphasized his counter-cultural views on issues like abortion and homosexuality, as if these were the core of O'Connor as a human being. It would be closer to the truth to say that these issues are centrally important to the culture, and that's why he felt it was his duty to talk about them, and tell the truth as he understood it (based, naturally, upon two thousand years' worth of reflection in the Christian tradition). It was not an agenda he created, but one imposed upon him by our times.

In the context of New York Catholicism, O'Connor was, of necessity, a centrist. While he himself would certainly, and quite correctly, have objected to the division of a religious body into the highly inappropriate categories of right, left, and center, it remains true that New York is full of highly articulate people with strong agendas; and this is no less true in ecclesiastical affairs than in any other sphere. What results is a highly flammable mix of personalities, each convinced that the health of the Catholic Church depends on the widespread adoption of his or her particular style of Catholicism.

This is the tangle of thorns O'Connor faced for 16 years, and he dealt with it with great integrity and personal courage. A few months ago, I asked one of O'Connor's critics, a New York priest with a well-deserved reputation for

Michael Potemra is the Deputy Managing Editor of *National Review* magazine. This tribute was published May 4, 2000 on *NR Online* (www.nationalreview.com) and is reprinted with permission.

intellectual brilliance: If one were to ask O'Connor about your criticisms, what would he say? Why is he doing things that appear, to you, to be harmful to the Church? The priest became very pensive, and replied that the Cardinal would say he was doing his best to keep the archdiocese from flying apart completely.

A very insightful comment, that, about the charism of leadership and the duties it entails. It was out of the same sense of duty that O'Connor would speak out on abortion; he knew it would make many people, both inside and outside the Church, uncomfortable and even unhappy. But he did what he thought was right, what his love for the Church demanded of him—and he trusted in God for the rest.

One controversy early in his tenure as Archbishop says a great deal about O'Connor's personality. He had made comments comparing abortion to the Holocaust, sparking a firestorm of criticism. He made the remarks, of course, not out of any desire to belittle the suffering of the Jews, but rather to elevate the issue of the human rights of life in the womb. It was an analogy, a strategy of communication, and it didn't work; but O'Connor was a man who learned from his mistakes, and he didn't let his ego get in the way of his advocacy. He had the wisdom to know that defending his own formulations of the truth was not as important as defending the truth itself. That's one reason he was able to adapt, and become one of the most vigorous and effective pro-life advocates in America.

Another important legacy of that early controversy was his work, throughout his tenure as Archbishop, to close the gulf of misunderstanding between Catholics and Jews in New York. (A moving dialogue he conducted with Elie Wiesel was later expanded into a book, called *A Journey of Faith*.)

To continue learning—when you're over 65, a Prince of the Church, and a media celebrity—bespeaks a great deal of humility. He knew that each one of us is a work in progress, and that this fact should offer all of us a great deal of hope. In 1995, he published a wonderful book called *A Moment of Grace*—a series of 41 sermons on the new Catechism of the Catholic Church. In the book's sermon on chastity, he offers a metaphor which has a much broader application: "I think there is such a thing as 'secondary virginity.' We can let Christ pick us up, and we can start all over again....It is why Christ came to earth—to pick up the pieces of broken lives. Once we have slipped and fallen, that does not mean that the possibility of purity, of chastity, of decency, or even of a new type of virginity is over."

This was a man who lived in a broken world, and reminded us that innocence is not irrevocably lost, not for any of us. It's a great message, but what

MICHAEL POTESRA

made it so effective was his obvious humility: He knew that he personally was not the source of whatever truths he was communicating. He was, rather, the devoted servant of truths greater than himself; and in his life of service, he distinguished himself as one of the great leaders of our time.

John Cardinal O'Connor, R.I.P.

The Wall Street Journal

The Irishman in Cardinal John O'Connor must enjoy watching those who had little truck for him in life rushing to offer their hosannas now that he is safely dead. Yet it's hard to believe that the cardinal wouldn't take even the praise as something of a cross. For notwithstanding the 16 years he labored in a diocese hailed in all the reportage as the "media capital of the world," the coverage attending his passing illustrates a sad fact of modern life: the utter inability of the media culture even to comprehend things religious on their own terms.

By this we do not mean a failure to be persuaded by the cardinal's theology. Cardinal O'Connor may have been a prince of the church, but he was no miracle maker. What we refer to is the way our media mandarins squeeze religious leaders into politically charged templates ("conservative," "hard-liner," etc.) that are themselves synonyms for uncaring and uncompassionate. The thinking may have been best expressed, however inadvertently, by a prominent New York daily, which yesterday editorialized that the cardinal's "strong willed, conservative" theology was "tempered" by his undeniable pastoral record of service to "the sick, the weak and the poor." *Tempered?*

On display here is the operating assumption that kicks in when the news business bumps up against religion: that doctrinal Christianity is inherently hostile to those in need, who of course are considered not as individuals but as aggrieved sociopolitical groupings (gays, the homeless, women, etc.). Because the retired Navy chaplain had as archbishop of New York so clearly made his commitments real—his personal ministry to those afflicted with AIDS, his donation of his military pension to the care of African-American seminarians, his obvious love for those Pope John Paul II calls the church's "elder brothers in faith," the Jews, and his support for normalization of Vatican relations with Israel—it could hardly be argued that the cardinal didn't care. So instead we are faced with news reports citing "contradictions" and "balance."

One does not have to share Cardinal O'Connor's faith to comprehend that his life was not terribly complicated. For all the tags now so awkwardly placed on him, he was at bottom a priest whose life was a testament to his convictions that God became Man, that the Catholic Church was charged

This editorial appeared on the Taste page of the WSJ's Weekend Journal, May 5, 2000. Reprinted with permission of *The Wall Street Journal* © 2000 Dow Jones & Company, Inc. All rights reserved.

with communicating His message to all peoples through all times, and that this communication is inseparable from the commandment to love our neighbor as ourselves.

Perhaps that is what St. Paul meant by the “the scandal of the cross.” When Mother Teresa died, how many reports noted with astonishment that this nun who cared for the poorest of the poor was a champion of orthodoxy? Surely Cardinal O’ Connor did not look in the mirror and see himself at war with his most cherished beliefs. It is a truth likewise obvious to the thousands now making their way to St. Patrick’s Cathedral to pay their respects: that whether this prince of the church was emptying the bedpans of AIDS sufferers or promising all material help to any pregnant women thinking of abortion, he was not “tempering” his theology. He was *living* it.

Not My Rosary?

Sandi Merle

That miserably cold January afternoon seemed colder than ever because I knew my friend Cardinal O'Connor was losing his battle against the tumor on his brain. He had not complained; he accepted it all, feeling even closer to his Lord, showing courage I'd never before witnessed. It was *I* who was doing the complaining. There was no peace for me that day; there had been no sleep the night before. His Eminence was an insomniac—was it contagious? I tried to nap, to relax, but nothing worked.

Hailing a cab at 4 p.m. is less than a treat for a New Yorker, but on this day a cab *actually appeared* so off I went to the Convent of the Sisters of Life. The Sister, portress for the day, quickly answered the doorbell's ring and greeted me with joy—no surprise, no questions. Mother Agnes and the Sisters had “grown accustomed to my face”: the Cardinal had encouraged our friendship and over the years we have become dear friends, bonding especially since August when news of his tumor had been disclosed. The Sisters and I gave each other support through prayer and reminiscences of our friend, revisiting those splendid Sunday afternoons when we'd gather at his feet (literally; on the beautiful Persian carpet) to hear the master-storyteller regale us with his wisdom and wit; we even allowed him to convince us that the sweet “sticky-buns” he loved were healthy because “Look, they're loaded with walnuts.” I admit that I was the “enabler”—I loved buying them for him.

Now, at the convent, it was time for Vespers and as I sank into the pew I felt buried under a weight of gloom and depression. The Sister next to me, sensing this was no “ordinary” melancholia, left for a few moments; when she returned she opened my clenched fist and put something in my hand. Without looking, I knew it was a Rosary. But why? The Sisters always knew I could not pray the Rosary with them.

In the Jewish religion, when studying “Ethics of the Fathers,” we learn that one way not to get into heaven is by “making the blood drain from someone's face.” Therefore, I must not embarrass the Sister. Not that I would have intentionally done so—I was very moved by her kind, even holy, gesture.

After yet another sleepless night, I returned to the convent and privately

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

informed the Sister that though I appreciated the depth of her feelings for me and for my anxiety, I could not keep the Rosary beads: "This is not my Rosary," I told her. "Nonsense," she said, "Mary will help you find peace. You needn't say any prayers; just keep it." She was insistent; I was a wreck. What was I to do with this gift that wasn't mine?

Then the proverbial light bulb went on in my head. I was scheduled to travel to Israel in March with my good friend Father Jim Loughran, the Cardinal's Director for Ecumenical and Interreligious Affairs. We were to have accompanied His Eminence, but G-d had other plans: now we could only pray that he'd be well enough for us to leave New York for ten days. I would take the Rosary with me; I'd carry it throughout the Holy Land, have it blessed by the Holy Father, take it to every Catholic and Jewish holy site and return it to the Sister, as a gift. The perfect solution.

On the day of our departure I packed the Rosary with my daily medication to make certain it would always be at hand. The Cardinal called our journey "a blessed event" ("I should be going with you," he said; we assured him he would be with us) and gave us his blessing. So we were off to join the Pope's pilgrimage: Father Loughran, the Rosary, and me.

Thus it came to pass that on the third day of March in this Jubilee Year, Israel welcomed us back to her bosom. To me it is always "welcome home." The eternal city of gold, Jerusalem, is like no other. The sweetness of her palm dates and strawberries, enjoyed in the "King's Court" of the King David Hotel, are merely a metaphor for the sweet land of my ancestors.

Knowing that we would arrive at the Western Wall in time for Sabbath prayers (coinciding with the 10:15 a.m. St. Patrick's Day Mass at the cathedral back in Manhattan) Father Loughran and I were eager to purchase icons and other gifts to be with us at as many holy sites as possible. (Father: "Do you have the Rosary?" Sandi: "Oh yes . . . the Rosary.") When we arrived at the Wall with time to spare before sundown, I gasped aloud as personal memories of the spiritual beauty of that magical, mystical place came flooding back; this was "the land where God pitched His tent." The Pope would remind us of that, in Bethlehem. Being here at this time was traumatic. Although men and women are separated by a low fence, Father Loughran and I were praying together for our dearest of friends, John Cardinal O'Connor. And as though attracted by a magnet, I found myself literally flat against the Wall, and carried the residual scratched forehead with me until journey's end.

Eventually, after placing the Cardinal's name, written in Hebrew (Yonaton Yosef ben Doroty V'Tamuz) and English (John Joseph, son of Dorothy and

Thomas) into a crack in that beautiful pink-tinged Jerusalem stone, I removed the Rosary from its little pouch in my pocket and rubbed it against the stones, worn smooth from weather and age. I rubbed, I scraped, I scratched. There was hardly a mark. (I should have rubbed it against my forehead!) Then I returned the simple alabaster-white beads to their pouch.

The next day the Rosary beads were toted to the Church of the Holy Sepulchre. Before each outing, Father Loughran checked: "The Rosary?" . . . "Oh yes, the Rosary." Finally I decided to keep it with me always, and at one point I had to empty my purse (for security reasons) and the eyes of *four rabbis* zoomed in on the little pouch. I never even flinched.

The Rosary was taken to the place of the Crucifixion and to the Anointing Stone. We had to leave—again for security reasons—before entering the Tomb but vowed to return with the icons and beads. Next day the beads found their way over the Allenby Bridge to Jordan. They were in my hand as we joined others in the press-pool to greet the Holy Father on his arrival. I shouted "New York loves you!" He turned and looked right at me, and—the Rosary! which was taking on a life of its own. It was a thrilling moment as the beads took center stage—in 90 degree heat. Less than 48 hours later, undaunted, the same beads were soaked in a chilling 50-degree rainstorm at Amman Stadium, where Father Loughran con-celebrated Mass with His Holiness. Shivering, I watched from my VIP seat, bursting with the pride of a typical "Jewish mother" . . . carrying a Rosary!

Back in Israel, the beads were carried through the newly excavated tunnel between the Via Dolorosa and the Western Wall, the holiest of all Jewish places of worship, where my own ancestors, the Kohanim (High Priests of Israel) worshiped, directly beneath the Holy of Holies. Then to Manger Square "where every day is Christmas" and where Father Loughran once again con-celebrated Mass. To the Basilica of the Annunciation, where Mary first heard the Good News; to a tiny synagogue in Nazareth, where Jesus prayed as a young boy and where he had become Bar-Mitzvah. To Galilee. To Mount Carmel, and back to the Tomb of Jesus, as Father Loughran had promised, running all the way from the King David Hotel to arrive before it was sealed off again. SECURITY! The beads survived El Al inspections, minute Israeli scrutiny and the journey of a lifetime, always in the shadow of John Paul II.

After arriving back in New York on Sunday March 26, I made haste to bring His Eminence the olivewood and silver icon of Mary holding the Baby I'd chosen for him, then to the Sisters, Rosary beads in hand. They were excited to see me and wanted to hear all about the trip. But first we spoke of the Cardinal's health, and prayed for him in their chapel. Then we gathered

together again and—holding the beads in my hands—I said “This, my dear friends, is the Rosary that Sister placed in my hand on a gloomy day in January.” I poured out the litany of holy sites where it had been placed, scraped, hung, held, touched and blessed. The Sisters’ eyes widened as I went along; then, at the end, I said “But—this is not my Rosary,” and managed to convince them that they must take it back. I handed it to the Sister who’d given it to me, saying “Give it a good home.”

A few days later in that first week of April the Sisters, in small groups of three, were invited to visit and pray with the Cardinal. Sitting with him in his study, one Sister noticed the brown wooden Rosary in his hand. Sister decided to pray along with him; she took from her pocket the plain white Rosary and said “Oh, your Eminence, I think you will be happy to know the history of these beads I’m holding.” She then gave the Cardinal their “travelogue,” reciting from memory the litany of holy sites the beads had visited, ending with “Sandi Merle carried them with her for ten days, then brought them back asking us to give them a good home.”

As Sister describes it, the Cardinal’s face lit up with that wonderful smile: “He actually grabbed the beads from me, held them tightly to himself, then—after a few seconds asked ‘May I keep this?’ This from a man who never asked *anyone* for *anything*!” The Sisters were overjoyed, and now so was I.

Just one month later came the devastating news of the Cardinal’s death. He had been such a great influence in my life. I was shattered. For me there had been no preparation: I hadn’t dared admit to myself what was going to happen, so I had remained in complete “denial.” I’d treated him, in his illness, no differently from when he had been skipping up the cathedral steps in full vigor. After all, he was the same holy man, the same cherished friend, the same teacher gently cautioning me not to “go broke” sending greeting cards and sweets. (About those cards: I’d sent several a week, from September to May; they addressed friendship, encouragement, humor, love, spirituality—but never “Get Well.” I would never ask him to do anything not within his power.) In prayer, however, I had prayed as Moses did for Miriam: “Please God, heal [him]; bring him peace.”

From the day of Reception of the Body, through the Mass of Christian Burial, I remained in the cathedral for every vigil. Finally, on the third day of his lying in state, and knowing that at the funeral his coffin would be closed, I approached the Cardinal to say my final goodbye to his physical presence. Father Loughran was right behind me; knowing about my poor eyesight, he whispered “Where are your eyes?” “On his face.” “Lower them to his hands.” “My Rosary!” I wept openly without shame. It was finally *my* Rosary, at rest in the hands of my remarkable friend.

The Sisters of Life:

An Interview with Agnes Mary Donovan

The congregation of the Sisters of Life was founded in 1991 by Cardinal John O'Connor of New York to promote the sanctity of human life. Among the first to join, Mother Agnes Mary Donovan, S.V., has been superior general since 1993; she resides at the Sacred Heart of Jesus Convent in New York City, which offers a home for pregnant women. She has a doctorate in psychology and before entering her religious community she taught at Columbia University Teachers College. The interview took place at the Sacred Heart of Jesus Convent (450 W. 51st St., New York, NY 10019) on Oct. 21, 1999. The interviewer was George M. Anderson, S.J., an associate editor of America.

What is the purpose of your special fourth vow to protect and advance the sacredness of human life?

Our fourth vow colors everything we do. Each human life is an intentional creative act of God, made to participate in the love of God and made for its own sake. Recognizing the great dignity that God has created in each person drives all our prayer and all our work. Our overall aim is to promote and celebrate the culture of life—to promote ways of living that attest to the dignity of each sister in our community and each person we touch in our apostolic work. In contrast to the culture of life, you see the culture of death everywhere—in the way we are tempted to cast aside not only the unborn, but the aged, the infirm and the handicapped.

Does your commitment to life issues include opposition to the death penalty?

Yes, although we don't work directly on that aspect of the issue. In our apostolic work, we focus our efforts where we feel the need is greatest in terms of sheer numbers. But Pope John Paul II has made it clear that there is no need for the death penalty in developed societies, because we have the capacity to protect ourselves from those who are chronically and dangerously criminal. The reason given for the use of the death penalty is that it allegedly protects society. But where there are other means that a society can use to protect its members, these must be used first. Death can never be an answer to life's problems—it's too facile a solution. We see death as a solution to difficulties in living promoted not only in the death penalty, but also in

This interview originally appeared in the April 1, 2000 issue of *America* magazine. ©2000 by America Press. All rights reserved. Reprinted with permission.

euthanasia and, of course, in abortion. The culture of death wants us to believe that death can be an answer for life's problems, but it never can be that.

How do the Sisters of Life combine the active and the contemplative life?

We make the effort to combine the two through our prayer and through our apostolic work. In prayer, we follow the Liturgy of the Hours, setting aside the first two hours of the day for prayer in common, meditation and the holy sacrifice of the Mass. By rising early we experience a sacred space and time to pray and to be with God. We practice silence throughout the morning so as to continue our recollection. Then at the end of the afternoon, we gather for prayer again—the rosary and silent adoration before the Blessed Sacrament. Thus prayer marks our day and creates a rhythm within which we live our lives. Here in this house, where pregnant women are our guests, our lives of prayer create the consistency and structure of each day. Prayer forms the walls of our home. Our guests are consoled by the fact that we pray very specially for them each day.

How many pregnant women live here?

We have room for 11, but since this is the first year the house has been open, we have only 6 guests. Some day soon, when it is fully operational, we will have 6 or 7 sisters serving 11 women. We are intensely personal in the services we provide, because the purpose of our work is evangelization; the only way we can do that is through relationship with those we serve. The women who have come to us are from many places. One woman is from Liberia, another from Kenya, a third from France. We also had a woman from the Philippines, another from Italy for a short time, and of course we have New Yorkers and others from around the United States. Our first guest came on the day after Christmas last year, and we recognized her arrival as a gift from God. We weren't quite ready to begin our work when she arrived—it was a couple of months before we thought we would be ready—but begin we did, and it has been a wonderful experience. Most come to us through crisis pregnancy centers here in the city and from pro-life centers and groups throughout the country.

What are the women's greatest needs?

What they have said to me, almost every one of them, is, "How good it is to be here, because I feel so safe." We think of the environment we create here as a "holy respite," a place where the women can be nurtured and where they can step aside from the busy-ness of the world and have an opportunity to reflect on the direction their lives are taking and the very big decisions they

have to make. Some come early in their pregnancies, some later. The length of each stay is dependent on the needs of the individual woman and our capacities here. Their temporal needs—social services, counseling, at-home-care—all that is taken care of through the Maternity Services Program of the Catholic Home Bureau. What we primarily provide is the spiritual setting and support throughout the pregnancy. Our emphasis is on the spiritual side. Some are very prayerful women, and for others the spiritual side is completely new to them. Many are not of our faith, but they all seem to respond to a sense of the part God plays in their lives.

Is there much interaction between the guests and the sisters?

We live together under the same roof. The sisters have their rooms on one side of the convent, and the guests on the other, but we come together for meals, which we ourselves prepare. Most of the women have jobs and so are out during the day, going their separate ways. We have a computer whiz who works in a data systems department, another who searches titles, another who is a flight attendant on leave. The guest from Liberia can't get a traditional job because she lacks documents, but she volunteers at the diocesan chancery, and that may help her obtain the appropriate papers. They lead busy lives, but they have formed themselves into a close-knit community that they come home to. The community the guests form is evident each evening as they sit around the dining room table for a couple of hours sharing with one another, which is what we had always hoped for—a natural community and bond among our guests.

How long do the guests stay?

They stay through the time of the child's birth and then for whatever number of months they need to get on their feet. Even during pregnancy, most are beginning to make a plan and to move toward some sense of where and how they will live following the birth of the child. They encourage one another and share the various resources they learn about, forming a network of information within the house. It's an edifying thing to see. Most choose to keep the child, though the first two chose to place their babies for adoption. Both kinds of decision are equally heroic, because the decisions were made with self-sacrificing love in answer to the question, "What is the most loving thing I can do?"

What other apostolates do you have?

We have another convent in the Bronx, called Our Lady of New York. Eleven sisters are missioned there for the apostolate of evangelization: the

work of preaching and teaching on human life and human love. We also offer retreats for pro-lifers and evenings of recollection, as well as monthly retreat days for women and men who have suffered the effects of abortion. This is an ever-growing work of healing for those who have felt estranged from God and from the Church. Our experience has been that they are desperately waiting for an invitation to come home to the church, to be reconciled with God and to find forgiveness in their own hearts for themselves—which is sometimes the hardest part. At these special retreat days the participants can meet and find support in one another and through the sacramental graces of reconciliation and the Eucharist.

In addition, every month we have what we call gatherings for “graduates” of our days of prayer and healing. These gatherings include days of prayer, support and the study of Scripture. Each month, the gathering addresses a specific issue directed to the lives of those who have suffered the effects of abortion, such as abandonment and betrayal, and the sense of separation from God. They also take time to look back at the experience of abortion itself, realizing that it’s a shared responsibility—that others besides the woman participated in the final decision to have an abortion. With this realization comes an understanding that she cannot wholly blame herself. The sharing of their testimonies is part of the healing process, together with the awareness of the mercy, the tremendous tenderness of God who desires her healing. I often think that the women we have come to work with are the ones who will multiply our works and who will be the ultimate evangelizers for our society—those whose hearts God has captured.

The third aspect of the apostolic work is the operation and development of the Dr. Joseph R. Stanton Human Life Issues Library and Resource Center, which is located in the basement of the Bronx convent. It is both an archival repository and a research library for parents, teachers, religious educators and catechetical instructors. Materials in the center cover not just abortion, but eugenics, euthanasia and medical ethics.

What about vocations?

Vocations participate in the mystery of God. God has blessed us with vocations—new though we are. Counting candidates, postulants, novices, those in first vows and those in perpetual vows, we currently are 47 in all. Most often women hear about us through word of mouth, even from far away. One of our sisters who was living in Colorado went to a church one day for Mass, and afterward told the priest she was thinking about religious life, but didn’t know how to proceed. He said “Call the Sisters of Life.” On the other hand, people involved in pro-life circles and groups, like Birthright, know about us

too. About two-thirds of those who come and live with us for a time—as candidates and postulants—do remain in our community. That’s a healthy number. As for those who don’t stay, they often leave with a new liberty, either that this particular way of life is not for them, or that they can put the whole idea of religious life to rest. It can be a freeing experience.

Already, awareness of what we are doing has spread to other parts of the country. His Eminence [Cardinal O’Connor] has told us that he has received dozens of letters from bishops requesting Sisters of Life to work in their dioceses. We have not done that to date, both because we are so new and because we feel we need to stay together in New York until we have a solid footing. Our future depends on whether God continues to send vocations, and we have no reason to feel that God will not.

How do you feel about your role as the first superior general of the order?

I am not truly the head of the community—canonically speaking I am, but spiritually speaking it is our founder who leads the community in helping us to find those tangible ways of living that express the sacredness of life, and the ways in which we should work to advance the sense of the sacredness of human life in society. As for my role as superior general, I have never done anything so difficult, but delightfully difficult. It takes all of myself, and requires a total integration of heart and mind to lead and to summon the energies of women who wish to dedicate their lives to God. It has also been a tremendous challenge to become religious at the same time one is leading a new community. All of the members of this community came into religious life without having been religious before.

Has your doctorate in psychology proved helpful?

Yes, especially for understanding the human mind and the human heart and the structures of healthy family life. Implicitly, it is also a help to me in the living out of the community life and in helping others to live it. I never imagined that my background in psychology would be used in this way. Before entering, I had been teaching at Columbia University Teachers College in the child development department. I was happy and thought I would be there the rest of my life. But I always knew in my heart the distinction between a career and a vocation, and knew that I had not yet found my vocation.

In my 20’s and early 30’s, I could not have guessed that God would give me a vocation to religious life. I first became conscious of it while making an eight-day Ignatian retreat in 1990. God blessed the retreat with the grace of vocation, though I could not have named it as such at the time. I left that

AGNES MARY DONOVAN, S. V.

retreat certain that God wished to have my life. I went back to my teaching and research, knowing that in a year I would be in a convent. A priest gave me the names of three congregations, but warned me that my age—I was 39—might be a barrier. I wrote to the three, but never received any encouragement. Within a week, though, I was present at St. Patrick's Cathedral for a Mass celebrated for a group of pro-lifers who had just ended a witness at Dobbs Ferry, N.Y. In his homily, His Eminence spoke of the contemplative-active community he was hoping to found the following summer. I contacted the chancery, one thing led to another, and that following summer I entered. As our founder often reminds us, "God raises up religious communities to meet the needs of the time." We live and believe that the founding and the charism of the Sisters of Life are an exceptional grace for our time.

Just for Being

Jo McGowan

When I was growing up, Advent and Lent were two very large blocks of measurable time and getting through them took patience and determination. To make the wait less tedious, and to help us understand what it was we were waiting for, my parents had certain rituals.

In Advent, each one of us (we were seven) had a small manger. Whenever we did a “good deed,” we would get a straw in the manger, the idea being to make as comfortable a bed as possible for the baby Jesus. On Christmas morning, we would find all seven mangers lined up under the tree with a doll wrapped in swaddling clothes in each one. During Lent, our good deeds earned black-eyed beans, dyed purple, which were transformed into jelly beans on Easter Sunday.

One of the things I remember clearly was how the baby of the family (there was always a baby), not being able to justify her existence through virtuous activity, nonetheless ended up with as comfortable a bed for Jesus as the rest of us. “Just for being,” my mother would say, dropping a handful of entirely unmerited straws into her manger.

Just for being. I don’t know if my mother meant to convey any profound theological insight through the phrase, but over the years it has come back to me so many times it has taken on the cadence of a prayer. Lately, I have been murmuring it a lot—not as an answer to my doubts, but more in the spirit of celebration. Just for being!

My youngest daughter is ten years old. Developmentally, however, she is more like an infant. She does not speak in words, cannot feed or dress herself, wears diapers and cannot walk without assistance. Hearing this litany of what she cannot do, many people would say it would have been better if she had not been born.

A few weeks ago, I attended a national conference on mental handicaps. Most of the participants were special needs professionals; many were parents. At one of the scientific sessions, a physician spoke about the remarkable strides which have been made in pre-natal testing, making it possible to detect a whole host of genetic disorders in the womb. Now, of course, she said ominously, the “decision” can be made by the parents.

Her smug certainty that any “normal” parent would choose to get rid of a

Jo McGowan and her family live in Dehra Doon, India, where she has founded Karuna Vihar, a school for children with special needs.

baby known to have some disability infuriated me. But what I found really astonishing was the temerity that allowed her to say such things to *us*, people who actually love and cherish the very children she is targeting for destruction. For us, they are not “the handicapped.” They have names and faces. They have their winning ways, their sweet charms, their difficult behavior patterns. They are our children and here she was telling us we had missed the boat by having them too soon, before the technology existed which would have allowed us to get rid of them.

The belief that the world would be a better place if everyone in it were perfect shows up all the time, but nowhere, perhaps, so blatantly as in the attitudes toward people with disabilities. In America, the politically righteous talk a good line about disability access, rights for the handicapped, visibility, etc. And looking around at the wonderful arrangements that are made (ramps on city sidewalks, kneeling buses, super-wide bathroom doors, braille in elevators, sign language on the news), you might almost believe they mean it.

But babies, particularly our own, have a disturbing ability to get to the heart of the matter. Equal rights for the disabled masses are all very well, but if the ultrasound shows a larger head than normal, or the amniocentesis turns up an extra chromosome, then the question ceases to be academic and suddenly requires a whole new approach. Because the equal rights that really matter are the ones that apply to us.

Abortion in the case of a handicapped baby is almost a *sine qua non* of abortion rhetoric. “Rape, health of the mother and handicap,” activists and legislators intone and the general public absorbs it without even thinking. Everyone knows they are not capable of handling the devastation that accompanies the birth of a handicapped child; no one is cut out for bringing such a child up. People who do manage it are brave, noble and self-sacrificing.

I thought this way myself until fairly recently, so I am not making fun of the attitude. The fact is that the average person has no idea what it is like to live with someone who is disabled, particularly when the disability is a serious one.

Before my husband and I had children, we used to occasionally help friends of ours who had a daughter with severe cerebral palsy. Once, in what seemed to us at the time a very courageous gesture, we offered to take care of her for a whole weekend so that they could get away. Far from demystifying the situation, the experience only confirmed what we had always believed: we just weren’t cut out for the sacrifices such a child would require. When we decided to adopt a baby years later after having a homemade boy and girl,

the one thing we were clear about was that the child should be healthy. We knew our limits.

Of course, we knew no such thing. The baby we adopted, our own sweet Moy Moy, had been born twelve weeks premature. We didn't know that she would definitely have problems, but we did know it was a possibility. (Why this didn't deter us I cannot say, but it didn't. She came into our lives as if destined to be only with us and we were powerless in the face of it.)

The mild cerebral palsy that she did turn out to have really didn't seem like that big a deal. It was when a neurological disorder, unrelated to the CP, set in that the real difficulties began. At the age of five, Moy Moy began a slow inexorable decline, regressing both mentally and physically, going backwards through the developmental stages she had earlier worked so hard to master, until finally stabilizing (we hope) where she is now: at the developmental level of a seven month old.

But the paradox at the heart of the Christian mystery began to unfold at the same time. As she went backwards, we moved ahead. What we thought impossible slowly revealed itself as well within our grasp. As her care became more complicated and demanding, our lives became simpler and more focussed. Miraculous solutions to the new problems we confronted appeared. People arrived to help just when we needed them. Money grew on trees.

But, still. The life we have now is not the one we expected. It is constrained, and can only become more so as Moy Moy grows bigger and heavier and more difficult to move about. To be the parent of a handicapped child is to be handicapped oneself. When we are invited anywhere, I automatically visualize the place: a long walk from the car to the house? stairs? I consider who else will be there: Will it be people we don't know, who will ask questions or whisper among themselves? Do I have the energy to go through it all again on that particular day? Will there be lots of children? Although Moy Moy loves kids, especially babies, if there are too many at one time, she gets overwrought. And so it goes.

On the other hand, our lives have also been expanded and enhanced in more ways than we can count, simply because of her. I started a school for children with mental handicaps and created a job for myself that is more satisfying than anything I have ever done. I travel all over the country and meet all kinds of amazing people in connection with my work. The last time I flew with her to America, we were upgraded to Business Class because the steward thought she would be more comfortable there. When the Pope came to India in November, Moy Moy and I got to meet him and received a special blessing.

On a day to day level, too, she has transformed our existence, simply by

her presence in our lives. Because she cannot speak, we have learned to be silent and communicate within that space. Because she is incapable of anger, we are almost forced to be sweet. And because she is resolutely “non-productive,” she has helped us to reconsider our own need to be always busy.

These are large, intangible things, however. On a more concrete level, she makes us laugh. She is so beautiful we cannot stop kissing her. She cuddles up with us at night and makes falling asleep a sensuous delight. She lets us choose her clothes. She greets our guests with a beaming smile and makes them feel they are the only ones she has been waiting for. She never holds a grudge or talks back or slams a door. She does not worry or plan or feel jealous. She sits quietly in her chair and waits for whatever might happen. She just is.

It is all too easy, with a child like Moy Moy, to see what she is not, to measure her against a standard issue ten-year-old and find her sadly wanting. The arrogance of the able-bodied and nimble-minded is not only astonishing, but also very narrow. Moy Moy exists outside of our development charts and IQ ratings. We have no box to put her in. She confounds our theories and makes us reconsider all that we thought we knew.

“Everything that lives is holy,” William Blake wrote. “Life delights in life.” I cannot believe that God is disappointed with this child, that he considers her a tragedy or a burden. I believe he delights in her as we do, that he loves her *just for being*.

The Zygote and Personhood

Donald DeMarco

In 1938, when abortion was not an “issue” and people took the life of the unborn child for granted, Margaret Shea Gilbert produced a small book entitled *Biography of the Unborn*. Not only did the general public look favorably on the work, but the Williams & Wilkins Company, a leading publisher of scientific and medical works, honored it by awarding its author a prize of \$1,000 for “the best book on a scientific subject for general reading.”

Reader's Digest soon widened the book's popularity by publishing it in condensed form. In 1948 the *Digest's* editors reprinted it along with thirteen other condensed books—including *The Autobiography of Benjamin Franklin* and Harry Emerson Fosdick's *On Being a Real Person*—that the *Digest's* readers had named as their favorites over the preceding seven years.

Gilbert expresses her knowledge of embryology with verve and grace. Her captivating style is evident from the opening paragraph:

Life begins for each of us at an unfelt, unknown, and unhonored instant when a minute, wriggling sperm plunges headlong into a mature ovum or egg. So extremely small is the single sperm that all the sperm required to produce the next generation in North America could be contained in a pinhead. Yet this quiet ovum, electrified by the entrance of this strange creature, reacts with violent agitation, releasing the man-forming potencies that are inherent in the human egg cell. It is at this moment of fusion of the sperm and ovum (a process called fertilization) that there arises a new individual who contains the potentialities for unnumbered generations of men.¹

We do not write with such lyric ease about the unborn today. What has transpired since 1938 to relegate the unborn to the world of shadow and uncertainty that he currently inhabits? Roger Wertheimer faithfully represents the new voice of confusion when he states that “we seem stuck with the indeterminateness of the fetus' humanity.”²

Has science regressed in the last half century, causing people to become bewildered about the nature of the fetus? Hardly: embryology has discovered more about the origin of life and the development of the fetus since 1938 than it knew in all the years before then. However, science is always subject to misinterpretation. Philosophy, which is supposed to function as a witness to reality, is also a witness to the humanity of the unborn. But when a witness embarrasses a cause, it must be discredited, if not eradicated. The

Donald DeMarco, professor of philosophy at St. Jerome's University in Waterloo, Ontario (Canada), is a member of the American Bioethics Advisory Commission. The author of 17 books, his latest is titled *New Perspectives on Contraception*, with an introduction by Dr. John and Evelyn Billings.

rhetoric of the abortion movement has been directed precisely towards this end. It is imperative, therefore, that philosophy's function as a credible witness be restored. It is of the utmost importance that *appearance* not be allowed to usurp the place of *reality* and that *function* not be allowed to take the place of *being*. Science alone may leave our understanding of the first stage of human life at the level of *appearance* and *function*. Philosophy can help us cross over into the domain of *reality* and *being*.

We frequently hear that there is an ever-widening gap between ethics and science, making it increasingly difficult, though no less urgent, for ethics to catch up with science. We seldom, if ever, hear about the gap between science and philosophy that imposes a similar obligation on science to catch up with philosophy. It might seem audacious to suggest that science, which claims to be our most forward-thinking enterprise, often lags far behind philosophy, and yet there is considerable truth in this assertion.

The distinguished philosopher Mortimer Adler recalls, with some degree of poignancy, a conversation he had in the early 1920s with a group of eminent physicists, two of whom were Nobel Laureates. One of them commented on a novel concept that Niels Bohr had introduced concerning the movement of electrons within the atom. According to the great Danish physicist, it is possible for an electron to leap from one quantum level to another without passing through the intervening space. To the astonishment and, more significantly, the discomfort of the physicists, Adler pointed out that this concept was not at all novel and had been proposed by philosophers of the Middle Ages when they discussed the local motion of angels.³

The scale of some of the relationships science has discovered is astonishing indeed. One scientist informs us that the amount of DNA needed to specify the genetic characteristics of all the people in the world is approximately one-seventeenth the weight of a postage stamp.⁴ Another tells us that the zygote, which is unique for each human being,⁵ has an information content equivalent to 1,000 volumes of the *Encyclopedia Britannica*. As it happens, these extraordinary notions had their precursors in the field of philosophy. In the fourth century, Augustine wrote about infinitesimal seeds (*rationales seminales*) that inhered in matter and directed their biological development. And this notion itself had a precedent in the *logos spermatikos* (seminal word) of the Stoic philosophers. The modern scientific suggestion that the universe might be expanding into infinite space is congruent with the thought of 16th-century philosopher Giordano Bruno: "I have declared infinite worlds to exist beside this our earth. It would not be worthy of God to manifest Himself in less than an infinite universe."

The discoveries of science can appear so mind-boggling that scientists

themselves begin to think of them as belonging to fiction. This is especially true with regard to the identity of the human zygote. The zygote, which marks the beginning of individual human life⁶ and whose prodigious character has been established by science itself, seems too extraordinary for even some scientists to accept. They seem to prefer a less prolific understanding of the beginning of human life.

Dr. Malcolm Potts, for example, states that reproduction is such an exceedingly long process that it begins at a "time when the primordial germ cells are first recognizable in the yolk sac endoderm . . . and is still incomplete when a grandmother baby-sits for her daughter's children." Thus, for Dr. Potts, "There is no single event marking the beginning of life."⁷ Another scientist, and one of great distinction, has stated that even a newborn infant should not "be declared human until it passes certain tests regarding its genetic endowment."⁸

Philosophy begins in wonder. From this perspective, if the wonders of any being prove, after investigation, to be more startling that they initially appeared, this is no reason for skepticism. The philosopher is prepared to accept, as Aquinas has stated, that "The human intellect is measured by things so that man's thought is not true on its own account but is called true in virtue of its conformity with things."⁹ Man is not the measure of all things, as Protagoras would have us believe. Reality cannot be expected to dumb itself down to accommodate the limitations of the human mind. Philosophers find it natural, therefore, to employ the same word—*being*—to embrace both the incomprehensibility of God and the imperceptibility of the atom. They are not disposed to think that the scientifically ascertained facts concerning the beginning of human life are too extraordinary to be true. Rather, they are inclined to believe that if they are true, they are most likely to be most extraordinary.

The scientist studies phenomena associated with various beings that he finds within reality. The philosopher is interested in reality itself, and the relationship between being and reality has tested the world's best philosophical minds from Plato to the present. Scientists investigate the behavior of material beings, but there is always more to any particular being than meets the eye. There are always hidden recesses that we have not yet explored. We do know that material beings are dynamic. This is particularly evident in the subjects of the biologist's investigations.

Living things do not manifest the fullness of their reality in the moment. *Being* needs time to unfold, to reveal its reality. Henri Bergson, who was both a philosopher and a biologist, understood this well and assigned *duration* a

fundamental role in his metaphysics. For Bergson, metaphysics is the “science that dispenses with symbols,” that is, the symbols that empirical scientists employ so that we can better understand reality.¹⁰ Similarly, for Martin Heidegger, author of *Being and Time*, the reality of a being unfolds on the horizon of temporality.¹¹ And for Gabriel Marcel, a human being expresses the depths of his reality over a continuing period of time through fidelity to another.¹²

What these three philosophers, who are radically different from one another in many ways, agree upon is this: *the realization of the potentialities inherent in one's being takes time*. Their concern for reality and realization (the process by which one becomes more real) extends far beyond the concern of the scientist. In the areas of embryology and fetology there is a well-known proclivity among scientists for freeze-framing the developing fetus and identifying it solely within the arbitrary context of that freeze-frame. Whereas the philosopher can move easily from an intuition of being to its analysis, the scientist often finds himself trapped in analysis, unable to move from an analysis of the part to an intuition of the whole.

The human zygote is indeed a prodigious entity. Although it is no larger than a grain of sugar,¹³ it contains a complete genetic code, all the DNA and all the genes that a complete human being will ever need. The single-cell zygote initiates a development that progresses to the 30-trillion-cell adult.¹⁴ At the same time, it exerts biochemical and hormonal influences on the mother as it begins to control and direct the process of pregnancy, a power amplification, considering its minuscule size in relation to that of the mother, that is utterly astonishing. Moreover, it will impress itself, through its DNA, on all the generations of its descendants just as all the generations of its ancestors have impressed their own genotype on it.

The male and female gametes—the male spermatozoön and the female ovum—have a very brief life span. If fertilization does not take place, they soon die. If fertilization does occur, they do not continue their existence as gametes (sperm and ovum) but collaborate to form a new being that possesses within itself a new destiny.

Each gamete is haploid, carrying only half the number of genes and chromosomes that are needed to form the zygote. The human zygote, once formed, is assuredly human. Biogenesis, which is as categorical in biology as the Second Law of Thermodynamics is in physics, specifies that “like begets like.” Horse gametes produce horses, hippopotamus gametes produce hippopotami, and human gametes produce humans. The human zygote is human because it is generated from humans. It is also human because its matter (DNA, genes, mitochondria, etc.) is specifically human. And it is also human

because of the way it is formed and the manner in which it develops. It is human, then, because its efficient, material, and formal causes are all human. The zygote's final cause is not empirically evident at the time it is a zygote. As the term indicates, the final cause requires a certain degree of finality of the subject before its reality is empirically evident. If the zygote is allowed to develop, it continues to manifest its finality or perfection or completion more and more as time goes on.

The notion of finality or final cause is particularly important in determining the full nature of the zygote. Every being of a biological nature (which is to say, every *organism*) has an intrinsically ordered relationship between its state at inception and its state at completion. When T. S. Eliot says, "In my end is my beginning,"¹⁵ he is echoing the thought of Aristotle and Aquinas, who also understood that what is last in attainment must have been present in some inchoate way at the very outset. Inception and fulfillment are held together by an abiding continuity. Life unfolds, it does not leap (*Natura non facit saltus*). The zygote is not followed by a series of new natures that represent a juxtaposition of different beings. Rather, it proceeds in its development in an unbroken manner.

In our modern Einsteinian world, the notion of a human zygote unfolding in the context of a space-time continuum, manifesting, with increasingly clear realizations and revelations, the fullness of its being, makes perfect sense. But here we encounter another instance where more mundane interpretations of science lag behind philosophy.

According to Einstein, "all reality exists both in space and in time, and the two are indivisible."¹⁶ Nonetheless, Peter Wenz tells us that "Zygotes and embryos lack the right to life because they are so unlike other human beings . . . In short, it [a human embryo] has no rights at all because its degree of biological complexity is similar to that of insects, to whom we ascribe no rights at all."¹⁷ And Michael Tooley states that a zygote or an embryo is not a person, because a person must possess "the concept of a self as a continuing subject of experience and other mental states, and believe that it is a continuing entity."¹⁸

These are typical examples of thinkers who freeze-frame the embryo, rob it of the future to which it is naturally ordained, and identify it in terms of one or more of its accidents. A zygote neither has consciousness nor resembles an adult human. But consciousness is not a substance but an attribute or function of something that *has* consciousness. One cannot *be* consciousness (despite Descartes). One is a *being* that *possesses* consciousness. Moreover, appearance is not the same as reality. Richard John Neuhaus

exposes the folly of expecting the young embryo to look like the mature adult: "If someone objects that, at five or 15 days, the embryo does not look like a human being, one has only to point out that this is precisely what a human being looks like at five or 15 days of development."¹⁹ Philosopher Stephen Schwarz elaborates:

A person at an earlier stage of his development, say at 4, and later, say 24, is the same person, and is equally a person at both stages. In fact, the whole notion of development here means the development of a person. It is not the development of something into a person . . . , but a development within a person who is already there. Thus, the objection that the zygote cannot be a person because it is too undeveloped rests on a false assumption; namely, that to be a person, one must already have reached a certain level of development. On the contrary, if there is development, then the being who reaches it must already be a person. It cannot be that a non-person reaches this level of development and then becomes a person.²⁰

Development presupposes the existence of that which is undergoing the development. It should be no surprise whatsoever that as a being goes through different stages of development it will *look* different. If it always looked the same, there could hardly have been any development going on.

Ontogeny—this development of an organized being—obviously takes time. But in time, the developing human being will finally look like an adult. Sir Arthur Eddington, the first scientist to offer empirical corroboration for Einstein's hypothesis of a space-time continuum (Theory of Relativity), came to the conclusion that "time is more typical of physical reality than matter."²¹ The ontogenesis of the human being from inception until eventual death is a homogeneous, continuous process, not a succession of different natures.

The zygote has within itself all the information the organization will need to direct its development to the point where it first attains consciousness and eventually resembles other adult human beings. In the words of geneticist Jérôme Lejeune, "As no other information will enter later into the zygote, the fertilized egg, one is forced to admit that all the necessary and sufficient information to define that particular creature is found together at fertilization."²²

The zygote's end is implicit in its beginning. Its active potency is a foreordination of potency to act. According to philosopher Jacques Maritain, "this reference of potency to act is an ontological desire, a desire for act, potency itself."²³ This active potency is a very real part of the being in which it operates. It is an essential part of its subject's datum. One cannot exclude the potency inherent in the zygote and then be in a position to identify its reality with any degree of accuracy. In this sense it is just as unrealistic to measure the development of the zygote only in its first moment of life and decide that it is not human, as it would be to measure a seven-foot basketball player only

up to his ankles and decide that he is not tall.

A zygote is a human being in *process*, one that is continually in a state of *becoming*. According to the classical axiom *Potentia dicitur ad actum* (Potency is said in relation to act), potency and act are metaphysically inseparable (though intellectually distinguishable) and are profoundly unified within the being that is their subject. The zygote's potency cannot be separated from its act without doing violence to its being. The essential evil in killing a human being of any age is in depriving him of his future, all that could have been, all that his potentiality would have converted into act.

When the zygote has been allowed to have its time, when its potency has become sufficiently translated into act that the organism is recognizable as a human adult, it is clearly a person. But it was a person from the outset in the depths of its being. Throughout the course of its extraordinary development, it was always the same being. There was never the cessation of one being and the commencement of a different being. Continuity marked the essence of its intrinsic development. In this regard, Sir William Liley has stated that "The division of intrauterine life into segments (zygote, fetus, etc.) is a semantic phenomenon, and is in no way supported by biological or medical fact."²⁴

Human life begins at fertilization²⁵ when the spermatozoön fuses with the ovum to form a zygote containing 46 chromosomes that bear a genetic code that is different from those of the new human being's parents. Unlike the gametes from which it was formed, the zygote has the power to, and immediately begins to direct itself through a process of continuous development to become one day what it had begun to be from the outset, namely, a complete human person.

The zygote is not what it merely appears to be at the initial moment of its existence. In time, if given the chance, it will manifest itself determinatively and decisively as a human person. This conclusion does not contradict science, but illustrates how science and philosophy can complement one another.

NOTES

1. Margaret Shea Gilbert, "Biography of the Unborn," *14 Reader's Digest Books* (Pleasantville, NY: The Reader's Digest Association, 1948), p. 325.
2. Roger Wertheimer in *The Rights and Wrongs of Abortion*, eds. Cohen *et al.* (Princeton, NJ: Princeton University Press, 1974), p. 44.
3. Mortimer Adler, *The Angels and Us* (New York, NY: Macmillan Publishing Co., 1982), pp. 131-2.
4. Garrett Hardin, "Blueprints, DNA, and Abortion: A Scientific and Ethical Analysis," *Medical Opinion and Review* (Feb. 1967). At that time the world's population of human beings was 3.5 billion.

5. Edward C. Freiling, "The Position of Modern Science on the Beginning of Human Life," *Social Justice Review*, May/June 1987, p. 72.
6. The case of twinning notwithstanding. If the developing life that proceeds from the zygote splits to form an identical twin, that twin may be regarded as the offspring of its partner. At any rate, the individuality of the original zygote perdures and is not challenged by the formation of the twin.
7. Malcolm Potts, "The Problem of Abortion," in F. J. Ebling (ed.), *Biology & Ethics* (London and New York: Academic Press, 1969), pp. 74-5.
8. Cited in Jarvis and Rodman, *The Abortion Controversy* (New York, NY: Columbia University Press, 1973), p. 199.
9. Thomas Aquinas, *Summa Theologica*, II-II, 26, 1 ad 2.
10. Henri Bergson, *An Introduction to Metaphysics*, tr. by T. E. Hulme (Indianapolis, IN: Bobbs-Merrill Co., 1955), p. 24. Bergson writes: "What is relative is the symbolic knowledge by pre-existing concepts, which proceeds from the fixed to the moving, and not the intuitive knowledge which installs itself in that which is moving and adopts the very life of things. This intuition attains the absolute" (p. 53).
11. Martin Heidegger, *Being and Time*, tr. by Macquarrie & Robinson (New York, NY: Harper & Row, 1962), p. 488.
12. Gabriel Marcel, *Creative Fidelity*, tr. by Robert Rosthal (New York, NY: Farrar, Straus, & Giroux, 1964).
13. The size of the zygote is 1×10^{-7} of an inch in diameter. Cf. Edward J. Schwoegler, Ph.D., *Human Life: Our Real Beginning, Based on Scientific Evidence* (Munster, IN: Schwoegler, 1991), p. 107.
14. Robert S. Sassone, *The Tiniest Humans*, based on interviews with Prof. Jérôme Lejeune and Sir William Liley (Stafford, VA: American Life League, 1977), p. 9.
15. T. S. Eliot, the last line of "East Coker" from his *Four Quartets*.
16. Lincoln Barnett, *The Universe and Dr. Einstein* (New York, NY: William Morrow & Co., 1966), p. 70.
17. Peter Wenz, *Abortion Rights as Religious Freedom* (Philadelphia, PA: Temple University Press, 1992), pp. 66-7.
18. Michael Tooley, "Abortion and Infanticide," in *The Ethics of Abortion*, eds. Robert M. Baird & Stuart Rosenbaum (Buffalo, NY: Prometheus, 1989), p. 49.
19. Richard John Neuhaus, "Don't Cross This Threshold," *Wall Street Journal*, Oct. 27, 1994, A20.
20. Stephen Schwarz, *The Moral Question of Abortion* (Chicago, IL: Loyola University Press, 1990), p. 71.
21. Sir Arthur Eddington, *The Nature of the Physical World* (Ann Arbor, MI: University of Michigan Press, 1958), p. 275.
22. Jérôme Lejeune, *The Concentration Can* (San Francisco, CA: Ignatius Press, 1990), p. 112.
23. Jacques Maritain, *A Preface to Metaphysics* (New York, NY: New American Library, 1962), p. 104.
24. Sassone, 1977, p. 1.
25. The citations from the world of science are innumerable in support of this point. Consider the following: 1) "The fertilized egg is a living entity, a human being, a human individual, and a person, all one and inseparable." Ward Kischer, "Is the Embryo a Living Human Being? A Human Embryologist Responds," *Social Justice Review*, Jan/Feb. 1995, p. 16. 2) "It is the penetration of the ovum by the spermatozoon and the resultant mingling of the nuclear material each brings to the union that constitutes the culmination of the process of fertilization and marks the initiation of the life of a new individual." Bradley Patten, *Human Embryology* (New York, NY: McGraw Hill, 1968), p. 43a. 3) "A human being does not become a human being but rather is such from the instant of its fertilization." E. Blechschmidt, "Human Being from the Very First," eds. Hilgers et al., *Abortion and Social Justice* (New York, NY: Sheed & Ward, 1972), p. 7. 4) "Fertilization takes place when the living sperm and living egg cells fuse." James Bohan, *The House of Atreus* (Westport, CT: Prager, 1999), p. 25. 5) "This cell [the zygote] results from fertilization of an ovum by a sperm and is the beginning of a human being." Keith Moore, *The Developing Human: Clinically Oriented Embryology* (Philadelphia, PA: W. B. Saunders, 1973), p. 1.

Britain's Cultural Conspiracy?

Lynette Burrows

The Sex Change Society: Feminised Britain and the Neutered Male is the title of a new book by the well-known columnist and commentator Melanie Phillips. It concerns the culture of divorce and illegitimacy currently plaguing Great Britain and the great harm being done to the fabric of civil society by them. Ms. Phillips lays the blame for these things mainly on the influence of feminist ideology on social policy, and she deplores the media's unquestioning support of this ideology.

As you might expect, the book has been well received, firstly by those who agree with Ms. Phillips, and secondly by feminists who feel gratified by the attention and blushing acknowledgment the correctness of her thesis. After all, if she is right, they must be very important people. However, it seems to me that both these points of view miss the broader picture.

The blurb on the back of the book encapsulates perfectly its detailed, but inaccurate, analysis: "The gender revolution of the twentieth century was female. Wartime demand for workers, the contraceptive pill and women's full-scale entry into the workplace changed family life forever. But what became of masculinity? Now, on the eve of the twenty-first century, the male role is in crisis—or even in danger of extinction altogether."

What does it all mean? What, for a start, was the "gender revolution"? Does this mean anything more than that women have been obliged to work outside the home during most of the 20th century—as their sisters had been in the early 19th century—either because war put them into factories or, latterly, because the wages paid to men were too low to support a family? If so, why doesn't the blurb writer refer to the 1850's as having had a "gender revolution," when the 75% of women who had had paid work outside the home became full-time housewives?

When one thinks of the twentieth century, women's problem with sex roles is scarcely the first thing that comes to mind. One thinks of the First World War, the Russian revolution, the rise of Nazism, the Gulag Archipelago, concentration camps, the Blitz. After the war, women quit the miserable factory work they had been obliged to do for six years and returned to their homes and sometimes to part-time work. Things have remained reassuringly stable ever since, with the overwhelming majority of women with very young children

Lynette Burrows is a well-known English educator as well as a print and broadcast journalist. Her latest book, *The Fight for the Family*, was published in 1998 (Family Education Trust, Family Publications, Oxford, England).

not working at all and a large majority after their children start going to school working only part-time.

There have been changes in Britain of a social and cultural nature, but it is hard to see them as a "gender revolution." There has been an increase in certain social maladies, but their increase has not normalised them, and that is important. Widespread drug use in its current form is a new feature, and so are increased divorce and illegitimacy. With all these things, the fact that they are now subsidised by the state is a much larger factor in their prevalence than any changes in sex roles.

Drug use is nothing new in Britain, but in past centuries if one became unfit to work because of drug use, one simply starved. There was no "safety-net" provided by a kindly state and if you committed crimes to obtain drugs, the law was very severe.

As far as divorce and illegitimacy are concerned, the situation in Great Britain used to be the same as that which still prevails in the rest of Europe. In continental countries to this day, unsupported mothers are the responsibility of their families. The State does not pick up the tab. Even in liberal Holland, girls who become pregnant receive no financial support at all from the state, and contraceptives are not supplied free of charge to young people. Yet we in Britain still pretend to be astonished at our high illegitimacy and divorce rates compared to the rest of Europe.

Indeed, both the illegitimacy and divorce rates have been substantially aggravated by legislation that was enacted not in response to public concern but at the initiative of legal "commissions." If one is cynical—and I am—one can argue that these policies have been a studied attempt to enhance the position of lawyers and state bureaucrats by creating masses of work for them. At least this is what has happened and you never hear them complaining! Of course feminism has been invoked as the philosophy that justified these innovations, but with such a huge financial incentive at stake, we don't really need the fig leaf of a philosophy to justify the changes.

On the political front, the menaces of a new European superstate and of mass immigration are related issues that really do involve problems of gender which have been completely ignored. A Conservative Party organization called The Monday Club produced a glossy pamphlet a few years ago which pointed out that Muslims are in the majority in the primary school population of our main cities and, if current trends continue, will constitute a majority of those under thirty years old being Muslim within twenty years or so. The pamphlet drew out the implications of this for many groups in our society. Women were one of those groups, but feminists have not shown their usual bellicosity in anticipating the possible results. The subject is never

mentioned, and no political party has been prepared to discuss the matter, let alone to consult the electorate on it. It remains an unexploded bomb, which will tick away until events either defuse or detonate it.

These five problems—drug abuse, divorce, illegitimacy, mass immigration, and “Europe”—are all, in their current manifestations, the products of government initiatives, not of some grass-roots revolution by Britain’s women.

So, returning to the blurb for our book, why does it refer to the traditional family as being “changed forever”? If the rigours of the Industrial Revolution didn’t permanently change it, why should the current social engineering have any more permanent effect? If people were allowed to vote on these issues today, as Ms. Phillips points out, they would undoubtedly vote to make divorce less easily available and to make it financially more advantageous to get married and to stay married. In other words, none of these things are the result of a genuine change in the popular mind. They are impositions, and, like all such, are as likely to be changed again as not.

With regard to disappearing masculinity, which is the main thesis of the book, the evidence presented by Ms. Phillips points in quite the opposite direction. She shows how the role of men as principal providers for women and children has been taken over by the State in many cases, and how those in authority insult and denigrate all things male. Rather than having the desired effect, however, the attacks have resulted in men and boys becoming ever more violent and difficult to control. Far from disappearing, masculinity is responding to the ideological attacks upon it by re-positioning itself for conflict.

However, Ms. Phillips insists on detailing all the feminist arguments that have influenced government policy and, whilst she is obviously aware that their thoughts do not deserve to be dignified as a coherent philosophy, she plows on regardless. The question she does not ask is why their beliefs, which would produce nothing but hilarity in a pub full of clerks and bootblacks, are taken seriously by both government and the media.

The answer, I suspect, is that, setting aside the useful idiots who are easy prey to any ideology, few people with real power *do* take feminism seriously. What they are doing is pretending to take it seriously because the ideology has provided them with the most effective mechanism for manipulating people that has come their way since religion ceased to command obedience and Communism died its ignoble death.

The government wants to disguise the fact that its avowed feminism is actually an extremely useful device for giving *commerce* what it wants. Since all government today depends upon the revenues derived from commerce to provide services that will get its members reelected in the future, a healthy busi-

ness sector is of as great interest to government as it is to the businesses.

Ever since the end of the Second World War there has been a shortage of labour in Britain. In addition to the deaths in the war itself, there has been a shortfall in the pre-war birth-rate because, fearful of having too many mouths to feed during the Depression, the government campaigned hard for birth control. During the 1950's it began a policy of inviting immigrants to settle in the UK in order to keep wages down and to keep our industry competitive. Since the rise of productive economies in the Third World, with their very low labour costs, this necessity has become even more pressing. However, simply inviting in even more settlers has one terrible danger: should there be a down-turn in the economy, social unrest could very swiftly follow.

Women in the work place provide a considerable buffer against such an eventuality. Should the economic climate darken, the redeployment of labour would be a simple matter of promoting yet another, even more forward looking strand of feminism to assert women's new "rights." With the dumb acquiescence of the media, new-style feminists could be produced out of a hat to say that the latest phase of women's emancipation is to take charge of "domestic enterprise."

The women thus "emancipated" will be described in glowing terms as a new "home-front task-force," and their "holistic skills" will be praised to the skies and directed towards the regeneration of communities. The authorities might even mention what the government's "Household Survey" discovered and suppressed a few years ago: that housewives enjoy four hours more "leisure time" per day than their sisters at work. A simple fiscal adjustment or two "in response to overwhelming pressure from women"—letting women use their personal allowance to set against their husband's tax, for example—and, hey presto! Government already knows that two-thirds of women who work full-time would quit or go part-time.

As a matter of fact, a similar pseudo-feminist tack was deployed to get women out of employment during the recession in the 1970's. Then—in the interests of full equality, of course—employers were told they had to give women the right to an equal contract with men. In other words, women were obliged to do shift work, the same as men. Many thousands of women who did not want to work hours which were incompatible with their family responsibilities left factory work and went into service industries. Unemployed men moved in.

The fact that this duplicity was scarcely noted at the time indicates what incredible freedom of action the cover of "feminism" gives to government authorities. They can argue in any direction at any time and always get away with it by describing what they do as being in the interests of women.

Apart from the usefulness of feminism as a device for manipulating people, there is another fascinating dimension to the phony “gender war” that Ms. Phillips describes but does not analyse. It is the ability of the media to create a sort of parallel universe where normal standards of honesty do not apply.

A cursory trawl through *The Sex Change Society* provides numerous examples of the validation given to the absurd, by the simple fact of its being printed somewhere and discussed by the media. For example, “It is abnormal for a woman to love her children.” “Marriage is a power structure enforced by men.” “There is no discernible difference between the brain functions of men and women.” “Men and women must be eliminated as significant social categories.”

Ms. Phillips tackles dozens of such assertions—but without the healthy derision they deserve. She fails to address the almost occult power of the media to make absurd ideas seem reasonable. It has been left to an unusual comedian to illustrate the power and scope of this kind of—what can one call it? counter-sense? muscular imbecility?

Ali G is a comedian who until last Christmas was virtually unknown to the public at large, although he had a devoted following amongst young adults because of a regular slot on a late-night programme. He wears the outlandish fashions of young Afro-Caribbeans and adopts an exaggerated “ghetto” language. Masquerading as the presenter of a groundbreaking “ethnic” programme, he interviews prominent people and asks them the most ludicrous questions, to which they struggle to give polite and sane answers.

For example, interviewing the most decorated living soldier in the British army, he asked him which side he had fought on in the war. He introduced an interview with a Welsh miners’ leader by saying they were going to visit an underground mine, where the Welsh used to live and work before they became human. The polite patience with which the interviewees responded to this lunatic was much written about, and some black leaders protested that he fostered prejudice by appearing so stupid.

In fact, the man is not black at all—he is a Cambridge-educated Jew by the name of Sacha Baron Cohen.

In one interview, he asked some vegetarian tree-protesters why they didn’t riot to make their point. “Because violence solves nothing,” came the standard liberal response. “Yes it does, man,” Ali replied earnestly. “We use it all the time in the ghetto and it gets just what you want.” He started haranguing the protesters through a loudspeaker, urging them to attack the police, and they were ready to lynch him for his lack of “peace and love.” At this point a police officer politely requested him to leave. “Are youse askin’ me that ’cos I’m

black?" Ali G ventured. "Certainly not, sir," the policeman gravely answered.

It did not seem to occur to the policeman to point out that Ali G *wasn't* black, any more than it occurred to all the other people to whom he addressed the same question, including a spokesman for the CIA, politicians, and, yes, yours truly.

I was caught by Ali G, before his first series was shown on TV and his cover blown. He interviewed me and two others about family policy and how to bring up children. In the course of the interview he asked at what age parents should introduce their children to drugs, "you know, show 'em how to roll a decent spliff, show 'em how to tell good powder from bad." Then he asked which members of the family should be excluded when it came to the matter of incest. Grandparents? Obviously yes, because they were mostly old and ugly; but surely not brothers and sisters? And then, "What if one of your sons is a 'batty boy,' you know, like, a shirt-lifter?"

I cannot honestly remember how I reacted to all this except to answer as truthfully as possible, without being offensive to Ali G. The programme is being shown this spring and will no doubt be as much a surprise to me as to others. However, thinking about it later, when I had learned who he was, and pondering my restraint in answering him, I reflected that his questions had not been radically different from those in many other such interviews. It was actually no more bizarre than innumerable other discussions containing such gems as (and this is an actual quote) "So, Mrs. Burrows. Are you going to tell us precisely why you think there is something unnatural about two men buying the eggs of one woman, fertilising them in a laboratory, having them implanted in another woman, and then taking the subsequent baby home with them as their own?"

However, disregarding the influence of a feminist argument on the level of public debate, and considering instead the harm done to individuals by public policies based upon it, one cannot find fault with Ms. Phillips's facts. Feminism has been invoked to promote public policy on a wide, but shifting front and one still has to ask why.

There are so many aspects of public policy at present that just do not add up that one always comes back to the question of, why? Take, for example, sex education in the schools. This has been managed, for upwards of thirty years, principally by the educational wing of the industry that produces contraceptives. They have provided material and instruction of such a graphic and inflammatory nature that only the intellectually castrated could fail to recognise what is being urged. By their propaganda, children who are under the legal age of sexual activity have been incited to experiment and to risk their health and well being in the process.

Every year without fail, for more than thirty years now, the number of children indulging in this illegal activity increases and so do pregnancy, abortion, and sexually transmitted disease. Yet still the industry is able to get away with calling for greater powers and facilities to provide more of the same.

It is appalling that it happens—but hair-raising that no one questions *why* it is happening. It is as if the tobacco industry had been given the job of instructing the young on the perils of under-age smoking, on the grounds that they knew more about it than anyone else. No one would have been surprised if they had succeeded in increasing consumption of their product, since that is their business. But who would have allowed it to continue?

That is incomprehensible scandal number one. Number two is what Melanie Phillips calls the phenomenon of young couples cohabiting rather than getting married. To my mind, there is no mystery, let alone an ideology involved. It is simply practical. It is vastly more economical for young working-class couples not to get married. For a start, many local authorities in big cities tell young couples that if they get married, they will not even be considered for public housing. This pattern is repeated up and down the country, yet it is never mentioned as a reason for the very high cohabitation rates.

Just to underline the fact that it is actually government policy to deter marriage, Ms. Phillips details how married people, even with children, are taxed much more heavily than the unmarried. A single woman with two children takes home substantially more money than a married couple with two children on the same gross income. Can one seriously believe that an injustice of this scope could be inadvertent?

These sorts of assaults upon our reason and common sense lead one to ponder whether, in fact, there is a plan and, if so, whose it is and to what end. Many people sense that there may be a hidden agenda attached to many government policies, but they resist looking into the question too deeply. However, the BBC recently gave us an illuminating glimpse of a new way of conducting public debate and one that pre-dates the Blair government by two decades.

Those who oppose our entry into the European Union have long claimed that the government was using the media to advance the whole European project by means of suppression and distortion of the facts. Such accusations were always dismissed by the general public, who trusted the BBC. Its Charter, after all, requires that it maintain both balance and independence. Now, however, suspicions have been confirmed by a remarkable and brave programme aired on the BBC itself on February 3 of this year.

It is unlikely to be coincidence that this took place during the change-over

from one Director General to another; perhaps someone was seizing the day. At any rate, the programme gave chapter and verse, names, places, and dates, of a conspiracy approved by Conservative Prime Minister Edward Heath to “knobble” the media over Europe.

To this end, a man with connections to the intelligence community was put in charge of weekly breakfasts at one of Mayfair’s most exclusive hotels. To these breakfasts were invited journalists, captains of industry, and television people. The operation succeeded in “knobbling” most of the main BBC and ITV news programmes so that they would deliver only pro-European propaganda. Staffers who were anti-Europe were got rid of and the campaign was successfully completed when the British people voted in favour of the Common Market.

Lord Hattersley, a politician and prominent supporter of Europe, was nonetheless a critic of the conspiracy. On the February 3, BBC programme he said, “Joining the European Community did involve significant loss of sovereignty, but by telling the British people that was not involved, I think the rest of the argument was prejudiced for the next twenty, thirty years.”

When asked on the programme whether these breakfasts still continued, the man who originally organised them said, after a long pause, “Yes.”

All this has come as a shock even to many people who had been deeply suspicious of the Europe fanatics. However, now that transcripts of this programme are beginning to circulate, there is still hope that some action will be taken over this conspiracy; after all, the BBC has its Charter, according to which it is required to be impartial and honest, and this document provides ample evidence upon which to act.

The stakes are all the higher as a date for the promised referendum on the subject draws closer. The thought must be, If one conspiracy, why not two?

After a university debate a few years ago, a leading homosexual activist told me, in his cups, that New Labour had promised homosexuals an entire shopping list of demands in return for “carrying the whole EU project.” He listed: lowering the age of consent, permitting open homosexuals in the armed forces, and allowing homosexuals to call their unions marriage, to adopt children, and to promote homosexuality in schools.

At the time, I thought this was self-delusion about how powerful the homosexual lobby was, but now I am not so sure. The European Court has certainly provided for their open access to the armed forces, and it is on course to rule in favour of same-sex marriage. The government meanwhile has already lowered the age of consent for boys from 18 to 16 and permitted homosexuals to adopt children. Incredibly, in view of widespread public outrage,

it is also struggling to remove the safeguards against promoting homosexuality in schools. I have chosen my words carefully here; it is not a matter of “giving information” or “dealing with questions” on homosexuality. The government proposes to give homosexuals the right to *promote* their “lifestyle.” No wonder the public is up in arms and the churches are, uniquely, united in opposition.

It is quite incomprehensible that Tony Blair is prepared to antagonize the public to this extent. At least, it is incomprehensible unless there actually was the deal.

If one were to pursue this intriguing idea, one could see many other things falling into place. New Labour tried to increase the number of women in Parliament by confining its candidate lists to women. This was declared unlawful, but it persevered with a list of approved female candidates. Furthermore, the only women who were allowed to stand for New Labour, even in Catholic areas, were those who approved of abortion.

One would not need to posit a conspiracy any more elaborate than the one outlined above to work how this ties together. Feminists and homosexuals have always made common cause, and so it has proved in this case. The New Labour women have been as solid in their support of homosexual privilege as any homosexual could be, and possibly more so. In return, homosexuals in the cabinet, in the media, and in the law, have been preternaturally supportive of anything the Blair government wants. And the Blair government wants “Europe.”

Our present Parliament is the most “anti-life” there has ever been, and all but 3 of the 140 new “Lords” appointed by Tony Blair in his “reform” of the Upper House voted to allow homosexuality to be promoted in schools. Even so, they lost by a thumping majority in a body that still has a Conservative majority, but they will try again.

Meanwhile, the media handle the many scandals that have arisen in Labour ranks with a studied indifference that is in total contrast to their vociferous condemnation of milder scandals among the Conservatives. They do report them, but they refrain from comment.

Conspiracy again? Who knows? However, it would not take Sherlock Holmes to work out that with homosexuals at 2% of the population and committed feminists at probably about the same, they are far too few in number to have wrought such havoc on public life unless there was some other power using them as a front.

The thought that is beginning to occur to many people who are not normally of a paranoid turn of mind is that many of the elements of current policy are in fact pure Marxism. First of all the government loosened the bonds of marriage by instituting no-fault divorce and subsidising family breakdown. Then it made

marriage impractical for young people by denying them access to public housing if they are married and taxing them more heavily.

The dependence of young mothers on the state is then consolidated by offering them more material support than a typical husband can. Having taken over the role of breadwinner, the state is now putting pressure on women to go out to work, leaving their children in day-care facilities. So the state then becomes the principle educator of the child.

The family is, by all these means, fatally weakened. In addition, legislation is promised that will remove even the template of the normal, heterosexual marriage. Morality, rather than being something intimately connected to the natural order, thus becomes instead whatever the state says it is. Does all this sound familiar? Yes, indeed! All these elements were explicit in Communism from its earliest days.

“Europe,” meanwhile, is the first psychological take-over of countries that has ever been attempted, and the media are its principal tool. “Divide and rule” was a Roman device for breaking the potential power of opposition.

The new “soviet” of the European Union, with its centralised government, a court of law from which there is no appeal, and its disregard for democracy and national traditions, has seemingly just the same blueprint. The brutal and bloody Bolsheviks finally lost the battle to capture Europe, but the Mensheviks, the “little party” that believed stealth and subversion were better weapons of conquest, have taken over. The conquest and domination of Europe has been a prize that several countries have gone to war over in living memory, and it should not surprise us that a cause that has cost so many millions of lives is still alive and kicking.

As yet there are only a few commentators who are prepared to put together these disparate threads of a grand plan and to give it a name, but they are there, and the rumbles of concern are beginning. It has been a masterstroke to commandeer something as innocuous sounding as “feminism” to accomplish so much that is destructive and cruel. But it has been remarkably successful in disrupting the social fabric, which is always the first step in overthrowing civil society.

This gives one a more rational explanation of what is being done to us in the name of “social policy” than any amount of agonising over the banality of the philosophy that seems to lie behind it. Melanie Phillips has written a passionate denunciation of the sheep’s clothing with which the wolf of Marxism is currently clad.

The struggle will only get really interesting when commentators of the calibre of Ms. Phillips recognise the enemy for what it is, and stop wasting their energy on a movement that is small, unpopular, and inconsistent, and that currently projects itself, without irony, under the slogan, “Put Yourself First.”

The Dying of the Mind

Francis Canavan, S.J.

Times change, and as they change, so do attitudes. Think back to the 1960's, when the Sexual Revolution began (or at least came to the surface of popular consciousness). Then even the *New York Times* was somewhat shocked by the spread of homosexuality, as some of its headlines revealed. For example: "Growth of Overt Homosexuality In City Provokes Wide Concern" (December 17, 1963); and "Influx of Deviates and Addicts Linked to City Draft Rejections" (Jan. 6, 1964), referring to homosexual and narcotics addicts from other parts of the country who were coming to New York and causing a higher rate of rejections for military service during the Vietnam War.

Then we have "Homosexual Proud of Deviancy, Medical Academy Study Finds" (May 19, 1964), referring to a report which stated: "They would have it believed that homosexuality is not just an acceptable way of life but rather a desirable, noble, preferable way of life... For one thing, they claim that it is the perfect answer to the problem of the population explosion."

On April 16, 1965, under the headline, "Cuban Government Alarmed by Increase in Homosexuality," the *Times* reported that a government newspaper in Castro's Cuba had stated that homosexuality had become "an alarming political and social matter." On May 28, 1965 we learned that the New York State legislature had "dropped plans to abolish criminal sanctions against homosexual acts committed between consenting adults in private." On the same day we read that the British House of Commons had refused to allow the introduction of a similar bill. But can anyone now imagine the *New York Times* calling homosexuality deviancy or regarding opposition to it as anything other than right-wing bigotry of a type not to be tolerated in places as enlightened as New York, Great Britain and Cuba?

Times have indeed changed since then. But the most profound change is not in conduct or in attitudes but in the dying of the mind in contemporary liberal societies, both in North America and in Western Europe. For the Sexual Revolution has taken place not only in the body but in the mind. What happens below the belt is in significant ways less important than what goes on in the head.

But first let us glance at some of the outward and observable stages of this social shift. The homosexual movement did not cause the Sexual Revolution,

Francis Canavan, S.J., professor emeritus of political science at Fordham University, was for many years an editor-at-large of this journal. His latest book is *The Pluralist Game* (Rowman & Littlefield).

but rather was a result of it. But the movement's successes manifest how deeply the separation of sex from procreation, which is the heart of the Revolution, has cut in America culture.

The movement's first effort was a drive to repeal the laws that made homosexual sodomy a crime. Such laws were on the books in many states and had been there for a long time. They still exist in 18 states at the time of this writing but probably are seldom enforced.

Homosexuals then began to win court cases awarding them the custody of children and allowing them to adopt children. They also succeeded in getting themselves included in the groups protected by the growing range of anti-discrimination laws, both by legislation and by court decisions. A case in point is the recent one in which the New Jersey Supreme Court denied that the Boy Scouts could refuse to allow a homosexual to become a scoutmaster. [The Supreme Court overturned the New Jersey ruling on June 28—*Ed.*]

On December 13, 1982, *Time* magazine reported that the Board of Supervisors of San Francisco had passed "a startling measure that would allow the city's employees to sign up their lovers for spouselike health benefits." The ordinance, *Time* said, was "the first of its kind in the country" (but it has not been the last). The beneficiaries primarily intended were homosexual couples but included unmarried heterosexual couples as well. This led the San Francisco *Examiner* to comment: "The notion that an unmarried relationship is the equivalent of marriage is an attack upon social norms, the destruction of which concerns a great many people in the nation and, we assume, in San Francisco."

These "domestic partnerships" became a major object of the homosexual movement's drive for "gay rights." On September 4, 1982, the New York *Times* reported that former Vice President Walter F. Mondale would give the keynote address at a fund-raising dinner to be held in the Waldorf-Astoria Hotel in New York; numerous Democratic politicians would be present. What made this political dinner distinctive was that the money it raised would go into a fund "exclusively dedicated to advancing the cause of lesbian and gay rights."

I remember wondering at the time why Mr. Mondale, who was already seeking his party's nomination for the presidency of the United States, would identify himself with such a cause. I did not realize that I was witnessing the formation of a key element of the Democratic Party's core constituency. The party's recognition of that reality was made manifest this year, on April 30, when its presidential candidate, Vice President Albert Gore, Jr., told a mass homosexual-rights rally in Washington, "I stand with you, and am with you every step of the way," in the struggle against AIDS, discrimination, and hate

crimes. (The Republican Party, eager as ever to be a Big Tent, has made no similar but contradictory statement.)

Full acceptance of homosexuality has become a liberal orthodoxy in the press, television, films, the academy, and in what is now called the cultural elite. The *Times*, with whose views on this subject this article began, published an editorial on March 4 of this year, under the heading "California's Poisonous Proposition." In it, the *Times* now condemned a proposed amendment to the California Family Code that said, "Only marriage between a man and a woman is valid or recognized in California." This, said the *Times*, "would send an ugly message of disrespect and exclusion that would reverberate nationwide."

Liberal tolerance, however, does not extend to deviations from the established liberal orthodoxy. John Leo, in one of his syndicated columns, lists several private universities which forbid, or are under pressure to forbid, student religious organizations to bar the homosexuals from holding leadership positions, even though homosexual acts are considered sinful by the religions that are the reason for the existence of these organizations.

One must grant a certain grudging admiration to the skill with which homosexual public-relations campaigns have replaced sodomy with homophobia as the sin that dares not speak its name. Today, disparagement of homosexuality as a lifestyle is routinely attributed to homophobia, a boo word that removes any need of serious discussion of homosexuality. That tactic doesn't always work, of course, but it is amazing how often it does.

The homosexual goal is to make government and society at large *affirm* the validity of homosexual relationships as a way of life equal to any other. That will not be fully accomplished, however, until government grants the legal status of marriage to such relationships. The courts are the most likely agents of this change.

It is well known that the Supreme Court of the State of Vermont went far in this direction last December when it ruled that the State constitution requires the State government to afford homosexual couples the same protection and benefits that it grants to married heterosexual couples. The court found this requirement in a phrase in the constitution that states that government "should be instituted for the common benefit, protection and security of the people, nation and community." In a phrase as vague and broad as that, a court can find almost anything it wants. The Vermont court, however, did allow the State legislature enough leeway to choose either same-sex marriage or something just short of it. The legislature chose to permit same-sex couples to form state-certified "civil unions," which give the couples almost

all the legal privileges of marriage without calling it that.

Civil unions had already come to France, under the name of civil solidarity pacts or PACS, the acronym for *pacte civil de solidarite*. As reported in the *Times* on October 14, 1999, the law passed by a Socialist government, "entitles couples, of the same sex or not, to the same rights as married couples in such areas as income tax, inheritance, housing and social welfare." Any couple, including a brother and sister, may take advantage of the law, but its purpose, according to the *Times*, was to fulfill "a promise that Prime Minister Lionel Jospin made to recognize gay relationships," and the Justice Minister Elizabeth Guigou, has said it will force "the retreat of homophobia."

On April 18, 2000, the *Times* reported that the PACS had proved to be "wildly popular," with an estimated 40 percent of the couples being heterosexual. For homosexuals, a PACS is the only facsimile of marriage they can have, but for heterosexuals, the attraction is that it confers some benefits along with some responsibilities, and can easily be dissolved. One young couple entering a PACS was quoted in the *Times* as saying that although they had been living together for eight years, they did not feel ready for marriage. Both were children of divorce and thought that marriage is a burdensome institution weighed down with religious connotations.

Churches and synagogues that take marriage seriously as a lifelong union between man and wife naturally oppose legalizing these substitutes for marriage. But where the state enacts them into law, they may have the side effect of providing the religious institutions with a drainage system.

When a young couple decides to marry, if it is clear that they have no idea of what a religiously committed marriage is, and are only looking for a fancy church or synagogue wedding, they might be well advised to enter into a civil union. It will save them the pain and trouble of a divorce or a church annulment granted on the ground that they were too immature to give the consent required for a valid marriage. In later years, if they have grown up, they may seek a religious marriage. Or, if the civil union has broken up, as the chances are it will, they will be free to marry real husbands and wives in church or temple. I am not, however, recommending civil unions or domestic partnerships.

Still, the thought may be worth reflecting on. According to a review I have read (in *Crisis*, January 2000) of William J. Bennett's *The Index of Leading Cultural Indicators*, "since 1960, both violent crime and imprisonment have increased 280 percent. Out of wedlock births have skyrocketed 511 percent, and the percentage of single-parent families has more than tripled. The marriage rate has plunged 33 percent, while divorce has more than doubled and cohabitation has increased almost tenfold." This situation has moved several

state governments to institute programs for couples who apply for marriage licenses to instruct them in the seriousness of what they are about to do.

At issue in our present social crisis is the nature and meaning of marriage. Before we get into discussions about what makes marriages successful or happy, we must face the question, What *is* marriage?

David Orgon Coolidge dealt incisively with these questions in his article, "The Dilemma of Same-Sex Marriage" in *Crisis* (July /August 1996). There are, he says, three models of marriage now operative in American society: The Complementary, the Choice, and the Commitment. Without repeating all that he says about them, I will take the following as their distinctive characteristics.

The Complementary model is the traditional one on which the marriage laws of all our states are based. It assumes that there is an intrinsic order and purpose in the universe. In this universe mankind consists in two complementary sexes that are ordered to one another and to the creation of families. Man is not merely an individual but a relational being to whom the basic relations of life are natural, out of which grow the other relationships that make up a society. The family, founded in marriage, is thus the fundamental institution of society, which should be recognized by the laws of the state and blessed by the church or churches.

The Choice model, properly called liberal, is focused on the individual, his desires and his right to fulfill them. His body is his property, which he can use for pleasure, intimacy, and/or reproduction. Marriage has historically been linked to the domination of women by men, but it should now be considered as a contract between autonomous individuals, who may be of opposite or the same sex. As a matter of justice, the moral right to marry has to do with the equal right of individuals to participate in state-defined benefits, not with family or children, and this right should be translated into positive legal rights. This liberal model is at the core of much of the U.S. Supreme Court's privacy and liberty jurisprudence.

The Commitment model is postmodern, and emphasizes "committed" interpersonal relationships. It sees marriage as sexual companionship, in which partnership is the defining purpose. It thus furnishes our contemporaries with a refuge from the sheer individualism of the liberal model. But it admits no given natural order of the world or of human life. The universe is socially constructed, and so is human identity, including sexual identity. We communally create our own world, which will differ from culture to culture and from era to era within a particular culture, as is now happening in America.

The dying of the mind that is the subject of this article appears in the

growing attack on the traditional or complementary view of the marriage, which depends on the premise that there is a real world and we are really in it. Furthermore we can recognize in it real patterns of order and purpose from which our minds can derive moral norms that both guide and limit our choices. As human beings, we cannot live without choosing, but to live in accordance with our human nature, we must choose in accordance with the moral norms implicit in that nature.

One of the essential features of human nature is that human beings exist as men and women, not as abstract individuals. Their sexuality is constituted by their complementary reproductive organs and the emotional attraction that draws them to one another to the begetting of children. Sexual intercourse, performed with the complementary organs of reproduction, is an act of love, but it is that because it is the most intimate expression of the love that binds husband and wife in the union that founds society's basic institution. That does not mean that procreation must be intended in every act of sexual intercourse, but that intercourse is defined by its intrinsic ordering toward procreation. Sexual intercourse is defined as a reproductive kind of act, whether or not procreation is intended or achieved.

Marriage in this model enshrines the physical act of sex. This is sometimes denounced as physicalism or biologism. But the fact is that we do not merely have bodies, we are bodies, not pure spirits, and the body is a constituent part of our nature. The sexual act is a physical, biological act, but it is the act of human beings and when properly performed it is a human, not a merely animal, act that expresses human love and is oriented to the beginning of new life.

It is precisely this that the liberal theory of marriage denies. In this view, marriage is a contract between autonomous individuals, who are conceived of as bundles of appetites clamoring for satisfaction and who use their bodies as instruments. Their freedom is their right to satisfy their desires, provided that it is done with the consent of the other parties that are involved. This theory has not yet been fully embodied in our laws, and perhaps never will be. But it manifests itself in such new institutions as no-fault divorce and civil unions.

Underlying it is an understanding of the world in which there may be natural rights, but no natural sexual norms embodied in human nature. This reflects a nominalist and empiricist understanding of reality. The object of our knowledge is individual things (empiricism), not common natures or intelligible essences (nominalism). We can know the empirical fact that a thing is, but not what it is in itself, only the name by which we classify it.

The same thing may be classified in different ways for different purposes, leading to the conclusion that the world we live in is our mental construct rooted ultimately in no intelligible reality. Same-sex marriage fits easily into this understanding of the world.

The postmodern understanding of marriage is more communal than liberalism. It acknowledges the human need for interpersonal realities and sees marriage as sexual companionship whose purpose is partnership. But the purpose of marriage stops there, and therefore does not require that sexual intercourse be performed with complementary organs of reproduction. In a socially-constructed world, human beings define for themselves the nature and purpose of sex and marriage. There is no universal truth accessible to reason to say them nay, but only the relative and changeable “truths” that prevail in different cultures.

Once we have come to believe that, then for us the mind has no objectively valid moral truth to search for. When we realize that our norms (or worse yet, *my* norms) are only our constructs we can no longer really believe in them, for we know that we have created them. The mind is then reduced to being the instrument of our passions or, to put a prettier name on them, our deeply-felt desires. The function of the mind is only to discover the most effective means to ends, the goodness of which is beyond the scope of reason. We thus find ourselves living in a culture which is brilliantly successful in the natural sciences and technology, but at sea in its moral judgments because it lacks any substantive knowledge of the good. Such a culture experiences a dying of the mind in regard to the meaning and purpose of the actions that make up human life, in particular of sexual acts.

So Andrew Sullivan, in a lengthy article in *The New Republic* (May 8, 2000), not satisfied with civil unions, demands legal recognition of homosexual marriage. None of his arguments, seemingly based on the postmodern view of marriage as a commitment to sexual companionship, tells us what sexual intercourse is. We see this in a sentence in which he states one of the arguments used by opponents of homosexual marriage: “Gay men, they argue, are simply incapable of the commitment, monogamy, and responsibility of heterosexuals.” Sullivan rejects this accusation as, first, false and, secondly, as irrelevant because, to him, it does not matter what the sexual act is that binds homosexuals together. Commitment is all that counts, so the sexual act is something he need not talk about.

Yet he insists that marriage is “our central social institution.” It is “one of the most important unifying institutions we still have” and therefore the right to marry is “one of the most fundamental rights accorded under the Constitution.”

But why is marriage so important? American law has conferred status and benefits on marriage as traditionally understood because it regarded it as the foundation of the family which in turn was the foundation of society. But what social good does cohabitation, sharing bed and board, achieve that civil society call it marriage and attach legal and economic benefits to it?

Sullivan makes much of the fact that many modern marriages do not serve that purpose, and argues from that to the conclusion that to deny marriage to homosexuals violates the equality that is the basic principle of democracy, and makes homosexuals second-class citizens.

But he argues from the present deteriorated condition of marriage in this country and concludes that to withhold from homosexuals the legal and social status that marriage still confers is blatant injustice. One could argue equally well, and probably more reasonably, that modern views of marriage should lead to withdrawing any but private contractual benefits from an institution defined as serving merely private needs. That two people, whether of opposite or the same sex, love each other, may be nice, but what makes it our central social institution?

Sullivan is also wrong in saying that the legalization of homosexual marriage would not harm the present legally established institution of marriage. But it would, because, far from raising homosexual relations to a higher level, it would lower marriage to the level of just another private choice, and push us farther into that bog of personal preference that Alasdair MacIntyre has called "the pluralism that threatens to submerge us all."

Liberalism and postmodernism have relentlessly driven us toward a society infected by intellectual and moral relativism, resulting in a profound uncertainty among the people about even the possibility of arriving at moral truth. One consequence of that is, as Thomas A. Spragens has pointed out in his *The Irony of Liberal Reason*, "Since all the dogmatic relativist can conceive is individual interests anyway, he would be unable to see or describe a process of cultural disintegration if it unfolded beneath his very eyes." That, it seems to me, is the most basic cause of the current assault on marriage and ultimately on civilization.

Under Oregon's Iron Shroud:

Real People, Real Deaths

Wesley J. Smith

Killing is most easily done in the shadows, behind closed curtains, under cover of darkness where nobody can see. So it isn't surprising that Oregon bureaucrats imposed an iron shroud of secrecy over assisted suicide, which that state's voters legalized in 1994. Shortly before the law went into effect, state bureaucrats were publicly threatened with firing if they ever leaked details of assisted suicides. The law even requires death certificates to be falsified so that no one can trace assisted suicides through the public records. Would that our national security were as tightly protected as is information about assisted suicide in Oregon!

All of this secrecy has a point, of course. Proponents of legalizing assisted suicide hope to use their beachhead in Oregon as the first step toward national acceptance. State-imposed secrecy serves this purpose in several ways.

First, secrecy prevents the state from truly becoming a national "test tube" for assisted suicide, an approach in which each case would have to be thoroughly studied and investigated *before* as well as after the hastened death.

Proponents of assisted suicide would never stand for this. It would expose the false premises at the heart of their movement, stripping bare their claim to a monopoly on compassion. It would permit a detailed exploration of the causes that lead people to request assisted suicide, disproving the assertions of the assisted-suicide movement that these cases are "last resorts" when nothing else can be done to alleviate unbearable suffering. For example, studies show that the three primary causes of suicidal tendencies in terminally ill people are lack of effective pain control, clinical depression, and poor family support.¹ The good news is that the first two are eminently treatable and the third is ameliorable with concerted intervention by community and church organizations. Another key point is that desires to die are often transitory;² that is, a dying person may wish to "get it all over with" today, and be glad still to be alive next Sunday. This presents great opportunity for effective suicide prevention. Imagine the image of a once-suicidal person telling *60 Minutes* that he is now glad he did not take the poison pills. Imagine the impact on the public debate if scores of suicidal persons chose instead to

Wesley J. Smith is an attorney for the International Anti-Euthanasia Task Force. His next book will be *Culture of Death: The Destruction of Medical Ethics in America*, to be published in the fall by Encounter Books.

embrace life after receiving appropriate treatment and community interventions. The assisted-suicide movement's worst nightmare would be realized.

Second, official secrecy permits proponents—many of them working in the Oregon government—to mount a national propaganda campaign about the virtues of assisted suicide by controlling the flow of information and the spin on news stories. This advocacy campaign is abetted by the uncritical media which swallow whole the positive reports issued annually by the Oregon Health Department, a version of which is then published in the *New England Journal of Medicine (NEJM)*—a publication that is so blatantly in favor of assisted suicide that some critics have taken to calling it the “New Euthanasia Journal of Medicine.”

The primary emphasis of the first year's report about assisted suicide was the small number of people whose deaths were legally facilitated by doctors: fifteen. Of course, even one physician-assisted death would be a significant violation of the Hippocratic Oath and the sanctity-of-life ethic. But a closer look at the report revealed even more about which to be concerned. Assisted suicide was sold to Oregon voters as the escape valve to help those very rare cases where, allegedly, nothing can be done to alleviate severe pain while dying. Yet, according to the study of the fifteen reported assisted suicides of 1998, published in the *NEJM*,³ none of the cases involved people who were in unrelenting and intolerable pain. Rather, “the decision to request and use a prescription for lethal medication was associated with concern about loss of autonomy or control of bodily functions.”⁴ It also appears that many of the assisted deaths did not take place in the context of a meaningful relationship between the patient and the doctor who wrote the lethal prescription. Six of the fifteen asked more than one doctor for the lethal prescription. At least one, perhaps more, had been in contact with the prescribing physician for only 15 days.⁵ Judging by the few cases we do know the details of, it is highly likely that at least some of the doctors had close affiliations with assisted-suicide advocacy groups.⁶ Moreover, the report was as notable for what it didn't cover as for what it did. The best sources of information about the deceased patients—treating physicians who did not lethally prescribe and family members—were not interviewed. This raises the question: what did the investigators *not* want to know?

The number of assisted suicides in the second full year of legalization (1999) nearly doubled, with 27 reported cases. Other than that disturbing trend, there was not much different in the second year's *NEJM* assessment.⁷ The primary reasons people killed themselves remained the same: worries about needing help with daily life and the loss of the ability to engage in enjoyable activities. Perhaps in reaction to the criticism of the first year's

reports, this time some family members were interviewed, but only those recommended to the researchers by the lethally prescribing doctors. Even so, these people added another disturbing statistic to the report. According to family respondents, 47 percent of the people who committed assisted suicide did so, in part, because they were worried about burdening their families.

Advocates for the disabled are rightly appalled by the *NEJM* reports. In testimony before the California Assembly's Judiciary Committee in opposition to an assisted-suicide bill that ultimately failed, activist Paul Longmore addressed this crucial aspect of the Oregon experience, pointing out that assisted suicide wasn't about dying but about becoming disabled:

Fear of disability typically underlies assisted suicide. . . . The advocates play on that horror of "dependency". . . . If needing help is undignified and death is better than dependency, there is no reason to deny assisted suicide to people who will have to put up with it for 6 or 16 years, rather than just 6 months. Not that we favor assisted suicide if it is limited to terminally ill people. We simply want to ask, has this country gotten to the point that we will abet suicides because people can't wipe their own behinds?⁸

Longmore's blunt assessment speaks volumes not only about why assisted suicide is wrong but also about why it is so dangerous.

Real people, real deaths

Statistical recitations are bloodless affairs that fail to adequately convey the flesh-and-blood tragedy of the Oregon law. Fortunately, despite the best efforts of assisted-suicide advocates and state bureaucrats to control the flow of information, we know enough about real cases to demonstrate that legalization has been bad medicine and even worse public policy.

The information provided below comes from a variety of sources. Some comes from the heart of the beast, released at news conferences by devoted assisted-suicide advocates, whose ideology blinded them to the harsh reality of what they described. Other information comes from various news reports, much of it leaked to the press by family members of assisted-suicide victims. Some was uncovered by anti-assisted-suicide advocates who have been able to peer beneath the iron shroud.

The first reported legal assisted suicide was of Mrs. A—a woman diagnosed with terminal breast cancer. Information released by the assisted-suicide advocacy group Compassion in Dying (CID) disclosed that it was not because of unbearable suffering and agony that the woman took the prescribed poison. Rather, in her own words played posthumously on audiotape at a CID news conference, she wanted to "be relieved of all the stress I have."⁹ But stress caused by growing debilitation, while certainly a very real and

substantive medical issue, is a treatable condition that does not require killing to alleviate.

A subsequent in-depth analysis of this case by medical and bioethics experts gave an even more detailed account of these troubling events. Upon receiving her terminal diagnosis, the woman asked her treating doctor to assist her in committing suicide. The doctor refused. She consulted with a second doctor, who also declined and diagnosed her as depressed. She then contacted CID, whose medical director, Dr. Peter Goodwin, spoke with her twice on the telephone, after which he decided that she wasn't depressed but merely "frustrated." Goodwin then referred her to a doctor he knew would be willing to prescribe lethally. That doctor referred her to a psychiatrist, who saw her only once, and a second doctor who confirmed the terminal diagnosis. He also conducted a "cursory" discussion with the patient about alternatives to assisted suicide. When she voiced fears of being kept alive by artificial nutrition if she did not kill herself, the death doctor failed to assure her that she had the right to refuse such care—perhaps a crucial factor in her decision to swallow the prescribed poison. The woman died a mere 2½ weeks after her first meeting with the prescribing physician, at a time when she was not in pain and still looked after her own house.¹⁰

That was not careful medical practice. It was pure Kevorkianism.

The Kate Cheney case, reported in the (Portland) *Oregonian*,¹¹ provided a disturbing glimpse of how easily the guidelines designed to protect the vulnerable are circumvented. Cheney, age 85, was diagnosed with terminal cancer and sought assisted suicide. But there was a problem: she was probably in the early stages of dementia, raising significant questions about her mental competence. So, rather than prescribe lethal drugs, her doctor referred her to a psychiatrist.

Her daughter, Ericka Goldstein, accompanied her to the psychiatric consultation. The psychiatrist found that Cheney had a loss of short-term memory. Even more worrisome, it appeared that her daughter had a greater interest in Cheney's assisted suicide than did Cheney herself. The psychiatrist wrote in his report that while the assisted suicide seemed consistent with Cheney's values, "she does not seem to be explicitly pushing for this." He also determined that she did not have the "very high capacity required to weigh options about assisted suicide." Accordingly, he nixed the lethal prescription.

Advocates of legalized assisted suicide might, at this point, smile happily and point out that such refusals are the way the law is supposed to operate to protect the vulnerable. But that isn't the end of Kate Cheney's story. According to the *Oregonian* report, Cheney appeared to accept the psychiatrist's

verdict but her daughter did not. Goldstein shopped for another doctor.

Goldstein's demand for another opinion was acceded to by Kaiser Permanente, Cheney's HMO. This time, the consultation was with a clinical psychologist rather than an MD psychiatrist. Like the psychiatrist, the psychologist found that Cheney had memory problems. For example, she could not recall when she had been diagnosed with terminal cancer. The psychologist also worried about familial pressure, writing that Cheney's decision to die "may be influenced by her family's wishes." Still, despite these reservations, the psychologist determined that Cheney was competent to commit suicide.

The final decision to approve the death was made by a Kaiser ethicist/administrator named Robert Richardson. Dr. Richardson interviewed Cheney, who told him she wanted the poison pills not because she was in irremediable pain but because she feared not being able to attend to her personal hygiene. After the interview, satisfied that she was competent, he approved the lethal prescription.

Cheney did not take her poison right away. At one point she asked to die when her daughter had to help her shower after an accident with her colostomy bag, but she quickly changed her mind. Then she went to a nursing home for a week so that her family could have some respite from caregiving. The time in the nursing home seems to have pushed Cheney into wanting immediate death. As soon as she was brought home she declared her desire to take the pills. After grandchildren were called to say their goodbyes, she took the pills. She died with her daughter at her side, telling her what a courageous woman she was. If she was depressed, there was no doctor to diagnose it. If she was coaxed (which was not contended in the *Oregonian* story) there were no witnesses from outside the family to protest. The assisted-suicide law's "safeguards" give absolutely no protection once the lethal prescription is written.

Then there is the case of Patrick Matheny. When Patrick Matheny committed assisted suicide, his brother-in-law claimed he had to "help" him die because Matheny's ALS (Lou Gehrig's disease) left him unable to self-administer the lethal drugs he had received a few months before *via Federal Express*—so much for "compassion."¹² A cursory investigation by the local district attorney, in which the brother-in-law wasn't even questioned, quickly concluded that no illegalities had occurred.

What happened next confirmed opponents' predictions about where legalization of assisted suicide must eventually and logically lead. Oregon's Deputy Attorney General, David Schuman, claimed in a letter to a state senator that,

in order to avoid “discrimination” against disabled people, Oregon might have to offer “reasonable accommodation”¹³ to people like Matheny who want to commit assisted suicide but cannot self-administer their prescribed lethal drugs. (Self-administration is assumed to be the core “protective” guideline of the assisted-suicide law.) What might the term “reasonable accommodation” mean? If you have a “right” to be made dead, but because of disability cannot effect this end yourself, then somebody is going to have to do the deed for you: in a word, killing. Active euthanasia may just be a lawsuit away in Oregon, despite the repeated promises of proponents to the contrary.

Meanwhile, there is one more snag in the way of painless and dignified death: as opponents of assisted suicide warned, not every attempt at self-killing works. Instead, the suicidal person might end up with terrible vomiting, or comatose but still alive. Proponents branded such arguments lies and alarmism, although Hemlock Society founder Derek Humphry had warned publicly in 1994 that up to 25 percent of assisted suicides under the Oregon law could “fail.”¹⁴ State secrecy helps prevent such failed attempts from being made public, but strong evidence of at least one such case has been uncovered. Catherine Hamilton, of Physicians for Compassionate Care, a medical group opposed to the Oregon law, attended a class at Portland Community College entitled “Physician-Assisted Suicide: Counseling Patients/Clients.” The speaker was Cynthia Barrett, a pro-assisted-suicide elder-law attorney. In the public-affairs magazine *Brainstorm*, Hamilton described what happened:

Barrett broke from her outlined handout and gave an example of a [failed attempt]. “The man was at home; there was no doctor there,” she said. The eight or nine students in the small classroom were silent, waiting to hear more. Barrett went on. “The wife was there. Other family were there. He [the patient] took the prescription. After he took it, he began to have some physical symptoms. . . . The symptoms were hard to handle. Well, she (the wife) called 911 . . . The guy ended up being taken by 911 to a local hospital. Revived. In the middle of it. And taken to a local nursing facility. . . . He died a short time after that time.”¹⁵

When news of this failed assisted suicide received modest publicity in Oregon, Hamilton appeared on a talk-radio show opposite an assisted-suicide advocate who had also attended the class. When the man denied Hamilton’s account of the failed suicide, she revealed that she had taped the session. The advocate then hung up, claiming he had other business to attend to.

Tellingly, the details of none of the four cases recounted here made the *New England Journal of Medicine* or the official reports published by the Oregon Health Division. These real flesh-and-blood cases demonstrate that assisted suicide is a tragic abandonment of people in difficult circumstances

just when they need to have their lives valued the most. No wonder advocates want to keep the truth about doctor-facilitated killing buried under the deep darkness of Oregon's iron shroud.

NOTES

1. Harvey Max Chochinov, et al., "Desire for Death in the Terminally Ill," *American Journal of Psychiatry*, 152:8, August 1995, p. 1185.
2. Harvey Max Chochinov, et al., "Will to Live in the Terminally Ill," *The Lancet*, Vol. 354, September 4, 1999, pp. 816-819.
3. Chin, Hedberg, Higginson, Fleming, "Legalized Physician Assisted Suicide in Oregon—The First Year's Experience," *NEJM* 1999, 340: 577-583.
4. Id., 577.
5. Id., 581.
6. The authors of the *NEJM* study asked the prescribing doctors if they were affiliated with assisted suicide groups. However, they did not reveal the answers in the published report.
7. Amy D. Sullivan, et al., "Legalized Physician-Assisted Suicide in Oregon—The Second Year," *New England Journal of Medicine*, February 23, 2000, pp. 588-604.
8. Paul Longmore, Testimony before the California Assembly Judiciary Committee opposing AB 1592, April 20, 1999.
9. Kim Murphy, "Death Called 1st Under Oregon's New Suicide Law," *The Los Angeles Times*, March 26, 1998.
10. Hendin, Foley, and White, "Physician-Assisted Suicide: Reflections on Oregon's First Case," *Issues in Law & Medicine*, Vol. 14, No. 3, 1998.
11. Erin Hoover Barnett, "Is Mom Capable of Choosing to Die?" *The Oregonian*, October 17, 1999.
12. Erin Hoover Barnett, "Man With ALS Makes Up His Mind to Die," *The Oregonian*, March 11, 1999.
13. Correspondence from David Schuman, Oregon Deputy Attorney General, to State Senator Neil Bryant, March 15, 1999.
14. Derek Humphry, "Oregon's Assisted Suicide Law Gives No Sure Comfort to Dying," Letter to the Editor, *New York Times*, December 3, 1994.
15. Catherine Hamilton, "The Oregon Report: What's Hiding Behind the Numbers?" *Brainstorm*, March 2000.

The Cider House Rules—Not!

When *The Cider House Rules* came out this year, you wouldn't have had an inkling, from the print ads or previews, that it was a film about abortion—unless, of course, you were familiar with John Irving's 1985 novel of the same name. Indeed, a non-controversial, even “stealth” marketing strategy was a deliberate calculation on the part of Irving and the film's producers, Miramax. The movie was promoted as an uplifting, all-American film about first love and adorable children (it takes place in an orphanage). Once the lights went down, however, audiences were treated to a fractured morality tale with the abortionist as hero.

The film was nominated for seven Academy Awards, and won two: Best Supporting Actor, for Michael Caine, and Best Screenplay Adaptation for Irving, who exposed the film's true purpose when, on Oscar night, he thanked the National Abortion Rights Action League and Planned Parenthood for their support. (Planned Parenthood held special screenings and discussion groups around the country to celebrate the film and “educate” viewers.)

Well, they've found a way to market it; the least we can do is expose *Cider House* for what it truly is: abortion propaganda. We begin with *The Cider House Rots*, a penetrating review of the movie by Chris Weinkopf, who writes that the “breathtakingly beautiful” scenes and “precious foundlings” give the film “the look of a Norman Rockwell painting,” with the purpose of beguiling the audience into embracing the film's defense of abortion.

In *Abortion as Sacramental Moment?*, Father Paul McNellis speculates about why it took so long for the novel to become what he calls a “cynical and pernicious” film: Irving “had to wait for his audience to catch up to him. That we have done so is testimony not to his courage or foresight, but to our own corruption.” A dissection of Michael Caine's Oscar acceptance speech by William F. Buckley, Jr. which follows further elucidates “our” corruption.

Finally, we went back to our archives and found a review of the then best-selling novel, written for us by Steven Mosher (Fall, 1985). Mosher's extensive plot summary reveals how much Irving cleaned up, sanitized, and dulled his own story to create a screenplay that would garner an acceptable (PG-13!) rating, while still promoting his original message that—in teenage parlance—abortion *rules*. Reading Mosher 15 years later supports Father McNellis' point that American culture had to catch up to Irving. Mosher thought Irving's message so “overblown” it would turn off even abortion sympathizers. Today, audiences seem willing to accept Irving's bloody advocacy, even after being duped into seeing the film in the first place.

—MARIA MCFADDEN
EDITOR

The Cider House Rots

Chris Weinkopf

Homer Wells is an atypical sort of prodigal son. Being an orphan, he has no father to disappoint, let alone to be welcomed home by. Instead, this protagonist of *The Cider House Rules*, the Oscar-winning film based on John Irving's novel of the same name, finds his redemption through abortion.

It's a strange life's trajectory for the product of an unwanted pregnancy to follow. Living in the fictional St. Cloud's orphanage, set in 1940s Maine, Homer grows up surrounded by adorable foundlings, kids who long to leave their home for the traditional, two-parent kind, but who also seem content with where they are. Although unparented, they are not unloved, finding joy in their lives with each other and with St. Cloud's benevolent overseers, nurses Edna and Angela and obstetrician/abortionist Wilbur Larch. As an orphan, Homer can see what Dr. Larch cannot, that life need not be "wanted" to be meaningful. As the abortionist's teenaged assistant, he also sees the alternative—it is his job to carry the bloody remains of dismembered fetuses to the orphanage's incinerator.

Homer's circumstances suggest that he should be pro-life, but he is the literary creation of John Irving, who so disdains the "shrillness" of the right-to-life argument that he refused to include it in his pro-abortion film. The portrayal closest to an actual pro-lifer that Irving could muster is that of a "personally opposed" pro-choicer, which is how, at the start of *The Cider House Rules*, Homer Wells finds himself. He has no objection to Dr. Larch's abortion practice, he just chooses not to make it his own. For Larch, Irving's moral voice in the movie, that is not good enough. Irving, who has called abortion a "miracle" for its capacity to liberate sex from its moral dimension, believes not just in the legality of abortion, but in its social goodness. For Homer Wells to attain the status of Homeric hero in Irving's universe, he must come to embrace this same position.

Triumphantly albeit predictably, Homer does just that—within minutes of the closing credits. After a brief departure, he returns to the orphanage to assume the responsibilities of Dr. Larch, both life-giving and life-destroying. He is welcomed by beaming nurses; the orphans rush to hug him; the score wafts through the theater. This is a Hollywood happy ending. Homer Wells, having purged the moralistic demons that once haunted his conscience, *will* perform abortions. They all live happily ever after.

Chris Weinkopf is an editorial writer and columnist for the Los Angeles *Daily News*.

The Cider House Rules is a feel-good abortion flick. Just as every child it depicts is impishly cute, every scene it portrays is breathtakingly beautiful—orchards full of bright red and orange leaves, soft blankets of snow hugging traditional New England architecture, white foamy waves crashing over rocks in quaint coastal inlets. The precious foundlings (dressed in ill-fitting period costumes) and the spectacular background combine to give *The Cider House Rules* the look of a Norman Rockwell painting. The *Chicago Tribune* calls it a “sweet, autumnal film.” Its sentimental image connotes an innocence that the message subtly belies.

John Irving spent thirteen years adapting his novel into a screenplay, and the effort shows. Part of the delay in bringing *The Cider House Rules* to the big screen was that the author demanded a full part in its production, from the casting to the final editing. It would be easy but unfair to dismiss Irving’s desire for control to an artist’s overly developed ego. Irving is a very gifted storyteller, keenly aware that life’s most significant moments are often those that stealthily evade our attention, failing to announce their importance for several decades. What sets his work apart from others is its careful attention to details, to themes, and to seemingly insignificant moments that define lives in later chapters. Cramming his 600 pages of text into 120 minutes of film must have been a delicate task, one that, understandably, he would not have wanted to leave to someone else, especially in light of the failed adaptations of some of his other novels (*The World According to Garp*, *Hotel New Hampshire*, *Simon Birch*). It is his literary touch—the complexity of the characters, the recurring motifs—that makes *The Cider House Rules* compelling.

Like the ether that abortionist Wilbur Larch uses to anesthetize his patients (and, increasingly throughout his life, himself), Irving’s artistry heightens some sensations while dulling others. The charm of *The Cider House Rules* enables viewers to leave the theater feeling warm in their hearts and not sick to their stomachs.

The character of Fuzzy Stone is a case in point. A six-year-old boy born prematurely to an alcoholic mother, Irving’s screenplay describes him as “looking remarkably like an embryo.” Fuzzy has underdeveloped lungs. He spends his days wheezing and huffing as he tries to keep up with the other orphans, and his nights sleeping under a special breathing tent constructed for him by Dr. Larch. He is the most lovable character in the film, maintaining a happy demeanor despite his condition, and forming an endearing attachment to the big ape in his favorite movie (the only one he has ever seen), *King Kong*. Larch treats Fuzzy affectionately, but it is evidently his opinion,

and, presumably, John Irving's, that the boy would have been better off if killed in his mother's womb, instead of living his short life until his lungs could hold out no longer. Like King Kong, Fuzzy Stone, for reasons beyond his control, is simply not made for this world. Irving's storytelling, by seizing on the viewers' sympathy for the misfit, sugarcoats his belief that sometimes death is preferable to life. Not that Fuzzy would have agreed.

Good storytelling, it turns out, makes for effective propaganda—which is not too strong a term to describe *The Cider House Rules*. Before releasing the movie, Irving gave special viewings, soliciting comments and suggestions from officials at Planned Parenthood (whom he thanked, along with NARAL, when accepting the award for best adapted screenplay). Irving, director Lasse Hallstrom, and producer Richard Gladstein also tempered the content as much as necessary to secure a PG-13 and not an R rating so that, according to the *Los Angeles Times*, they could “educate younger audiences” about abortion. “I want kids who are most vulnerable to having sex and getting pregnant not only to recognize the humanity of that choice but to recognize historically that it didn't used to be there,” Irving explains.

To that end, the film offers a gentle depiction of abortion, never, for example, giving viewers a glimpse inside the pails that Homer lugs to the incinerator. In the novel, it is Homer's first encounter with a discarded fetus that triggers his revulsion to abortion. By excluding that detail from the movie, its creators ensure that they will not offend the sensibilities of audiences or the ratings board. The softer approach, combined with an advertising campaign that deliberately avoids any mention of abortion, allowed the filmmakers to steer clear of controversy or protests that could have undermined their educational efforts.

The film's defense of abortion is twofold: a barrage of pro-choice slogans throughout the story, and then a more insidious attack on morality and authority as it concludes. As for the slogans, they are neither new nor persuasive to anyone who has given the issue any serious thought. But bearing in mind that Irving seeks a younger audience, one that hardly expects a lecture on abortion in the first place, the banal clichés of the abortion-rights movement might suffice to sway some impressionable minds.

The Cider House Rules begins by depicting the plight of the orphans, most of whom are seemingly never adopted. The picture contends that with abortion, these unwanted children might have been spared their lives of hardship. Irving makes this point more forcefully in the novel, where the residents of St. Cloud's are a less pleasant and more dysfunctional bunch. But because the film aspires to an upbeat tone, the kids on screen do not appear

miserable; wistful, yes, and in a few instances disturbed, but ever hopeful and full of giggles.

During a peaceful drive through the countryside, Larch asks Homer why fellow orphan Buster—who is behind the wheel, and whose feelings are seemingly unimportant to the abortionist—is better off alive and unadoptable than if he had been aborted. Homer answers by saying, “Try to look at it this way. Buster and I are sitting right here beside you. We could have ended up in the incinerator.” To which Larch responds, “Happy to be alive, under any circumstances—is that your point?”

“Happy to be alive . . . I guess so,” Homer replies, a bit unsure of himself, but believable nonetheless. Homer wins the exchange, but for Irving it is a tactical defeat, allowing him to concede that abortion is (in his words) a “complex” issue, without ever tackling the more fundamental problems with Larch’s position. After all, Homer could have challenged the very premise of the argument, asking why, if Buster is so hapless, they do not drive back to St. Cloud’s and deposit him in the incinerator. That, however, would have provoked the inconvenient debate as to when life begins, a debate that Irving, who studied obstetrics extensively before writing *The Cider House Rules*, knows better than to open. Far more effective for him to let stand Larch’s presumption that killing a child who has not left the womb is somehow not really killing at all.

The only deaths that Irving asks viewers to mourn are those of women who die from unsafe abortions, unable, in the pre-*Roe v. Wade* era, to procure the services of a trained physician like Dr. Larch. Following one of Homer’s declarations that he will not perform abortions, a twelve-year old girl comes to the orphanage hemorrhaging and in tremendous pain. Having sought the services of an unscrupulous amateur, she is left with a punctured uterus, a dead but unexpelled baby, and a crochet hook lodged in her reproductive organs. Dr. Larch tries to save her, but he is too late. When Buster, recruited by Larch to dig the girl’s grave, asks what killed her, the doctor replies, “she died of *secrecy*, she died of *ignorance*.”

He is right. Had she not been ignorant of the alternatives to abortion, like finding adoptive parents through St. Cloud’s, or were there more shame attached to killing an illegitimate child than in carrying it to term, this sad character might not have sought her fatal abortion. The dilemma that Irving intends for viewers to infer—abortion on demand or rampant back-alley butcheries—is false. Moreover, it considers only one side of the equation. The stigma and legal penalties attached to abortion in the 1940s surely drove some women to put their lives in danger; they also compelled many more, like the women who gave birth to Homer, Fuzzy, and Buster, to spare their

children's lives.

"With *Cider House Rules*," Irving told *Mr. Showbiz*, "I said, 'Let us imagine back in those times' . . . and what happens is illegal and largely unsafe and largely unavailable. Let's just say, 'Do we want to go back there? Was this fun? Was this a good period of time?'" Maybe not, but a question that *The Cider House Rules* never contemplates is: are these times better? Yes, few women still die in abortion mills, but, every year, 1.4 million babies do. There is far more, not less, carnage in today's enlightened world than in the benighted one that Irving condemns. Its primary cause is not secrecy or ignorance, but a severing of the traditional connections between sex, marriage, and child-rearing—which abortion has only encouraged by shifting consequences from parents to offspring.

That severance, however, is precisely what makes abortion a "miracle" in John Irving's mind. At the start of *The Cider House Rules*, Dr. Larch declares, "I deliver babies, and I also deliver mothers," echoing the feminist argument that abortion frees women from the oppression of their biology. Extend such thinking, and restrictions on abortion become nothing more than limitations on women's freedom, imposed by men who are either indifferent or hostile to their concerns.

On the wall of the Ocean View Orchards' cider house, where Homer Wells lives during his time away from St. Cloud's, hangs a list of regulations that nominally apply to everyone who bunks there (no smoking in bed, no drinking on the roof, etc.). But the other cider-house inhabitants are illiterate migrant apple-pickers. For years they have come to Ocean View and stayed in the cider house, and for years they have never even read, let alone observed the rules. When Homer reads the ordinances out loud, their arbitrary and paternalistic nature offends the workers. Mr. Rose, the migrants' crew chief, complains, "Somebody who *don't* live here made them rules. Them rules ain't for us." The black migrants perceive the rules as not just wrongheaded, but racist. The orchard's white bosses "think we're dumb niggers so we need dumb rules."

The film's suggestion is that laws against abortion similarly underestimate and oppress women. Or, as Dr. Larch puts it, borrowing from a feminist bumper-sticker that the world would not see for another forty years, "If you expect people to be responsible for their children, you have to give them the right to decide whether or not to *have* children." It's a politically loaded comparison, lumping women denied abortions into the same victimized camp with pre-civil-rights blacks. But the analogy is problematic. Whereas the rules of the cider house force the seemingly arbitrary prerogatives of the

socially powerful onto the socially weak, regulations on abortion do just the opposite, protecting the lives of society's most vulnerable from those who would destroy them. Conceding that life begins inside the womb, as Irving essentially does by never arguing otherwise, puts pro-choicers in a difficult spot. If society cannot say no to killing human beings before birth, what else must it tolerate?

The answer, according to *The Cider House Rules*, is just about everything. What changes Homer Wells' mind on the abortion question is the sad case of the redundantly named Rose Rose, the young adult daughter of the migrants' crew chief. Miss Rose gets pregnant, and her baby's father is none other than her own. In his desire to "help" Miss Rose, Homer, whose pro-life sympathies were never quite coherent anyway, abandons his former convictions about not punishing unborn children for the failings of their parents, and offers his services as an abortionist. After Homer puts the knife to Rose's baby, Rose puts it to her father, stabbing him repeatedly and leaving him to die. Rose then flees the orchard, and—following Mr. Rose's deathbed instructions—Homer and the others cover for her, telling authorities that Mr. Rose killed himself.

Homer's complicity in Mr. Rose's murder stems neither from honoring the dead nor a sense of righteous vigilantism, but from a realization that all rules, not just the ones tacked up on the cider-house wall, are unreliable—especially the universally proclaimed but widely ignored ones called right and wrong. When he first learns of the Roses' incestuous affair, he seeks out Mr. Rose and condemns him. But Mr. Rose has a powerful rejoinder. He points out that Homer, who has been sleeping with the girlfriend of a man who is away at war, has no business pointing fingers. The remark sparks the crucial turning point in Homer's journey. In his mind, he has compelling excuses for his illicit affair; so does Mr. Rose. Miss Rose surely feels justified in seeking an abortion, and in killing her father. Homer decides that the "rules" of life are overly broad and simplistic. Abortions may be "wrong," but the women who get them surely disagree. Who is he to judge?

"We have to make up our own rules," Mr. Rose tells Homer, "day by day." The rules observed by the migrants in the cider house are not the typewritten edicts that no one can read, but Mr. Rose's stern commands. The apple-pickers obey Mr. Rose because of his reputed handiwork with a pocketknife—fear of a devastating cut keeps them in line. The knife is the law of the land—for the migrants who submit to Mr. Rose, for Mr. Rose when he succumbs to his daughter's attack, and for the babies whose lives end when Dr. Larch and Homer Wells curette them from their mothers' wombs and into a pail.

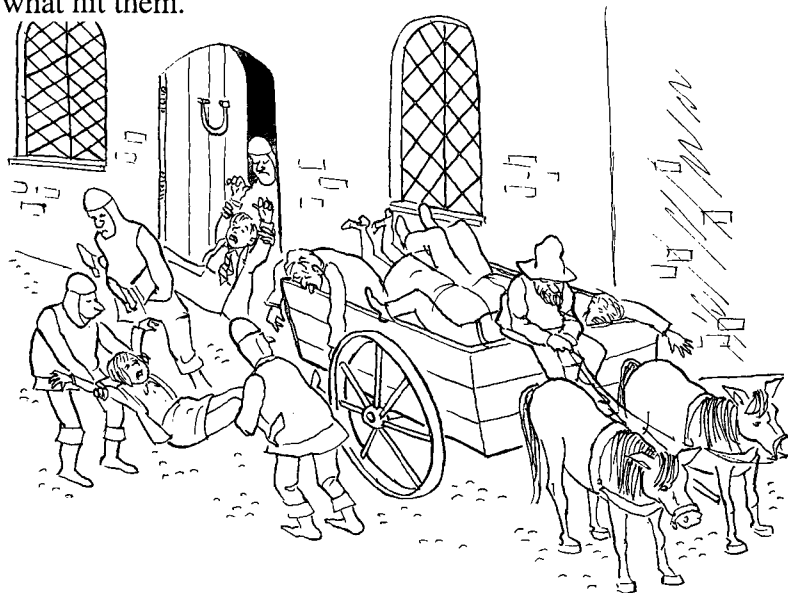
The Cider House Rules is less about an age in which abortion was illegal

than a hypothetical one in which, as is the case for all the film's major characters, abortion is a way of life. The rules-free regime certainly provides some conveniences—fathers can molest daughters with impunity, and girlfriends can cheat on their boyfriends without fearing that a pregnancy might expose their infidelity. The downside, of course, is that daughters must fear their fathers, boyfriends cannot expect that their girlfriends will remain loyal, and anyone, born or unborn, who happens to be on the wrong side of a knife forfeits his right to life.

To put Irving's questions back to him: Do we want to go back there? Was this fun? Was this a good period of time? His amoral utopia lacks the inconsistencies and hypocrisies of a moral universe, but it also knows no justice.

In *The Cider House Rules*, Homer Wells, erstwhile idealist, does not merely come of age, he becomes corrupt. Following Dr. Larch's death, he returns to St. Cloud's. He performs abortions; he poses as a doctor by hanging forged diplomas on his wall; he avoids service in World War II, thanks to a faked heart condition. He has given up on the ethical questions that once distinguished himself from Dr. Larch, and now gladly embraces a life of deceit, lawlessness, and, as Larch once unashamedly put it, "playing God." All is good because nothing is wrong.

The film invites moviegoers to be happy for Homer Wells, the orphan who has at last found his home. It tempts them to partake in his corruption. The darling foundlings, the pacific music, and the resplendent scenery all conspire to spread the rot from subject to audience. By perverting the wonders of life, *The Cider House Rules* promotes the culture of death. Viewers never know what hit them.



**"I HAD NO IDEA THE PLAGUE WAS PART OF THE
MEDIEVAL THEME-RESTAURANT EXPERIENCE!"**

Abortion as Sacramental Moment?

Paul W. McNellis, S.J.

"We permit bad taste in this country. In fact, we even encourage it and reward it in all manner of ways."

—John Irving, *Mother Jones Magazine*, May/June, 1997

If Hollywood were to offer us a movie in which a father, guilty of incest with his daughter, was treated as a dignified, even sympathetic character, would anyone be offended? Would anyone even notice? And if this same movie treated abortion as a sacramental rite of passage, akin to confirmation or bar mitzvah, would anyone notice that? The answer is no, and the proof is the reaction to the film version of John Irving's *The Cider House Rules*.

The film has just received seven Academy Award nominations. What's more, the national president of Planned Parenthood is delighted with the film. Referring to the anniversary of *Roe v. Wade*, Gloria Feldt said, "The timing of this release couldn't be better." Planned Parenthood plans to host "private screenings, fundraisers, and discussion groups led by local film critics," all with the goal of "reminding viewers of the threats to reproductive choice." I have even heard members of the pro-life movement pronounce it "a beautiful movie." I've heard no one describe it as cynical and pernicious. It is both.

Set in the 1940s, when abortion was illegal, the movie opens with the local orphanage's physician, Dr. Wilbur Larch (Michael Caine), saying "Here in St. Cloud's not even the decision to get off the train is easily made, for it requires an earlier, more difficult decision: Add a child to your life, or leave one behind." Well, not exactly. "Being left behind" at St. Cloud's means either being born or being aborted, going into the orphanage or into the incinerator. Is one fate preferable to the other? Not necessarily, in the doctor's view. An unadopted orphan is still an unwanted child, the result of an unwanted pregnancy.

A compassionate man, the doctor never "interferes" in such choices. "I do not even *recommend*," he says. "I just give them what they want: an abortion or an orphan." (Imagine as a general rule of medicine, a doctor who never *recommended* anything.) In the only scene that compares these alternatives—juxtaposed such that we can't help but make the comparison—a woman who gives birth departs the orphanage an emotional and physical wreck; while

Paul W. McNellis, S.J. is a professor of social ethics and political philosophy at the Pontifical Gregorian University in Rome. This article first appeared in the April 1, 2000 issue of *America* magazine. ©2000 by America Press. All rights reserved. Reprinted with permission.

a woman whose child is aborted recovers amazingly quickly and even becomes closer to the father.

The *only* character opposed to abortion is Dr. Larch's orphan apprentice, Homer Wells (Tobey Maguire). Though Homer has never attended high school, he has acquired, thanks to Dr. Larch's private tutorials, "near-perfect obstetrical and gynecological procedure." Yet Homer refuses to use such skill to perform abortions, and the best reason he can come up with is "it is illegal." Dr. Larch, clearly annoyed and impatient with his protégé's refusal to perform abortions, assigns him the task of disposing of the aborted fetuses in the incinerator. Dr. Larch's compassion does not spare him this, and one can't help wondering if it is actually part of the doctor's tutorial plan for Homer.

If there were a reeducation camp for reluctant abortionists, the commandant would speak as Dr. Larch does to Homer as he tries to hector him into performing abortions. As Homer and Dr. Larch examine a woman suffering from a botched abortion, a crochet hook still inside her, Dr. Larch says to Homer, "If she had come to you four months ago and asked for a simple D&C, what would you have decided to do? *Nothing?* *This* is what nothing gets you. It means that someone else is going to do the job—some moron who doesn't know *how!*" Never mind that if she had come to Homer she would have come to an orphanage, a place populated by living alternatives to "doing nothing." But no such alternative finds a voice in this film, and Irving has made it clear why. Any attempt to restrict abortion, he has argued, is a form of fascism, an expression of "religious fervor run amok." Thus the film merely presents the only alternative worthy of serious consideration: choice for the chooser, regardless of its consequences for anyone else. Since Homer's objection to abortion is based on nothing stronger than a personal preference, we know it can't last. And it doesn't.

Once Homer leaves the orphanage he has a conversion. He sees that for a truly compassionate man, a rule need never become a principle. Homer puts away childish things and accepts his manly duty to perform an abortion. We've been told, by such groups as Planned Parenthood, that abortion can be a "maturing experience" for a woman. This film now tells us that abortion can be a coming-of-age experience for the abortionist, provided only that he has the requisite skills. This is the most sinister aspect of "The Cider House Rules": To become a real man, just say yes to abortion. Only after performing an abortion can Homer return to the orphanage as the qualified and worthy successor to Dr. Larch.

The context within which Homer is forced to opt for abortion is one of incest. But in the moral terms of the movie itself, there is no reason why we should find incest any more objectionable than abortion. We know from Mr. Irving's earlier work that he doesn't necessarily regard incest as a problem. In this movie, however, Homer's conversion makes no sense unless we find incest morally repel-

lent. Most people, thank God, still do.

But my complaint is not with Mr. Irving; it is with us.

Abortion as a maturing, coming-of-age experience, as a myth to live by—is this what we’re willing to swallow? Apparently. And this is what makes the film a cultural watershed, for it could not have been made even 10 years ago. In fact, it took Mr. Irving 14 years and four directors to get from novel to film. He had to wait for his audience to catch up with him. That we have done so is testimony not to his courage or foresight, but to our own corruption. More than a quarter century of state-sanctioned abortion in our midst has changed us. Today’s college seniors have never known a time when abortion was not legal. From their birth to their graduation they have lived in a society in which legal protection for unborn life has inexorably disappeared. How could they not be affected? High school freshmen, who require no “parental guidance” to see this film, have probably never heard a cogent argument *against* abortion. For them, what a movie like this presents as credible serves as a truth claim. What they are not apt to hear from their teachers (and certainly not from Hollywood) is the dark truth about how terribly convenient abortion has been for irresponsible men. Nor will they hear that “unwanted babies” come from unwanted mothers, abandoned by the men who once claimed they loved them. This movie can now freely concede what was once an embarrassment even to the pro-choice camp: Is abortion the killing of a child? Of course. So what? In the words of Dr. Larch, “I just give them what they want.” When is the last time we heard a discussion of what we “ought” to want? No, a quarter century has made us all accomplices, whether by deed or by embarrassed silence.

There is, at times, a kind of wisdom expressed in the reaction of spontaneous revulsion. We don’t *argue* our way to a prohibition of incest, and if we thought it necessary to do so we would already have lost sight of what is at stake. Incest is seen as evil only if we have first seen the good of which it is destructive. In a healthy society such a spontaneous revulsion extends, as a minimum, to incest, cannibalism and murder. But when such a reaction becomes sufficiently atrophied, then the time has arrived for a major studio (Miramax) to offer us a celebration of the compassionate abortionist and his apprentice as part of an evening’s entertainment. A society capable of swallowing anything has lost the capacity to distinguish nourishment from poison.

The Boston *Globe* gives us reasons for the movie’s PG-13 rating: “Strongly portrayed themes of abortion, incest; sick child dying; semi-explicit sexual situation; drug abuse; fighting; drinking; smoking; profanity.” Parents trying to decide whether their 13-year-olds should see the movie can take comfort in this: No one actually smokes while fighting or performing an abortion.

Cheering on the Survivors at the Oscars

William F. Buckley, Jr.

Non-amateur writers avoid industriously the word Orwellian, because even years ago it became an overused and underdefined cliché. But try to find another word for what Michael Caine came up with at the Oscar ceremony on Sunday on receiving a prize for his performance in “The Cider House Rules.” That’s the movie that’s a paean to the abortion industry. And what the great actor said when finally the thunderous ovation let him be heard, was “I’m basically up here, guys, to represent you as what I hope you will all be, a survivor.”

Well, George Orwell would have pondered that, all right, inasmuch as a survivor, in the context of the theme of that event, turns out to be somebody who was physically present at the Shrine Auditorium on Sunday, i.e., somebody who survived the mother’s temptation to abort the fetus. That makes them survivors, does it not? So they are being applauded for surviving the practices celebrated by the movie . . . That, ladies and gentlemen, is Orwellian.

Thirty-five hundred people in the audience, to judge from the applause, were all of them expressing their enthusiasm for what the author of the movie, John Irving, had said were the real heroes of the evening, Planned Parenthood and the National Abortion Rights Action League. Latecomers should know what “The Cider House Rules” is about, namely the ordeals and deportment of its first central figure, the same Michael Caine, who is the doctor/headmaster of the orphanage he presides over.

The orphanage is peopled with attractive children between the age of, roughly, five and twelve. The high moments in their lives are the visits of prospective adopting parents. Mr. & Mrs. Jones come in and look over the assortment of children, each one of whom hopes breathlessly that he/she will be chosen to have a home of his own. The Joneses decide on a particular boy (or girl) and drive off with their adopted offspring. Those who didn’t make it are left in the Cider House to continue their schooling until the next couple looking for a child makes its acquisitive journey to the orphanage. During this period one boy, who is not adopted by anyone, for reasons not made clear since he seems very attractive and personable, begins what amounts to an internship with the doctor/headmaster, acquiring such gynecological and obstetrical skills that, before you know it, he himself has con-

William F. Buckley, Jr. is an editor-at-large of *National Review* magazine and a syndicated columnist. The above was taken from Mr. Buckley’s On-the-Right column of March 27 (©2000 Distributed by Universal Press Syndicate. Reprinted with permission. All rights reserved).

ducted an abortion. This makes him the hero, because abortion is the hero of "The Cider House Rules" (APPLAUSE!).

This is an interesting phenomenon. The people who crowded into the Shrine Auditorium are from a very choosy lot of people—producers, directors, actors, musicians, writers. They want a child, if they want one at all, when they want one, not merely because a child was conceived. Choosy parents can be and indeed can be expected to be, loyal and affectionate, but their priorities are pretty much motivated by self-concern. It would be an unusual day when a Hollywood starlet discovers she is pregnant and rejoices at the unexpectedness of it all—Gee whiz, can you stand it, I'm going to have a baby!

But the very planned parenthood idea isn't something that has taken hold only in the community of people who attended the ceremony. A few years ago I debated with James Carville in front of an audience of several thousand students at the University of Oklahoma and lo! the one point he made that brought down the house in approval was his insistence that a Democratic administration would more reliably protect the right to prevent births. These were 20-year olds, who found so appealing the idea of guarding against an unwanted child.

In "The Cider House Rules" what one most cared about was that the children be wanted, that the touring couple should take as many as possible into their homes and give them love and protection, though it became hard to imagine they'd have more love and affection than Michael Caine gave them, never mind his gruff ways. Everyone in the audience who cheered was able to do so because that person's mother had elected *not* to extinguish life, but rather to nurture it. Every person applauding owed his/her life to the parent's determination to bring on a survivor of the abortion clinic.

That made for some artistic confusion, making heroes and heroines out of those present whose determination to have children, rather than abort them, peopled the jubilant audience and the millions of Americans who cheered on the movie that seemed to be celebrating a movement to reduce the audience, perhaps to the point where a generation or two down the line the Shrine Auditorium would be only half full, lucky survivors of otherwise categorically choosy parents.

The Abortion Rules

Steven Mosher

The first thing to say about *The Cider House Rules* is that it is not literature, but pro-abortion propaganda. The second thing to say is that, despite generally poor reviews (about which more below), the last time I looked it had climbed midway up the best-seller lists.

To prove the first point—and incidentally to dispel any lingering notion that the book might be worth reading—I provide an outline, compiled during a careful second reading. If what follows sounds trashy, degenerate, ghoulish, and exaggerated, look to the original for confirmation. I trust my outline will leave no doubt that the central theme of the book—one is tempted to say the *only* theme of the book—is the merits of unrestricted abortion. Indeed, a more accurate title for *The Cider House Rules* would be *The Abortion Rules*, which I will use here.

Chapter One: *The Boy Who Belonged to the Orphanage*

Homer Wells (one of the two main characters) is born into an abortuary/orphanage headed by a Dr. Larch (the other main character). Homer is adopted out three times during his childhood only to be returned to the orphanage. First he is thought retarded. Then he is physically abused. Finally he is sexually assaulted. Understandably, he comes to look upon the orphanage as his real home, and remains there until grown.

Chapter Two: *The Lord's Work*

Larch's first—and last—sexual encounter is with a prostitute and her daughter. Following this episode he develops, in short order, 1) gonorrhea, 2) an aversion to sex, and 3) an addiction to a pain-killing drug—ether. He embarks on a life of sexual abstinence and drug indulgence.

As a new doctor at the turn of the century, one of Larch's first patients is the prostitute, who dies while in his care from complications arising from an abortifacient drug she had administered to herself. His next patient is the woman's daughter, also pregnant, who demands an abortion. When he refuses, she obtains a "back-alley" abortion and, like her mother, returns to die in his care. Larch then visits the abortuary in question, where he discovers an evil, old, untrained abortionist about to abort a thirteen-year-old girl. He rescues the girl, whose pregnancy is the result of incest, and performs his

Steven Mosher (father of nine) is president of the Population Research Council and author of *Hegemon: China's Plan to Dominate Asia and the World*, just out from Encounter Books.

first illegal abortion.

Thereafter, “Saint” Larch, as he is christened by his two doting nurses, comes to understand abortion as “The Lord’s Work,” and accepts it as his calling. He is beseeched by women from all walks of life—rich, poor, married, unmarried—for abortions. When at age thirteen Homer Wells discovers his secret, “Saint” Larch decides then and there that the boy shall become his disciple.

Chapter Three: *Princes of Maine, Kings of New England*

During the day Homer is educated by Larch in the morals of his soon-to-be trade as an abortionist. The instruction centers upon the thesis that he will be helping the women who come to the orphanage/abortuary have whichever they want: an orphan, or an abortion.

In the evenings, Homer entertains the other orphans by reading them novels about orphans—Dickens’ *David Copperfield* and Bronte’s *Jane Eyre*—seemingly the only diversion of their bleak and dreary lives.

Homer forms a sexual liaison with an unhappy orphan named Melony, who also has a history of failed adoptions and sexual abuse. During one of their romps in an abandoned house they find a pornographic picture of the dead daughter of Larch’s dead prostitute. This lewd photo becomes for “Saint” Larch a kind of pictorial hair shirt. He forces himself to stare at it for long periods of time in penance for “causing” the young woman’s death by refusing to perform an illegal abortion.

Chapter Four: *Young Dr. Wells*

Homer, not yet sixteen, shares Larch’s world of childbirth and abortion. His “graduation” comes when, in his mentor’s temporary absence, he successfully induces labor in a pregnant woman suffering from puerperal convulsions, saving both mother and child.

Candy and Wally, a young unmarried couple from an apple farm on the coast, discover that Candy is pregnant. They decide to travel to Larch’s abortuary for a “safe” abortion rather than go to their “local butcher.”

Chapter Five: *Homer Breaks a Promise*

On Larch’s orders, Homer performs an autopsy on a nearly full-term “product of conception.” This gruesome experience not surprisingly leads Homer to conclude that an abortion results in the dismembering of a human baby, not merely a “fetus,” or “the product of conception.” He declares heatedly to his mentor that never again will he perform an abortion. Completely disregarding his disciple’s change of heart, Larch forces him to continue as his assistant.

Candy and Wally arrive at the abortuary. Homer instantly falls in love with Candy, and again vows to have nothing to do with any abortion, especially Candy's. He leaves the abortuary with Candy and Wally, traveling with them back to the coast.

Chapter Six: *Ocean View*

Homer enjoys his new life, learning how to grow apples (from Wally), how to swim (from Candy), and how to behave at drive-ins (from a casual girlfriend).

Back at the abortuary, Larch, growing old and under pressure to resign, sets about inventing a fictitious identity for Homer as a doctor. He is sure Homer will eventually abandon his opposition to abortion and return to succeed him in the abortuary.

Chapter Seven: *Before the War*

Melony, devastated by Homer's departure from the abortuary, sets out in search of her lover, working her way along the apple farms on the coast as a picker.

Homer confronts evil in the form of a man who deliberately punctures prophylactics and then hands them out as gifts.

Wally, excited by the coming world war (II), wants to join the air force.

Back at the abortuary, Larch worries that he will lose his errant disciple in the war. To forestall this, he falsifies Homer's medical records to make it appear that he has a defective heart, thus disqualifying him from military service.

Chapter Eight: *Opportunity Knocks*

Melony goes to the city, gets a job in the shipyard, and becomes a lesbian.

Homer, in an effort to broaden his narrow educational background, studies high school biology from a teacher who, it turns out, moonlights as an abortionist.

Wally joins the Air Force, and in due course is shot down over Burma.

Candy discovers that Homer has kept a clump of her pubic hair from the time of her abortion. From this she understands his love for her.

Chapter Nine: *Over Burma*

Larch writes to President Roosevelt urging him to reverse the country's "anti-American, anti-democratic anti-abortion laws."

After Wally is shot down in Burma, Homer and Candy sleep together; Candy becomes pregnant. They return to the orphanage/abortuary to have a boy-child, which Homer then adopts, naming him Angel.

Homer weakens in his opposition to abortion, first referring a woman to Dr. Larch for an abortion, then later, at the abortuary, completing a botched abortion himself.

Wally, who survived the Burma crash, returns home paralyzed from the waist down, and sterile. Candy marries Wally, but not before arranging for Homer and son to continue living with them as one family.

Chapter Ten: *Fifteen Years*

Melony's lesbian companion of fifteen years becomes pregnant, and Melony packs her off to the abortuary for an abortion.

Homer, Wally, Candy and Angel live together as one big, happy family on the apple farm; Wally does not know that Homer is sleeping with his wife, and Angel does not know that Candy is his mother. Candy's fear that she will become pregnant again leads her to extract a promise from Homer: if an abortion is necessary, he will personally perform it. Homer obtains the necessary equipment from the abortuary as evidence that he is in earnest.

Homer is having a father-to-son talk with Angel about the joys of masturbation when Melony shows up at the apple farm. She criticizes Homer for Living a Lie. He resolves to tell Wally and Angel the truth about himself and Candy.

Larch, in a ploy to get Homer to return to the abortuary, turns himself in as an illegal abortionist.

Chapter Eleven: *Breaking the Rules*

Angel falls in love with Rose, the black daughter of the chief of the apple-picking crew, and discovers that she is being sexually abused by her father.

Homer refuses Larch's ultimatum to return to the abortuary.

Rose gets pregnant by her father. Homer attempts to send Rose to the abortuary, but discovers that Larch is dead of an overdose of ether. He decides, after a few seconds of soul-searching, to perform the abortion himself.

Rose, her baby successfully aborted, murders her father and takes to the road. Homer Wells returns to the abortuary. He assumes the identity the dead "saint" had created for him as a doctor, and takes over its day-to-day operations. The book ends with Homer a committed abortionist.

* * * * *

After just a few chapters of *The Abortion Rules*, it seemed to me that here was a book the liberal press would bend over backwards to promote. After all, radical abortion is one of the prime issues—radical feminism and radical environmentalism are others—that such publications as *Time* and *The New York Review of Books* tacitly encourage, if not actively advocate. I had no

doubt that the reviews, when they came out, would be prominent, exhaustive, and favorable. The reviewers would use the opportunity presented by the book to promote their (and Irving's) views on abortion.

I was mistaken. The reviews were certainly prominent and exhaustive enough—*Time* devoted an entire page to the book—but favorable they were not. Only a fawning review in the New York *Times* saved *The Abortion Rules* from a general shellacking at the hands of heavyweight critics. What caused this unexpected breach in liberal solidarity?

I suppose the most obvious reason why the critics withheld their kudos is the all-too-transparent political purpose of *The Abortion Rules*. Now merely having a political purpose is not invariably crippling. George Orwell's *1984* was certainly a highly-political glimpse of the bleak, totalitarian future that awaited people who did not safeguard their freedom. But his paramount political purpose did affect the artistic value of the book.

Literature serves its end when the writer follows an inner vision, not an external purpose. When a writer enslaves his craft to ideology, propaganda—not literature—is the inevitable result. Even the main characters are reduced to mere props in the ideological play the author is staging. It is the measure of Orwell's artistic failure that his main characters do not stick in the mind. Irving's main characters, and indeed his entire makeshift plot, are, if anything, even more easily forgotten. What sticks in the mind is the incessant harping of the pro-abortion author on abortion. What starts out as a novel quickly ends up as a pro-abortion tract.

If *1984* was an artistic failure, it was at the same time a resounding political success. Its lack of strictly artistic merit was more than compensated for by its political clout. To judge from the reviews, *The Abortion Rules* will not enjoy the same distinction. Beyond the sheer mass of pro-abortion propaganda, there is the graphic, blood-and-guts depiction of actual abortions being performed. Irving's treatment of abortion is simply too heavy-handed even for those who would like to agree with him.

The above outline makes clear, I trust, what Irving's message is. What it cannot begin to convey is his *zealousness* in promoting his message. At several points (perhaps fearing that the reader is skimming?), Irving goes so far as to repeat himself: ". . . a society that approved of making abortion illegal was a society that approved of violence against women; that making abortion illegal was simply a sanctimonious, self-righteous form of violence against women—it was just a way of legalizing violence against women." (p. 447)

Such high-profile propaganda undoubtedly alienated even sympathetic reviewers, and made it impossible for them to argue that *The Abortion Rules* is art. Even the New York *Times* reviewer, who loudly applauded Irving's stand

on abortion, expressed reservations about his book as literature. Hardened pro-abortionists may enjoy wading through page after page of ideological sludge, but I find it hard to imagine that such cant will win new converts.

But Irving's partisanship leads him to fall into an even greater error. Losing his moral footing entirely on the slippery slope, he attempts to portray abortion as an act of high moral goodness. Thus Dr. Larch is portrayed as performing abortions not for profit, but out of "moral" conviction (in contrast to the great majority of living abortionists). To further enhance the reputation of this underground abortionist, Irving gives him an orphanage to run. (Who knows of any living abortionists who run orphanages?)

Irving would even ask us to believe that the abortionist is a "saint" who is engaged in "doing God's work." The abortuary becomes a temple and the saintly abortionist a kind of priest who listens to the confessions of his female penitents as he dilates them and scrapes them clean, relieving them of their offspring as he forgives them for their sins. Guilt and remorse are unthinkable.

But as insulting as all of this may be to the common sense of the reader, be he "pro-life" activist or secular humanist, Irving reaches even greater heights of moral abnegation with the character of Homer Wells. Homer starts slowly. Early in the book, when still opposed to abortion, he is depicted as a confused, shallow youth, a mere foil to Larch's impassioned defenses of abortion. Homer's conversion takes place suddenly, without any inner struggle, without any reflection on his past scruples. "Homer Wells made up his mind; he would be a hero." (p. 529) A hero?! It takes a few seconds for the reader to realize what Irving is saying: Homer has decided to become an abortionist.

If this rankles the sensibilities, then the description of Homer's first abortion is genuinely repugnant. "Homer Wells breathed slowly and regularly; the steadiness of his hand surprised him. He did not even blink when he felt the curette make contact; he did not divert his eye from witnessing the *miracle*." (p. 535)

Yes, you read it right: Irving is calling an abortion a miracle. This must surely be one of the first times in the history of literature that the deliberate destruction of a human being has been described as a miracle. In my own copy of *The Abortion Rules* (which I obtained from a book club for a dollar), the word "miracle" has been crossed out and replaced with "tragedy." I simply could not continue on with the book until I had corrected the Orwellian language.

Albert Schweitzer once remarked that, "By practicing a reverence for life, we become good, deep and alive." Irving uses all his wiles to turn this formulation on its head. Yet it remains true on Dr. Schweitzer's terms.

Ironically, it is *The Abortion Rules*, with its disdain for life, that best demonstrates this. By deliberately confounding destruction with creation, death with life, it comes across as shallow, lifeless and, yes, evil work.

Perhaps in his next work Irving will treat us to the euthanasist as miracle worker. Anyone who can canonize an abortionist will not find anything particularly reprehensible in elevating a "mercy killer" to sainthood, as long as his patients meet their end in speedy and painless fashion. With a bit of rewriting, many passages in *The Abortion Rules* could even be recycled for use in the new work, as for instance the one quoted above: "He shot the poison into her veins. Her emaciated body shuddered as she fought for breath, yet he did not avert his eyes. He did not want to miss the miracle of death." At the risk of giving Irving ideas, this last even suggests itself as a title: *The Miracle of Death*.

In describing the destruction of a fetus as a morally attractive act, Irving parts ways not only with those who oppose abortion, but also with the majority of those who accept it. The truth is that abortion, even for those who support it, is at the very least distasteful. It is tolerated only because it forestalls consequences viewed as even more distasteful: unwed motherhood, career delay, population growth, and so on. Only radical feminists seem to have claimed an actual liking for abortion, regarding it in the same way that better-adjusted women regard childbirth—as a rite of passage into womanhood. Those who see abortion as an evil, necessary or otherwise, can only be put off by Irving's championing of it as a good.

Another off-putting aspect of the book is Irving's constant mucking about in gruesome, gynecological details. Even the most ardent abortion supporters are uncomfortable dwelling on the actual surgical procedure. Blood, placentae, the dismembered bodies of babies are the stuff of nightmares, not polite conversations around the dinner table. Those who demand abortions also insist that they be done quickly and quietly, so that they can be more quickly forgotten.

But Irving will not let them forget. Not only does he force-feed the reader page after page of pro-abortion propaganda, not only does he stand human morality on its head by intimating that we should revere death rather than life, but on top of all this he piles up passage after passage describing the carnage that abortion entails. In one typically tasteless episode he operates on a prostitute. "When he tried to sew up the uterus, his stitches simply pulled through the tissue, which he noticed was the texture of soft cheese—imagine trying to put stitches in Muenster!" (p. 55)

Such pruriently sadistic details abound in *The Abortion Rules*, as indeed they do in Irving's previous works. In *The World According to Garp* he

introduced us to a world of rapes, gougings and sexual mutilations. *The Hotel New Hampshire*, although a lighter book, still had more than its share of rape, incest, and sudden death.

I wonder if Irving, with his penchant for murder, mutilation, rape and the like, is not the worst-possible author for the pro-abortion movement? What it needs is a writer who would focus attention on women distraught about frightening pregnancies, someone who would draw out with dramatic flair and feeling the details of the imagined sufferings of these women while maintaining a discreet silence about the miracle of life that was happening inside their bodies.

But Irving does everything wrong. First, he allows only a glimpse of his women—and none of their inner life—before wheeling them quickly into the incandescent glare of the operating room. Then he zestfully sets to work with scalpel and suture: “Her abdomen was full of blood; he sponged it away, looking for the source, and saw that the hemorrhage issued from a six-inch rupture in the back of the uterus. Larch performed a cesarean section and delivered a stillborn child—the pinched, scornful face of which forcibly reminded him of the (other) cigar-smoking daughter.” (p.55)

I suspect there are many in the pro-abortion movement who are unhappy with his graphic descriptions of the so called “products of conception” (a waffling term repeatedly used by Irving). Like Hero Homer, the reader is confronted again and again with the gruesome corpse of a murdered baby. When Homer finds his first dead fetus (on the way to the incinerator), we learn that even a 27-day-old unborn child has a head, spine, eyes, nose and mouth. It gets worse later: “And with this discovery—that a fetus, as early as eight weeks, has an expression—Homer Wells felt in the presence of what others call a soul.” (p. 169) One can imagine a “pro-choice” advocate wincing at this passage—or thumbing rapidly past it.

Some irate activist has probably already informed Irving that it is not acceptable to talk about the “products of conception” as if they were human, possessing *expression* and a *soul*. After all, they well understand that anything that focuses attention on the unborn child—alive, aborted, or stillborn, intact or in pieces—hurts their cause, which is dedicated to the denial of personhood to fellow human beings still in the womb. They are all too aware that if the great majority of Americans are finally made aware of the biological facts of human development, abortion on demand could end shortly thereafter.

What will be the political impact of this best-seller? Strident rhetoric, topsyturvy morality, and gruesome gynecological details do not add up to a convincing justification of abortion. Indeed, so overblown is the book at many points that it reads like a parody of the pro-abortion position. Judged as a

political tract, *The Abortion Rules* is a failure. It is not too much to hope that it may even persuade at least a few of those on the pro-abortion side to forsake it.

If Irving succeeds in anything, it is in calling attention—in the coarse voice of the carnival huckster—to the entire abortion issue. And those he forces to rationally consider the morality of abortion may no longer think what is expedient is the right choice. *The Abortion Rules* may do more good than harm.

On the other hand, the book gives tremendous exposure to various hoary myths of the pro-abortion movement, which the casual reader may accept as fact. For example, Irving promotes the idea that many perfectly normal orphans are unadoptable. Indeed, the entire book is in effect dedicated to the proposition that orphans and other “unwanted children” live such dreary, unhappy lives that they would be better off dead. In actual fact, of course, there is an enormous shortage of children available for adoption in the United States today; many childless couples have to wait long years for a child, many more never get one. As for the orphans and other so-called “unwanted children” themselves, they surely value their existence no less than “planned” children, without regard to any “inconvenience” their birth caused their parents—no “better dead than orphaned” thesis for them.

Another bit of pernicious nonsense repeated in *The Abortion Rules* is that countless numbers of women died agonizing deaths as a result of back-alley abortions. Irving never says this in so many words, nor does he bandy about figures—one would hardly expect him to. Novelists trade in impressions, not statistics. So we are treated to botched abortions by the dumpster-full, each more gory than the last. “Saint” Larch’s final encounter with a dying young woman is enough to make the gorge rise in one’s throat. “Dr. Larch bent so close to the speculum, he had to hold his breath. The smell of sepsis and putrefaction was strong enough to gag him if he breathed or swallowed, and the familiar fiery colors of her infection (even clouded by her discharge) were dazzling enough to blind the intrepid or untrained.” (p. 490) What the septic and putrefying prose of this and other passages is intended to blind us to is the fact that illegal abortion did not result in numerous deaths. (If it had, mortality rates among women of child-bearing age would have dropped sharply after abortion was legalized. But the rates stayed the same.)

Finally, Irving even attempts to negate the argument that abortion amounts to playing God, determining who shall live and who shall die. At the very end of the book, Homer is meditating on the morality of indiscriminate abortion: “After the first one, thought Homer Wells, this might get easier. Because he knew now that he couldn’t play God in the worst sense; if he could operate on [his first abortion patient], how could he refuse to help a stranger?”

How could he refuse anyone? Only a god makes that kind of a decision. I'll just give them what they want, he thought. An orphan or an abortion." (p. 535)

Thus the Western World's moral code is invented. In the World According to Irving, it is not conscience that dictates the act, but the act, or rather its capability of being performed, that dictates the conscience. Irving is taking the morality of the Sixties—If it feels good, do it—into the realm of the absurd: If you can do it, then it *must* feel good.

Irving's code robs Homer of volition, denying him any choice in whether or not to commit a fatal act of violence against the unborn children that he himself believes have souls. What Irving is really saying is that, while it may be useful as a slogan, abortion should *not* be a matter between a woman and her doctor, but between a woman and her wants, however frivolous. And of course this is perfectly in tune with the "pro-choice" movement, whose ultimate argument is a naked ego, which happens to reside in a female body, ranting, "I won't share this body with anyone!"—not even her own child. Obviously John Irving thought that a compelling novelistic treatment of abortion could win converts for his cause. I am happy to report that he is unable to execute his intentions. I would be happier if there were a novelist who would dramatize the opposite side.

Where is the book that dramatizes Life? Where is the work of literature that focuses attention on the unborn child, that establishes not only its existence and the pattern of its development, but also its personhood. In the *Dune* series, by Frank Herbert, an author whose book sales dwarf Irving's, there is a child who has mental and emotional life from practically the moment of conception. I do not know what Herbert's position on abortion may be, and I certainly do not classify the *Dune* series as serious literature. My point is that breathing fictional life into the truly-living unborn will help to reverse the fictional morality under which the youngest and most vulnerable of us are being slaughtered. We need an author who, with zest and feeling, can make the *personhood* of the unborn child into a best seller.

Prolife Voting:

More Than a Hill of Beans

Stephen J. Heaney

By the time this essay is published, the year 2000 candidates for high office will be accelerating toward their final clash in November, their respective salvific promises and rhetorical flourishes flapping like battle pennants in the wind. The sights and sounds can be bewildering. If you are like me, however, there is a particular insignia on the banner for which you look, the insignia which tells you that the candidate is pro-life.

If you are like me in this respect, I suspect you are also like me in having a friend or acquaintance whose voting behavior strikes you as inexplicable. Since I am assuming that we all have a friend like this, I am going to give him a common name: I will call him “Louie,” after Captain Louis Renault, the Prefect of Police in *Casablanca*. Of course, I do not mean by this moniker to suggest that our friends, like Captain Renault, are “minor corrupt officials,” but I do mean that they demonstrate a common difficulty in seeing the role they play in the bigger scheme of things.

Our friend Louie believes abortion is a grave moral evil. He prays for its end, sends money to Birthright, knows the arguments. However, Louie is as likely as not to wax rhapsodic about a candidate for high office who is well known for his position in favor of abortion rights. When you point this out, the reasons why this matters not a whit to Louie come tumbling out. Well, yes, but he would never let the poor go unprotected. Well, yes, but he’s against capital punishment. Well, yes, but he stands up for the working man. Well, yes, but he’s great on education. Well, yes, but look at his stand on health care. To this, you might reply: Well, yes, but Mussolini made the trains run on time.

Louie will usually be shocked—shocked!—by such a comparison. Mussolini was a bad man; The Candidate is a good man, a compassionate man, a man who thinks about others and not just himself. Besides, what chance does The Candidate have of actually affecting abortion law? Practically none. Even if he did, you can’t count on his position on abortion; they all say what they think you want to hear, even the so-called pro-life ones. And you can’t just take a look at one issue, like abortion. You have to look at the big picture, the overall vision. The Candidate isn’t going to vote only

Stephen J. Heaney is an associate professor of philosophy at the University of St. Thomas in St. Paul, Minnesota.

about abortion; there are hundreds of issues, both large and small, with which he must contend. Surely you don't mean to say that we should vote for a candidate based on a single issue?

Many of us experience a certain disorientation at this juncture because we know that Louie shares our convictions that abortion is both the taking of an innocent human life and an assault against the integrity of the woman, therefore constituting it a grave moral wrong. But while the comparison of The Candidate to Mussolini seems perfectly clear to us, it remains perfectly opaque to Louie. If we try to pick at one of Louie's claims, two more arise, like heads of a hydra, to take its place. Still, because these claims are not all compatible with one another, one suspects there is some conflict within Louie himself about this voting question.

It seems to me that there is good reason for Louie's internal conflict: his position is incoherent. It simply does not hold together. Our main task, then, in arguing with Louie is to explain why his voting pattern is problematic. And we must do this not by going after the individual justifications which he puts forward but by driving at the hydra's heart. To do this we need to uncover the connections between one's moral convictions and one's actions in terms of public policy.

In order to fully answer Louie, there are two distinct issues to be addressed. First, we have to show why abortion and its related life issue, euthanasia, are not, as the saying goes, "single issues"—that is, issues of peculiar concern to a particular group of voters, issues which receive disproportionate weight when compared to other issues. It would be more accurate to call them "singular issues"—that is, issues foundational to human dignity and human rights, to the meaning of law and the common good. Second, we have to establish that, as a personal moral question, it matters a great deal for whom one casts one's vote in a representative democracy. We have to establish that since voting is not something which *happens* to the voter, but is rather something he *does*—a human action—he is personally implicated in the outcome.

I. Singular Issues: Life and Death

The place to begin a conversation with Louie is probably with a discussion about the justification for laws. This may sound to Louie as though we are ignoring his reasoning, but in fact this is a way of answering his concerns about "single issue" voting.

There are various ways governments are instituted and laws are made, but not all of them can justify themselves. Take, for instance, rule by the tyrant. He offers no justification. He simply says, "Do it my way, or suffer the consequences." He is no different from the mugger or extortionist who says to

his victim, "Give me what I want and you won't get hurt." A second option, the Hobbesian social contract, offers little more than this. Rather than one person just taking over, everyone *agrees* that one person take over, because it is better than the alternative, an anarchical world in which everyone is both mugger and potential victim. But, once this agreement is made, the only justification offered for any law is simply, "The sovereign says so." Prior to this declaration, there is nothing right or wrong: law dictates morality.

A utilitarian system, the third option, is kinder and gentler, but offers no more justification than the first two systems. In a utilitarian world, we essentially contract, not for individual gain, but for the gain of the whole. In other words, we formulate rules as a society which are designed to bring about the greatest happiness (pleasure) for the greatest number of people. The tyrant says, "It's right because I want it." The Hobbesian sovereign says, "It's right because I want it—and we agreed to this arrangement." The utilitarian says, "It's right because the majority wants it." Each poses an essentially subjective standard for choosing which path to follow. That standard is: what someone wants.

In all three of these understandings of law, "rights" are something *granted* by whoever is in charge, whoever has the power. The tyrant, or the Hobbesian sovereign, grants certain privileges because doing so suits his purposes. The utilitarians grant them because they believe doing so will suit their collective purpose—that is, it will bring about the greatest happiness.

There is a fourth position, however, which says that at least some rights are not granted, and law is not simply made up, by those in power. Instead of looking for a pseudo-justification in the subjective world of either individual or collective human desires, this fourth position finds the justification of law in something objective, observable—in us, in our nature. Law is a way to assist human beings to flourish, to reach their fullness as human beings. In this tradition, human flourishing can only be found by following certain kinds of behavior and refusing to engage in opposite kinds. In other words, the law is directly linked to what is already right and wrong, prior to the establishment of any positive or civil law. What is right and wrong is determined, not by our desires, but by our nature.

Only such a view, something based in a discoverable human nature, can give rise to an objective view of justice. In the first three views, there can be no absolutes. Any action which we normally consider wrong can be justified if the consequences are grave enough. If law is an expression of human nature, however, there can be just laws which accord with that nature, and unjust laws which violate it and which no one, therefore, is bound to follow. In this view, there are moral, and consequently legal, absolutes. Only in such

a view, therefore, can we make sense of the notion of rights as not simply granted by the state but inalienably founded in the simple fact of our humanity, rights which the state is bound to recognize and uphold.

It is quite clear that it is this latter notion which is the foundation of our legal system. While there can be said to be a social-contract element to it, and while there is a nod toward utilitarianism in the idea of rule by the majority, neither of these can be said to be the *justification* for our legal system. Rather, they are a *method* which generally serves to preserve and promote something more fundamental. The claim to inalienable human rights in the Declaration of Independence, and our fierce loyalty to a Constitution which outlines certain basic rights that belong to us simply by virtue of our humanity and that may not be overridden by any power, whether individual or majority, make it absolutely clear that we have a state based in this fourth tradition, founded on a discoverable human nature. And because of that, we can rightly and proudly claim to be a nation based on the rule of law, not the rule of power.

If Louie disagrees with this most fundamental argument about the nature of law, then our quarrel about pro-life voting runs very deep indeed. One could reasonably conclude that Louie's opposition to legalized abortion is merely a matter of taste, not of fundamental rights. Assuming, however, that Louie does agree with us about the rule of law, then he should also agree to this: government exists for the sake of human beings, not human beings for government. The laws which a government makes must reflect this reality, and must reflect the objective moral order conducive to human flourishing. Positive law, the civil law, must follow from, or at least not contradict, the moral law. A government which does not, through its laws and policies, attempt to assist human beings in doing what is right—and this means first and foremost attempting to safeguard inalienable human rights—is in no position to bring about a just or peaceful human society.

There are, in the tradition we are exploring, only a few things which are so fundamental that they are not simply matters of prudential judgment. The right to life is the most fundamental. Without this right in place, no other rights are even possible. Indeed, society itself is not possible. A government which permits the people under its aegis to assault or kill one another renders its own citizens enemies of one another. Such a government exists in self-contradiction, having planted and nurtured the seeds of its own destruction.

A second fundamental right, contingent on the first one, and following logically from the notion of government in support of human flourishing, would be the right to religious freedom, enabling human beings to pursue an

essential aspect of our existence, our relationship with God.

A third category of necessary rights, which are contingent on the original right to life and which the state must support to be a legitimate state, involves the stability of the fundamental social unit, what we call today the nuclear family. Human flourishing cannot be accomplished outside social groups. The primary one is the family—mother, father, and their offspring—into which we are born, and in and through which we discover what it means to be human and how to flourish. The family lives within extended families, in neighborhoods, in towns, in regions, in countries. It is involved with diverse social organizations where its members find work, companionship, aid, and religious worship. If the point of human action is human flourishing, and if these communities and organizations are the entities within which human flourishing takes place, then the government makes sense only insofar as it assists these social groups. If these social groups are undermined, the human person will lack the society through which he comes into existence and learns how to live a truly human life.

There are other rights which flow from these original rights: the right to employment, the right to health care, the right to an education, the right to a just wage. But notice the hierarchy. The right to life—i.e., the right not to be killed or otherwise assaulted in my person by private individuals, or by the state, without just cause—is fundamental. Without it, the others cannot be. For if one is killed, there is no one to have other rights. And if living is merely a privilege, then any contingent “right” is likewise merely a privilege granted by those in power for their purposes.

We distinguish, then, between the fundamental three, the basic human rights, and the various rights that follow from them which are largely matters of prudence. That is, while the state must support the right of the family to do its job properly, there is no particular program which it must adopt in order to facilitate the exercise of this right. Various and sundry programs of action could perform the task well in one time and place but not well in another. Indeed, one can imagine scenarios in which these ancillary rights themselves dwindle to near non-existence, or disappear entirely. For instance, a poor country might not be able to provide meaningful health care; a society could exist which was rich enough to provide for everyone’s needs such that no one received a wage at all.

There have been many times in human history when second-level rights were not recognized, and were indeed assaulted by various groups in power. But the fundamental elements of society—life, religion, and family—were by and large held sacred, and where they were not, there was no discussion of, say, just wages or education. Today, in this country at least, the opposite

appears to be the case: no one argues that health care, or education, or a just wage should be denied to anyone, although there is a great deal of contention concerning exactly how to actualize those rights. It is the big three which suffer the assault, and the most important one, the right to life, the *sine qua non* for the very possibility of bringing about the common good and a peaceful society, is the one which has been denied to at least one group of human beings.

At this point, Louie may well think that we are wallowing in rank sentimentalism. At the least, he is likely to be put off by the abstract, theoretical tone of the argument so far. So let us make things more concrete and practical. Let us take a look at the abortion right as it is defined by the Supreme Court of the United States. In the original 1973 abortion case, *Roe v. Wade*, the Court recognized that the unborn clearly have legal protection under the Fourteenth Amendment's Equal Protection clause, *if they are persons*. The Court then refused to decide whether the unborn are, in fact, persons. The Court ruled that, since philosophers, scientists, and theologians cannot agree about this question, the Court was in no position to make a pronouncement, leaving the matter as "a private decision between a woman and her doctor."

What is the legal implication of this ruling? Simply put, two powerful human beings are allowed to make a "private decision" about whether a powerless human being is, or is not, a person, *and then act upon that decision*. This implication became fully formulated with the Supreme Court's *Casey* decision. This well-known passage is its linchpin:

These matters, involving the most intimate and personal choices a person may make in a lifetime, choices central to personal dignity and autonomy, are central to the liberty protected by the Fourteenth Amendment. At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life. Beliefs about these matters could not define the attributes of personhood were they formed under compulsion of the State. (*Casey*, II)

No longer is it merely the case that a more powerful human being *may* define away another human being's otherwise inalienable rights and then slay that being as a non-person. This is now fundamental to one's own self-determination; to be denied this "right" is to have one's own personhood stripped away! And, of course, people have come to expect recourse to this practice as part of their way of pursuing happiness. *Roe* cannot be overturned, argued the Court, for there are too many "people who have ordered their thinking and living around that case . . ." (*Casey*, III, A, 2).

The vision of our society that the Court has conjured up here is very sad indeed: an entire culture whose "self-determination" and "happiness" can,

apparently, only be purchased at the average annual cost of 1.2 million bodies of our own unborn. The logical implication of the Court's vision of law, however, is even broader than that. Implied is a set of purported "rights" which amount to the raw exercise of power by the powerful over the powerless. The concept of the *human* right upon which the Constitution was founded has been emptied of meaning. Originally, the idea was that a right is a claim to protection that may not be abrogated by any other human being no matter how powerful; when a "right" can be overridden by another's "rights" or desires, there are, *ipso facto*, no *rights* at all, but only the struggle for power. This is the very opposite of the rule of law, which is the rule of reason. Human beings have rights based on simply being human. Once the powerful get to decide who counts, there is no longer a rule of law, but only a rule of power.

So now the law implies that there is no law. Now the law states quite clearly that our happiness and self-determination as persons come from being allowed to determine what other human being counts as a person. The rule of law has given way to the rule of the gunman or the tyrant. Now, obviously, this state of affairs has not come about in *fact* in all areas of life. But it is being pushed in many areas. The logic of the "heart of liberty" paragraph has been used by federal judges to justify the overturning of laws where there is any moral disagreement. If we were to carry out such a program to its full logical conclusions, all positive laws must be rejected as violations of "autonomy" and "privacy."

The peculiarity in this justification, however, is that it rests on the very notion of nature which it is in the midst of undermining. The basis for trying to eliminate governmental interference in purportedly private matters is the assertion that we have an inalienable right to do whatever we wish, as long as it is done in private. However, privacy and autonomy do not exist in a vacuum; rather, they make sense only insofar as they serve certain ends. Which ends will they serve? The abortion rulings would have us believe that they exist only to serve personal desires. The fact that the logic of this claim leads, not to privacy and autonomy, but to anarchy—that is, to the elimination of the very possibility of any rights, including privacy and autonomy—seems to have been missed.

II. The Responsibility of the Voter: Cooperation in Evil

Chances are that Louie will protest at this point, and with some justification. After all, we have already granted his opposition to the evil of abortion and euthanasia. We know he would never have an abortion, or perform an

abortion, or even help someone obtain an abortion. Louie likely recognizes that acts of this kind would express acceptance of abortion as a morally permissible action. Louie's protest is that he is not the one supporting abortion; The Candidate is. But when pressed to explain why he is supporting The Candidate, Louie returns to his familiar refrain: The Candidate is a good man, a compassionate man, who does not want poor people to go hungry, who wants people to earn a decent wage, who wants everyone to have affordable health care. Doesn't that count for something? Doesn't The Candidate exemplify respect for human beings through his positions in these other areas?

Does it count for something? Perhaps it would, all other things being equal. But all things are not equal. When we acknowledge that human beings ought to be aided in their flourishing through just wages and decent housing, we are in the realm of prudential judgment. The question is not about whether we are concerned for the common good, but *how best* to bring about the common good. Louie, being a savvy political type, may jump at this opening, accusing us of inconsistency, even hypocrisy. The "prolifer," the argument goes, is certainly against abortion and euthanasia. However, the people who, thanks to his efforts, manage not to be killed must then be cared for, and the prolifer often refuses to have the government help pay for their upkeep.

In fact, there is nothing inconsistent about this position. We would be hard pressed to find a single politician who favors starving the poor, or accepts indentured servitude, or hopes that lots of people get sick and die. The question is not whether we support help for the poor, or decent wages, or health care, but rather how best to bring these goods about. They are for the most part issues of fair distribution, and that means prudential judgment about how to allocate our money and other resources. In other words, these are issues about which good people with good intentions can reasonably disagree; they are issues about which one can change one's mind and still be intending *the same good*.

Not so with abortion or euthanasia. One cannot desire abortion or euthanasia as a moral matter, and consequently will them as a legal matter, and remain a person with an objectively good intention. Furthermore, so long as the logic of abortion and euthanasia obtains, the common good is not simply harder to achieve; it is literally impossible. It is not as though abortion can be weighed against these other issues; rather, the assault on human life is on its own scale, outweighing all other issues we could confront.

Now what are we to say about a candidate who supports abortion rights, even if he is not especially active about it? Louie would have us believe that

The Candidate exemplifies respect and care for human beings through his support of so many other important goods. But our question in return is: Respect and care for *which* human beings? It is clear that The Candidate is not extending his largesse to *all* human beings, but only to some. Other people he believes it is acceptable to kill. It is not human beings as such that he respects; rather, it is those particular human beings he happens to care for.

Then, of course, there is the very real question of The Candidate's grasp of what is at stake in the right to abortion. It is not simply a matter of two people having a difference of opinion over a matter of prudential judgment. The Candidate finds the perpetration of a grave evil on some of his fellow human beings to be perfectly acceptable. If the argument I outlined earlier is correct, The Candidate has accepted—at least implicitly, if not explicitly—a notion of the human person, of morality, and of the law which is the complete opposite of what Louie says he believes to be true. The Candidate supports a system of law which is not in keeping with human flourishing, because it allows private citizens to kill for private purposes; it is for that reason a system of law on a collision course with itself.

If things are really going well, and Louie is really with us up to this point, he may be willing to admit that a vote for The Candidate—a person with whom Louie has deep philosophical differences—is odd, even unwise, especially if there is a pro-life candidate available. We may well find it prudent to leave it at that, because the next stage of the argument is sometimes more than Louie can bear to hear. In this stage, we have to explain to him that a vote for The Candidate in these circumstances is ethically wrong, and seriously so. Like his namesake in *Casablanca*, Louie must now face the fact that he is not a powerless bystander in a game too big for him. He is a collaborator.

What have The Candidate's proposed actions in office to do with Louie? How does Louie's vote involve doing something immoral? In order for Louie to escape moral implication, one of two things would have to be true: either a) there is no intrinsic connection between the voter and his vote, so that his choice of candidate says nothing about him as a moral agent; or b) there is a connection between voter and vote, but the link is permissible.

Does a vote say something about the voter? When I vote in the election of officials in a representative democracy, I am attempting to enact my vision of a proper society. When I vote for a candidate, I am voting to make him *my representative*, and in so doing I am agreeing to live with *his* vision of that society. My action is *intended* to put that candidate in a position to do what he claims he wants to do. Putting him in such a position is not some unintended side effect of my action; it is the very point of the action. Even if I

believe that he is unlikely to do anything in terms of action X or program Y at the present time, my vote means that I am willing to *accept* action X or program Y should he be put into a position to enact them. It is, therefore, a form of cooperation in the action of another person.

So, is this cooperation permissible? It depends on several things. In the first place, it depends on whether the action in which I cooperate is good or evil. If the action is good, there is nothing wrong with cooperating in it. In our scenario, of course, the proposed actions of The Candidate in a crucial area would be evil.

One may, however, sometimes cooperate in evil actions without doing evil oneself—provided some very specific criteria are met. First of all, one may not knowingly share in the intent of the person committing the evil action. This would be called “formal cooperation.” However, it is possible to offer assistance which facilitates the performance of an evil action without sharing in the intent of the person doing the action. This is called “material cooperation.”

There are various kinds of material cooperation which can be legitimately exercised. We already know, before entering into the conversation, that Louie finds The Candidate’s stand on abortion repugnant. He would not vote for The Candidate *because* he is for abortion rights. Louie’s vote certainly appears, then, to be a form of material cooperation: the vote is intended to give the candidate the wherewithal to bring about the good features of his platform, even if it would also permit him to bring about the evil features.

In order to be legitimate, there must be a proportionately serious reason for cooperating materially in another person’s evil action. In other words, one must be under some kind of duress such that the exercise of one’s autonomy is limited—that is, such that not cooperating will do more harm than good. Typically, this kind of duress comes in the form of some threat to the person himself (to his safety, his job) or to someone else, and is present *before* the action, serving as an inducement to cooperate. Clearly, this situation does not obtain in our voting. Perhaps, then, we could find a proportionate reason in terms of a threat stemming from the action itself—in this case, some result of the election. For instance, as a result of one’s vote (in concert with others), some people will not be as well off under laws proposed by a particular anti-abortion candidate as under those proposed by the pro-abortion candidate.

The difficulty should immediately be clear. Given what we have already argued, no program or policy proposed by The Candidate is in any way proportionate to the evil he proposes to perpetrate, both in the actual abortions that would be allowed to continue, and in the legal morass which that entails.

If we were to examine the two candidates' total set of proposals *except* the life issues, we would normally find that, even where there is serious disagreement, neither candidate is proposing any evil. There is a difference of opinion only over how best to bring about *the same good*. But once we factor in the life issues, then we have two candidates whose proposals look like this:

The Candidate: A) Seriously evil (abortion) + B) some goods

The Other Guy: A) Fundamentally good + B) some other goods

In the B category, the candidates are proposing the same goods, though perhaps by different means. In the A category, however, one proposes evil, the other good. Thus, there is no proportionate reason to vote for The Candidate. If there is no proportionate reason, then a vote for The Candidate, *objectively speaking*, amounts to a type of formal cooperation, called *implicit* formal cooperation. That is, if one understood that one was accepting the grave evil without any proportionate reason, one would be accepting the evil for its own sake. Most of the Louies in the world would not be subjectively guilty of this, precisely because they do not understand that there is no proportionate reason for their cooperation. But objectively speaking, how else are we to read Louie's act?

We know his commitments. He protests the evils of abortion and euthanasia; he tells people why abortion and euthanasia are wrong; he sends money to the pro-life movement; he may pray for an end to the killing. But then comes the conceptual disconnect, and he votes for the very things he claims to be against, *even when other options are available*. Imagine a father who, in the face of his son's sexual promiscuity, protests until he is blue in the face, but then sends the boy out on prom night with the car, condoms, a hotel room key, and permission to stay out until the next morning. He can tell his son not to use these things, but does this command make any sense? Does it matter that the father hopes to accomplish some other good, like keeping his son off the road when it might be dangerous—especially if that good could readily be accomplished in some other way, like keeping him home? Does it matter that the boy might accomplish other good things that night, like keeping his friend from driving drunk? Does it matter whether the boy is unlikely to be in a position to use his father's gifts that night? What message can anyone logically glean from the father's actions? It can only be that his protests are hollow. This, it seems to me, is more than simply material support for his son's immoral actions; it is an entering into the intention to commit the act. If the father truly does not wish to enter into that intention, then he must find another path, because *this* action says, "What you are doing is

acceptable.”

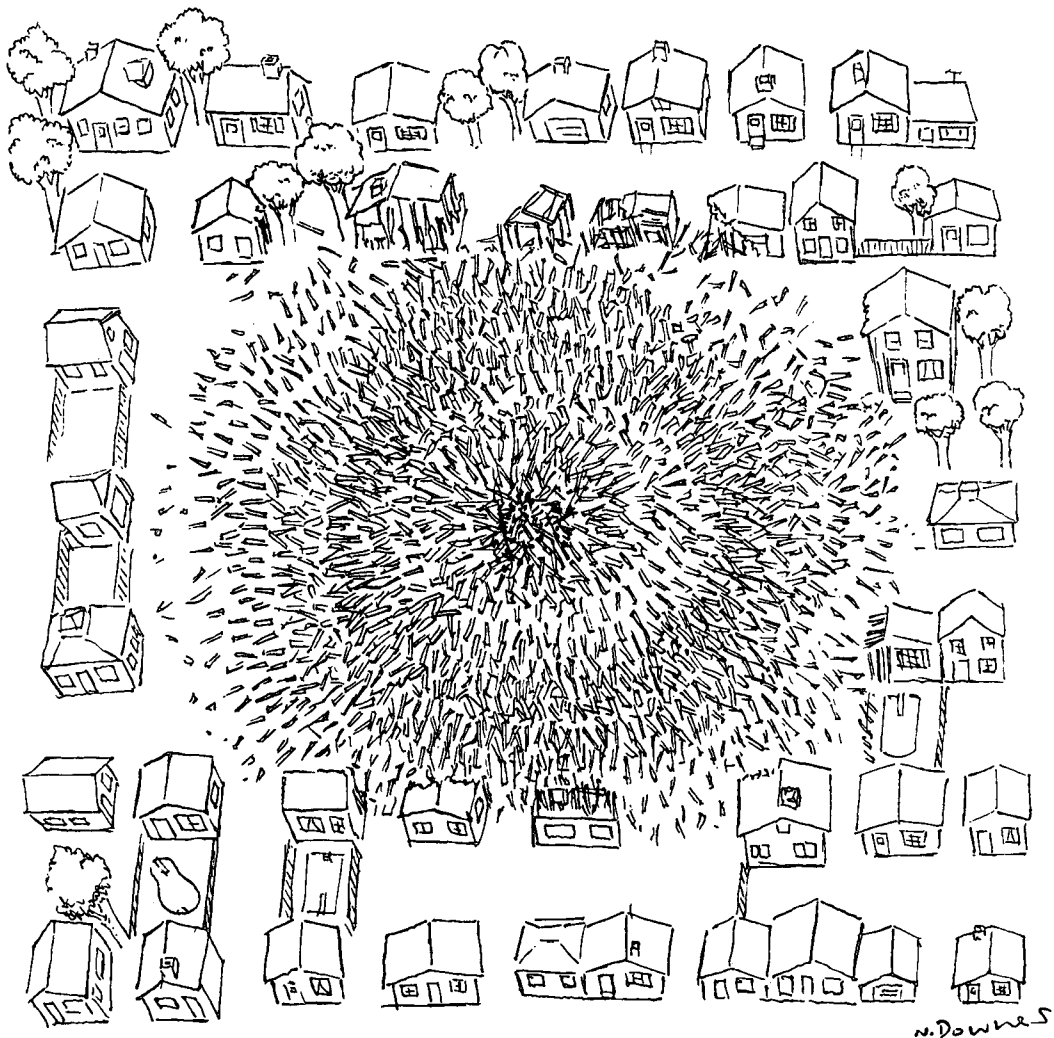
The Candidate may have any number of justifications to offer for his acceptance of the abortion right. But, in order to be consistent, Louie’s acceptance of this aspect of The Candidate’s position so that other goods might be accomplished entails Louie’s rejection of moral absolutes in favor of the principle that the end justifies the means. To act on such a principle in relation to grave matters is an objectively grave evil act. In this situation, it is to accept the continuation of an intrinsically evil status quo so that other good things might (possibly) happen. If this is not what Louie means to say in his vote, then he must find another candidate to vote for. Perhaps there is some way of understanding the meaning of voting in a representative democracy that does not require any connection between the voter and his vote. If there is, this writer would be interested to hear it.

Louie may be heard to mutter at this point that we are not only sentimentalists, but patriots. Chances are, though, that he will not concede yet—as well he might not, for an important question remains. What does one do if there are only two candidates for a particular office, both of whom are pro-abortion or pro-euthanasia? In that case, one can honestly say that one is stuck with a lose–lose situation. There is real duress and limited options for action. If The Candidate, for example, is running against a pro-life candidate, it would make neither moral nor legal sense to vote for The Candidate. If, on the other hand, The Candidate is running against a Second Candidate who supports abortion or euthanasia, we must first determine which candidate is less in favor, which is more, and vote accordingly. If, for instance, both are for abortion, but only the Second supports euthanasia, a vote for The Candidate makes sense. If The Candidate favors partial-birth abortion, but the Second wants to limit abortion to the first trimester, a vote for the Second might be in order. If both are equally in favor of abortion or euthanasia rights, then the ability to choose a pro-life candidate has been taken from our hands. Our autonomy has been limited. We are now in a position legitimately to materially cooperate with their wrong, because a) we do not choose the evil, but only the possible good either one might do, and b) we will do what we can to defeat the evil, including voting for a pro-life candidate whenever we get the chance.

If the Louie you know is like the Louies I know, then he is likely to try one last throw, along these lines: The vote of one person won’t amount to a hill of beans in an election. And we must admit that this is, in one sense, true. It is also irrelevant. The main issue here is what one’s voting record says about one’s own character.

On the hopeful side, imagine what the world would be like if all this

country's Louies changed their voting habits. One thing is certain: if we keep voting for the Candidates of the world, we'll all live to regret it—maybe not today, maybe not tomorrow, but soon, and for the rest of our lives.



AERIAL VIEW OF THE EPICENTER OF A CONNIPTION FIT.

APPENDIX A

[The following tribute, which first appeared on June 1, 2000, is reprinted from The Wall Street Journal ©2000 Dow Jones & Company, Inc. All rights reserved.]

A Democrat Who Never Stopped Championing the Weak

Matthew Scully

"A pro-life Democrat can't lose," Bob Casey used to say of the presidency. His theory was that the Democratic Party had lost its way, abandoned its calling to protect the weak and forgotten and powerless. Millions of Republicans were former Democrats or the sons and daughters of Democrats, uneasy in their new allegiances. One brave primary challenge would call them home. The Democratic establishment is pro-choice by necessity, he always said. but the Republican establishment is pro-choice in its heart.

He was going to take this stand himself in the 1996 presidential primaries, until, on the day before his formal announcement, he discovered signs of the sickness that took his life Tuesday. He felt a deep weariness—just "done in"—and looked it too. It was just two years earlier that, as governor of Pennsylvania, he had undergone the heart-liver transplant that at once spared him and sentenced him to more years of trial. The 1996 campaign, like his theory, had a grand implausibility to it: A dying man would take on a popular incumbent president in the cause of life.

But he had a way about him that made you a believer, and his own life had been a relentless defying of the odds. Thrice defeated as a candidate for governor, written off by opponents as "the three-time loss from Holy Cross," he tried again in 1986 with the slogan "Bob Casey is back—and so is Pennsylvania." He narrowly won. Scorned in his own party by 1990, he defeated a pro-choice Republican by one million votes, carrying every county but one. Sued by Planned Parenthood over Pennsylvania's Abortion Control Act, he fought to see the law upheld, emerging from the Supreme Court in April 1992 to ask: "In this debate, who speaks for the child? Today I have come here to say that Pennsylvania speaks for the child."

Above all, he was the son of his father. You had only to hear him mention this revered figure, Alphonsus Liguori Casey, to understand where all that passion came from, that raw, visceral identification with the weak and lowly.

Orphaned at age 11, Alphonsus had been forced to support his brothers and sisters by working as a mule boy in the anthracite coal mines of Scranton, studying at night to get through high school and, though he didn't attend college, somehow earning a law degree in his 30s. He then set up practice representing miners in their claims against the company. Robert Casey's earliest memory was of the scarred hands of his father, and all his life these hands guided him as a model of courageous manhood.

He called me once, when we were working on his 1996 autobiography, in great excitement over a passage in a book he had just found. It was a description

of a Scranton coal mine by Stephen Crane. I can still hear the powerful feeling, that indignation in his voice, as he read of the conditions his father had endured:

"It was a journey that held the threat of endlessness," as Crane described entering the mine. "Before us stretched an inscrutable darkness, a soundless place of tangible loneliness. . . . Man is in the implacable grasp of nature. It has only to tighten slightly, and he is crushed like a bug. His loudest shriek of agony would be as impotent as his final moan to bring help from the fair land that lies, like Heaven, over his head."

Gov. Casey was a man who understood such things, the struggles and terrors and vulnerability of life. He was given some special gift for empathy even before he was called to endure so much himself. For him, as for so many Democrats at one time, it seemed the most natural connection to extend that merciful spirit to the unborn child, the most innocent life on earth, to rise in protest against this "ultimate exploitation of the weak by the strong."

I never heard him speak a cruel word of anyone, but when he talked of the abortion industry, mocking its terms of "defective" children and "terminations" and "hard cases," it was with utter contempt. It was a language he didn't understand, a spirit alien to everything he believed and his party once professed. Abortion, he always said, is not a question of when life begins. It is a question of when love begins. "No insignificant person was ever born, and no insignificant person ever dies."

Of fellow Democrats, who had once stood for the same ideals, he spoke with a certain pity. They knew better. They had made a fatal compromise. And one day they would regret it.

With his sickness, an inherited disease known as familial amyloidosis, he faced an inscrutable darkness of his own. Told that there was no cure, he began a methodical campaign against the enemy, finding in time the one doctor who believed there was hope. "He was like a guy in a tiny prison and all by himself," said his heart surgeon, Thomas Starzl. "And with no help from anyone, he figured a way to get out. It was remarkable how he grabbed on to the last rung of life on his way down the chute and pulled himself back to the top."

The governor liked this image, the last rung, as a symbol of the helplessness and desperation of the weak. "I felt myself a witness at the approach of the presidential campaign," he said after the 1996 election. "Down to the very bottom rung, all these hands had reached down to pull me back. Why can't we bring the same resources, the same mercy, to helping young mothers and their children? No one can ever persuade me that the situation is hopeless, that we must simply write off the unborn child, that the whole problem is beyond salvaging. I know better. We have the means of salvaging it. I have seen it."

He looked like a president, everyone said, with that silver hair and grave

APPENDIX A

bearing, a distinguished son of the working class. As it turns out, he was destined for an even higher role. He was to be a witness not for power but against it, to speak the truth and then to suffer it. He died at Scranton's Mercy Hospital at age 68, a great man, a brave witness and faithful son.



“WHEREAS I SEE MY GLASS AS HALF FULL.”

APPENDIX B

[Hadley Arkes is a professor of American Institutions at Amherst College and contributing editor of *Crisis* magazine. The following essay first appeared in the April 2000 issue of *Crisis* and is reprinted with permission. For subscription information, call 800-852-9962.]

A Season for Chameleons: Abortion and the Court

Hadley Arkes

When the helicopters lifted off the roof of the American embassy in Saigon in 1975, and that project of American arms was allowed to collapse, President Gerald Ford went on television to reassure and calm the country. His message was that this was no time for recriminations. To which a friend of mine remarked, "What can he mean? This is precisely the time for recriminations."

That line came flashing back with passion one June day in Washington in 1992, when pro-lifers had assembled in Washington for a meeting of the Life Forum, a quarterly gathering of leaders from pro-life groups. Many of them had come in a day earlier because the Supreme Court was about to release its decision in the case of *Planned Parenthood v. Casey*. Pro-life and pro-choice—representatives from groups on both sides had converged on the Supreme Court, anxious to hear the decision and dash out to the reporters and cameras to provide their spin. For this was the first major case on abortion since Clarence Thomas had joined five other justices appointed by Presidents Reagan and Bush. With six of them in place, there was a possibility that the Court could take the first step in a movement to start undermining, and even dismantling, *Roe v. Wade*.

But, to the bitter surprise and astonishment of the pro-lifers, three of those judges defected. Justices Sandra Day O'Connor, Anthony Kennedy, and David Souter joined together, in fact, in writing the lead opinion, a "plurality opinion," for no one opinion commanded a majority of the Court. It was not merely that these judges, appointed by pro-life administrations, had passed up the chance to move the Court in a different direction. They weighed in, rather, far more decisively to confirm *Roe*, to entrench it even further and to abjure ordinary citizens, spread through the land, to cease their agitation over this issue. Nearly 20 years after the Court had created the "right to abortion," the opposition had not abated but deepened. The Republican defectors pleaded with those members of the public to recede from their intransigence, to let this law finally become "settled."

It was the purest expression of legal "positivism": to accept the law mainly because it had been posited or proclaimed, quite apart from its moral substance. The justices took seriously the notion that many women, venturing into careers, had actually arranged their lives "in reliance on the availability of abortion." Regardless of the rights and wrongs of the matter, they would feel dispossessed if they were suddenly deprived of a franchise they had come

to regard now as a “first freedom.” It was all so thoroughly “pragmatic,” so eminently “realistic,” and so morally empty. And it was the fruit served up in the twelfth year of the Reagan-Bush administrations, after the pro-life movement invested so heavily in the Republican Party.

This was not a moment to seek consolation—that would come later. This was indeed the time for recriminations—to denounce what truly merited moral outrage and to demand an accounting. And that is what took place at the meeting of the Life Forum, as anger built through the day. Calls finally went out to aides in the Bush White House to send over staff, to offer a reaction—and to review their notes: How did this go wrong? Who had recommended these judges? On whose credit were they accepted—and who would pay the cost for their treachery? For treachery it truly was.

The Change of Kennedy’s Colors

Anthony Kennedy was known as a formidable teacher, but it was not his genius at jurisprudence that caused him to be plucked from the federal bench and suddenly wafted to the highest court. He had been on the board of a Reaganite think tank in San Francisco and he would not have been chosen unless there had been confidence, on all sides, that he fitted the character, and commitments of the Reagan administration.

But what of his position on abortion? It was politically risky to ask any nominee to the Court about his view on abortion, lest it come out in the confirmation hearings that a “litmus test” had been in play. The deepest assurance had come from one of Kennedy’s colleagues on the Ninth Circuit, who sought to be delicate but decisive: “He’s a serious Catholic,” he said of Kennedy, “and let’s say no more than that.” But in case there was any trace of doubt, Kennedy himself sought to remove it. A friend of mine, who was in the Department of Justice, and interviewed Kennedy, reported later that Kennedy leaned in at one moment, unsolicited, and offered this bit of assurance: There was no need, he said, to worry about *Roe v. Wade*.

But only a couple of years later, there was indeed a need to worry about it. Kennedy was invited to lecture at Princeton and spend a day, being dined and received in the handsome enclave of the liberal establishment. One professor on the scene remarked later on Kennedy’s curious tendency to make derisive comments about Ronald Reagan, the man who had appointed him. For that incident, some of us drew the inference already that his position in *Roe* was in doubt. A man so anxious to gratify his liberal hosts in a prestigious school might be even more anxious to gratify the liberal professors and journalists who would make his reputation. He knew just who would put together those admiring volumes, those anthologies of his writings, with the title *Mr. Justice Kennedy: A Life in the Law*.

And then, just a year or two later, *Casey*. Kennedy would join Justices O’Connor and Souter in bringing forth an opinion that would ever be marked

by the so-called “mystery passage”: that “at the heart of liberty is the right to define one’s own concept of existence, of meaning, of the universe, and of the mystery of human life.” Three judges sprung from the best law schools in the country revealed something telling in their sensibility as they disclosed what evidently counted, for them, as profundity. For the sake of vindicating the right to abortion, they were willing to affirm solipsism as a principle. How better to remove abortion from reproach or condemnation than to deny altogether the ground for casting judgments of any kind on anyone else?

Constitutional Protection for Human Life

The words of the judges were philosophically untethered, but they were not inadvertent. This bantering, this rhetorical play with relativism, had been at work for many years. And the melancholy lesson conveyed in these decisions is that the conservative judges have their own peculiar openness to moral relativism. For them, it takes the form of legal positivism, leading into moral skepticism. The melancholy part is that I speak here of friends, of men whose judicial sense of things is usually so savvy and so rightly aimed. Still, in a notable speech in the 1970s, Justice (and later Chief Justice) William Rehnquist said that our moral views represent only our “value judgments” until they are enacted into law. “It is the fact of their enactment,” he said, “that gives them whatever moral claim they have upon us as a society.”

Rehnquist was one of the two dissenters in *Roe*, but his jural understanding was struck from the cast of New Deal jurisprudence with a hefty mixture of positivism: Nothing in the Constitution expresses or implies a “right to abortion,” and therefore, nothing in the Constitution prevents the citizens of Texas from having laws that forbid abortions. But if the legislature of Texas went the way of the legislatures in New York and California, and permitted abortions, nothing in Rehnquist’s jurisprudence would cast up any objection.

In the same way, Justice Scalia has remarked that if the majority in any state wished to install a liberal regimen of abortion, he might not find the policy congenial, but he would have no authority as a judge to overturn it. In a similar vein, he remarked in the *Cruzan* case in 1990 that the point at which life becomes worthless or open to protection is neither “set forth in the Constitution,” nor is it “known to the nine Justices of this Court any better than... [to] nine people picked at random from the Kansas City telephone directory.” Here we fall into a quarrel among friends, which I will leave to a fuller argument on another day. But as John Paul II has reminded Americans of late, their institutions presuppose the most emphatic understanding of nature, or the “human person,” and the ground of human worth.

When the matter of abortion is taken out of the hands of judges and returned to legislatures in the separate states, who are the beings fit to serve in legislatures or vote for their members? Are the cattle and dolphins voting? James Wilson, one of the premier figures among the American founders, noted

in his lectures on jurisprudence that the purpose of the Constitution was not to invent new rights but to secure and enlarge the rights we already possess by nature. Foremost among them was a protection from the lawless taking of life. And in two separate clauses on “due process,” the Constitution registers its concern for the terms on which legislatures arrange, through the laws, for the taking of life. We might aptly ask, Would that principle not encompass a concern for the permissions, granted explicitly by legislatures, for the private taking of life? It does not take an imagination untethered, or the soul of a judicial “activist,” to find in the Constitution a much larger authority for the protection of human life. But that imagination seems to run, these days, well beyond the reach of “conservative jurisprudence.”

Change of the Guard

I bother to mention these things because they remind us of the many layers of complication that afflict conservatives and pro-lifers as they focus their strategy, in politics, on changing the membership of the Supreme Court and the lower federal courts. Of course, that membership makes a profound difference. If Robert Bork had been confirmed in 1987, and if George Bush had appointed Edith Jones from Texas, instead of David Souter, *Roe* probably would have been overturned. Not only would the cast of the laws have been different, but real lives would have been saved.

During the term of the next president, three justices may retire, and one might well be the chief justice. If these successors are appointed by Al Gore, their jurisprudence will weave *Roe* even more firmly into the fabric of our laws: May Congress continue in its refusal to fund abortions? May medical schools refuse to train students in performing abortions? May Catholic hospitals refuse to perform them, if they are receiving federal funds?

But beyond abortion itself, there are those deeper premises of personal “autonomy” that stand behind the culture of abortion and extends its reach ever further: The fragile coalition so far resisting “assisting suicide” and the “right to die” may readily come apart. On the other hand, we could expect no such hesitation when it comes to gay rights: The judges in the lower courts have already shown a powerful inclination to strike down any law that casts an adverse judgment on homosexuality, and that attitude may be extended into a willingness to sustain measures that would ban from the public schools any speech that would call homosexuality into question. Coming to the end of his second term, Clinton has appointed 40 percent of all federal judges (342, so far, out of 852). That things are not indeed worse than they have been is half-owing to the fact that conservatives still mark a strong presence in the federal courts of appeal, the lingering effects of appointments, over twelve years, by Reagan and Bush.

No one could have the least doubt then that the composition of the federal courts makes the most profound difference. It might even be said that this

control of the courts marks the deeper interest at stake in the election for either party. After all, what accounts for the Robert Rubins or the Steven Spielbergs, the urbane rich nestled firmly as Democrats in New York and Hollywood? They want a Democratic Party that can live with vast wealth in private hands—why should they not want even more a party that would lower the marginal tax rates on creative people, rather like themselves, who manage to generate, with their inventiveness, the jobs that sustain families? But these people are put off by what they see as a divide in “culture” that separates them from that collection of evangelicals and small businessmen who often define the Republican Party. Nothing stands more decisively as the marker of that difference in culture than you-know-what. The issue of abortion, they keep insisting, is peripheral; it should not be part of the business of government. But for the sake of keeping that issue out of the hands of legislators, they will continue to make it the foremost concern in their voting.

Hence, a stockbroker I know in Chicago, a man whose interests inclined him in 1992 to vote for Bush, but who finally voted for Clinton, for the sake, he said, of his daughter. Her interests, he presumed, her future and her prospects, depended on preserving the right to abortion. But instead of voting, as a citizen, for legislators who will secure that right, he votes for the president who will spare him the need to vote in that way as a citizen. For that president will ensure that the authority in these vital matters will remain in the hands of judges.

The Power to Overturn *Roe*

And yet that is precisely the vice that even pro-lifers manage to back into, without quite noticing. They have suffered by now numerous shocks, administered by Republican judges, who have betrayed their faith, and made a wreckage of the trust they had invested in conservative administrations. But many pro-life activists continue to talk and plan about the political situation as though the ultimate aim is to affect, through the president, the appointment of the right judges. No one has caught the sense of the situation more chillingly—or more accurately—than David Forte, of the Marshall Law School in Cleveland: The president becomes important in this scheme, Forte says, because he is converted into the Chief Elector. We elect him because he is the one, in turn, who will choose the men and women who truly do govern us.

There is a need to be delivered from this beamish slumber with a jolt of recognition: President Lincoln did not manage to check and overturn the Dred Scott decision simply by appointing new judges to the Supreme Court. He led a political movement whose object it was to resist that decision with a moderate, firm policy, and he began to resist it, with measures executive and legislative, as soon as he came into office. In June 1862, Congress passed, and Lincoln signed, a bill that barred slavery from the territories of the United States. It was nothing less than a move to check and reverse the decision in

the Dred Scott case, not through a constitutional amendment but through an act of ordinary legislation. The dismantling of the Dred Scott decision was not left to the work of judges. It was part of a larger design that would be carried through politically. And what made possible the shifts in the Court was the climate of opinion shaped by Lincoln and the Republican Party as they made their case in public.

One seasoned observer of the political scene has remarked that conservatives and pro-lifers can count on George W. Bush to do the right thing, but not to say the right thing. But if Governor Bush is unwilling to make the case in public, then how would he mold the climate of opinion in which it becomes possible for the judges to begin moving in another direction? And what would any administration of his do, separately, in shaping that climate of opinion with its own measures?

On his first day in office, Bill Clinton signed executive orders that reversed major policies of the Reagan and Bush administrations on abortion: In a stroke, he removed the Mexico Policy, which barred the use of federal money in promoting abortion abroad; the order that barred the counseling or promoting of abortion in clinics funded by the federal government; the directive that barred research in the transplantation of fetal tissue, in projects supported by federal funds; and the order that barred the performance of abortion in military hospitals. Would a second President Bush be prepared, on his own first day, to reverse those policies and install anew the orders held in place by his father? And what would he do on the second day?

The risk is this: If there is no legislative program, no strategy, no schedule of measures to be unfolded, no scheme for tutoring the public, step by step—if there is none of that, why should we be astonished if judges drift off on their own and administer the kinds of surprises that Republican judges have been administering since the days of Harry Blackmun and Lewis Powell?

Who Will Select the New Judges?

Still, with all the reasons for wishing Bush would find his voice, his heart seems to be in the right place, and against the doubts about Bush, there must stand the conviction even surer that John McCain would be worse. Like Bob Dole before him, he cites his “pro-life” record of voting, and like Bob Dole, he is persistently unable to explain the reasons underlying his judgments.

But the sign that should set off all the alarms is the presence of Warren Rudman, the former senator from New Hampshire, as one of his premier advisers. Rudman, as a Republican senator, preserved an open hostility to the pro-life cause. He was the one who brought forth the gift of David Souter, and if there was true responsibility in politics, Rudman would have been taken as a hostage in payment for Souter. One can only hope that McCain is winging it again when he suggests that Rudman could be the attorney general in a McCain administration, the man who would choose the people who choose judges.

The complexion of a McCain administration would look dramatically different if he tapped, as his attorney general, a pro-lifer like Lindsey Graham of South Carolina, who has been one of his most energetic supporters. But unless there is a dramatic sign of that kind, a McCain administration promises to be little more than a slow-acting poison for the pro-life movement.

And yet, who would be in charge of selecting judges in a Bush administration? The word has been going around Washington, D.C., for a long while that Bush would rely on an old friend, placed in one of the most prestigious law firms in D.C. and a man who happens to be particularly close to Anthony Kennedy. As the speculation runs, Kennedy has not severed his ties to the Republicans, and he still harbors hopes of becoming chief justice. In any sober reckoning, this wish would have to count as a fantasy. Still, this ambition nurtured by Kennedy may be wholesome, and it could have its benign uses.

After all, Kennedy has continued to vote with the Reagan-Bush appointees on issues of affirmative action and federalism, even while David Souter has aligned himself firmly with a bloc on the Left. And as the Court released its first decisions of the new century, the cluster of Reagan-Bush judges minus Souter has held tightly together in cases involving the discretion of the police in dealing with urban crime (*Illinois v. Wardlow*) and the procedural stalls on the death penalty (*Weeks v. Angelone*). If Kennedy truly hopes for an ascension at the hand of a Republican president, he might be led to discover certain nuances in his position on abortion, certain angles that permit him to take a second look and form again, with his colleagues, a majority to sustain restrictions on abortion.

There is nothing extravagant in that suggestion, for that is precisely what Kennedy and his colleagues did in *Planned Parenthood v. Casey*. Perhaps the refinements were lost when set against the dominant message that the judges were reaffirming *Roe*. But Kennedy was willing to sustain virtually all the restrictions that were sustained in the lower court, and in doing that, he and his colleagues were willing even to overrule an earlier decision. In a case in the early 1980s, the Court struck down the requirement of a 24-hour waiting period because it bore no necessary relation to the decision on abortion and to the health of the pregnant woman. But Kennedy and his colleagues now thought it reasonable to conclude that a decision might be more informed if attended by "some period of reflection." Neither did the requirement have to justify itself in terms of the health of the woman. Kennedy, O'Connor, and Souter apparently thought it was legitimate to give a woman information about the state of the unborn child—that the concern for the child might be as important to her as the concern for herself.

As the plurality put it, "a State is permitted to enact persuasive measures which favor childbirth over abortion, even if these measures do not further a health interest."

APPENDIX B

The fact was that none of these measures, strictly speaking, was incompatible with the right to choose abortion, and therefore, none of them strictly required the overruling of *Roe*. That makes it all the more plausible to offer a different reading of *Casey* and Kennedy might well be open to that reading. In this construal, Kennedy and Republican defectors had a tenable point as they read the political landscape: The judges could sustain restrictions on abortion, from case to case, far more readily than they could announce overnight that they were dispossessing people of something they had once proclaimed as a “fundamental right.” That kind of news might be altogether too sensational for the public to receive.

A Slow Reversal

On the other hand, it was possible to preserve the façade or the shell of *Roe* even as the right to abortion was moderated, checked, scaled back, in a series of cases unfolded gradually. The chief justice caught this sense of things in *Casey*, in 1992, when he remarked that “while purporting to adhere to precedent, the joint opinion [written by Kennedy, O’Connor, and Souter] instead revises it. *Roe* continues to exist, but only in the way a storefront on a western movie set exists: a mere façade to give the illusion of reality.”

Justice Kennedy could earnestly explain that while he held to *Roe*, the right to terminate a pregnancy could not mean the right to kill a child at the point of birth, as in partial-birth abortion. Neither might it mean the right to kill a child solely because the child was afflicted with spina bifida or Down’s syndrome. Justice White was one of the original dissenters in *Roe*, but he once startled some of his colleagues by suggesting that he too could accept *Roe v. Wade* in a more modified construction. *Roe* could be scaled back to mean that there was a right to abortion in those rare instances where it might be justified—which means, for most people, when the life of the mother seems endangered.

But with that construal, the permission to perform abortions could be brought closer to its state in the common law before *Roe*. There is ample reason to believe that the public would agree with every step as abortions are subject to more restrictions. Over time, then, it would become less and less unthinkable that the final step could be taken and *Roe* cast aside, with a flick of the judicial wrist—if indeed there was even a need any longer to flick it aside.

Can Kennedy Find His Pro-Life Roots?

But all of that suggests a political design in which the burden of leading the change would not be left to the courts. A scheme of this kind would require a schedule of measures, an ongoing stream of legislative moves and executive orders, unfolding in sequence. All of them will be challenged in the courts, and the task of Kennedy and his colleagues would simply be to use their arts to sustain them, one by one. For that work Kennedy would be eminently suited, both in his skills as a judge, and in the convictions that were once

planted within him, the conviction that he may be pleased to summon once again.

But in the annals of finesse, the maneuver that should be preserved in legend and song was the move carried through subtly by Lyndon Johnson to remove Nicholas Katzenbach from the Department of Justice. Johnson lured Katzenbach into the State Department, with the expectation, fed by rumors, that Dean Rusk would soon be retiring. Katzenbach would be in place then to become secretary of state, and Katzenbach languished in the department, waiting for the promotion that never came. At the same time, however, the departure of Katzenbach managed to remove, from the Department of Justice, the last loyalist attached to Bobby Kennedy.

If a Republican president were elected, and the conservative judges were reinforced, Justice Kennedy might discover again the interests that made him part of a ruling coalition, perhaps even a shaper and leader of that coalition. That ambition might be encouraged. But in the strange alchemy of success, the chief justice too may find his own morale lifted, as he comes to be the leading figure again of a majority buoyed by new members. Suddenly, the art of exercising power may become fun again, and the chief may decide to stay on after all. For Justice Kennedy, that chief justiceship may not arrive, and yet there would be consolations. He may discover a certain satisfaction in finding his way back to the convictions that once settled easily with his character; and in discovering again home ground, he may be surprised by the quiet joy of meeting again his better self.

APPENDIX C

[Richard Stith, a professor of law at Valparaiso University, holds a PhD. in religious studies as well as a law degree from Yale. This essay appeared in the April 1, 2000, issue of America magazine. (©2000 by America Press. All rights reserved. Used with permission.)]

Candor and the Court

Richard Stith

Responding to conflicting appellate court decisions, the United States Supreme Court is now reviewing the constitutionality of the bans by some states on “partial-birth” abortion. Because of the unusually graphic candor found in those prior decisions, the Supreme Court will confront as never before the violent nature of mid- and late-term abortion.

In the 1973 case of *Roe v. Wade*, the U.S. Supreme Court decided that states may not defend the prohibition of abortion on the basis of a “theory” that life begins sometime *before* birth. However, the court explicitly avoided addressing the issue of whether states may prohibit killing a fetus *during* birth.

Some physicians have been going further than *Roe* and have been killing during induced delivery. They pull the fetus feet first almost out of the mother’s body and then vacuum up its brain. In response to widespread public revulsion, state and federal legislatures have voted by large majorities to ban such “partial-birth” abortions.

For example, a law passed in Nebraska that is the only measure directly under review by the Supreme Court forbids “an abortion procedure in which the person performing the abortion partially delivers vaginally a living unborn child before killing the child and completing the delivery.” In the fall of 1999, this and similar legislation in other states was struck down by Judge Richard Arnold (once mentioned as a likely Clinton nominee to the U.S. Supreme Court), writing for the U.S. Court of Appeals for the Eighth Circuit. Shortly thereafter, however, nearly identical laws were upheld by the Seventh Circuit, based in Chicago, despite a passionate dissent by the court’s chief judge, Richard A. Posner, a leading proponent of what is called the law-and-economics school that analyzes legal questions in economic terms.

Judge Arnold did not claim that what the Nebraska statute protected were lives only in “theory” as *Roe* had asserted in striking down earlier anti-abortion laws. Indeed, he differs from *Roe* in pointing out that even in mid-pregnancy abortion takes a life, and often does so during partial delivery. The ban on killing a “living unborn child” during “delivery” must be struck down precisely because, he says, that is exactly what happens in the standard second-trimester abortions that the law now permits.

Judge Arnold gives a graphic description of what really happens in the abortions he defends:

In a D&E procedure, the physician inserts forceps into the uterus, grasps a part of

the fetus, commonly an arm or a leg, and draws that part out of the uterus into the vagina. Using the traction created between the mouth of the cervix and the pull of the forceps, the physician dismembers the fetal part which has been brought into the vagina, and removes it from the woman's body. The rest of the fetus remains in the uterus while dismemberment occurs, and is often still living.... [Even in] a suction-curettage procedure where the fetus does not remain intact, part of the fetus which is still living may be drawn into the vagina before demise occurs.

Ordinary abortions must be considered "partial-birth" procedures, according to Judge Arnold, whenever the fetus dies after the physician "delivers" a part, such as an arm or a leg. But how did the judge know that the dismembered fetus is "often still living"? Because, according to testimony at the trial court that Judge Arnold cited, the aborting physician can in these cases see on his ultrasound monitor that the child's heart is still beating.

In his dissent from the Seventh Circuit Court, Judge Posner likewise emphasizes the great similarity between partial-birth abortion and other abortions, though he focuses on the identity not of technique but of outcome:

From the standpoint of the fetus, and, I should think, of any rational person, it makes no difference whether, when the skull is crushed, the fetus is entirely within the uterus or its feet are outside the uterus. Yet the position of the feet is the only difference between committing a felony and performing an act that the states concede is constitutionally privileged... [T]here is no meaningful difference between the forbidden and the privileged practice. No reason of policy or morality that would allow the one would forbid the other.

Judge Posner then goes on to make what he calls "line drawing" between partial birth and complete birth: "Once the baby emerges from the mother's body, no possible concern for the mother's life or health justifies killing the baby. But as long as the baby remains within the mother's body ... [there is] a right of abortion."

But by Judge Posner's own reasoning, this line seems as easily erasable as the one he has just criticized. "From the standpoint of the fetus," it makes no difference whether the killing takes place just outside or just inside the uterus.

In his conclusion, Judge Posner returns to what he calls the "gruesome" quality of all late abortions:

I do not mean to criticize anyone who believes, whether because of religious conviction, nonsectarian moral conviction, or simply a prudential belief that upholding the sacredness of human life whatever the circumstances is necessary to prevent us from sliding into barbarism, that abortion is always wrong and perhaps particularly so in late pregnancy, since all methods of late-term abortion are gruesome.... But what is at stake in these cases is whether the people who feel that way are entitled to coerce a woman who feels differently to behave as they would in her situation.

What will be the political effect of this candor manifested by both the judges quoted? The U.S. Supreme Court for many years inhibited serious discussion of abortion by using its immense prestige to encourage doubt about what abortion actually does. Ironically, opponents of partial-birth abortion were able to use this

APPENDIX C

doubt to their legislative advantage. Judge Posner in his dissent points out incisively that....

Public support for the [partial-birth abortion bans] was [in part] based ... on sheer ignorance of the medical realities of late-term abortion. The uninformed thought the [partial-birth] procedure gratuitously cruel, akin to infanticide; they didn't realize that the only difference between it and the methods of late-term abortion that are conceded all round to be constitutionally privileged is which way the fetus's feet are pointing.

By remedying this public ignorance with their candor, Judge Arnold and Judge Posner may make partial-birth abortion as acceptable as ordinary abortion. Of course, there may emerge a contrary consistency. A newly informed public could shift the other way, deciding that ordinary mid-pregnancy abortion is as unacceptable as partial-birth abortion. Facing for the first time a candid lower-court description of its handiwork, perhaps even the Supreme Court might begin to change its mind about abortion.



“CLEAN-UP, AISLE FOUR!”

APPENDIX D

[The following is taken from the Maggie Gallagher column of April 18 (© 2000 Distributed by Universal Press Syndicate. Reprinted with permission. All rights reserved).]

She's Not Doc's Only Victim

Maggie Gallagher

Here's the story (those of you with weak stomachs, avert your eyes):

A 31-year old divorced nurse in the Bronx has an affair with 44-year-old Dr. Stephen Pack. The nurse lives with her toddler and her parents in a modest Cape Cod in Thornwood. Dr. Pack lives with his doctor-wife and family in very tony Chappaqua. Very tony, as in Hillary lives there. You got that part of the picture?

The nurse gets pregnant. Dr. Pack doesn't want to be Daddy to a kid in Thornwood by a woman not his wife. Now if you ask me, he should have thought of that before he committed adultery. It shouldn't be any surprise to doctors or nurses that sex leads to babies.

On the other hand, in a world where pregnancy is supposed to be legally and morally optional for women, you can see his repulsive point of view, sort of: What about his constitutional right to choose not to be a father?

According to the Post, the nurse is supposed to have flung in Dr. Pack's face his lack of legal options: "She told me that 17 percent of what you make belongs to me now," Pack complained to a friend. Pack has reportedly been having marital problems. (If he hadn't before, he sure is now.) So maybe he knows how unfair the law is: Each mother gets 17 percent of a man's income for the first child, but less and less for each additional child. So now he owes even more to his partner in adultery than he would if he had gotten his own wife pregnant with a third child. Does this make sense?

Dr. Pack is filled with rage: This woman who spread her legs for the affair won't do it again for the abortion. He grabs two syringes with methotrexate, an abortifacient. He finds the nurse in a garage. He throws her to the ground and injects her six times. "I'm giving you an abortion! You are such a b—!" he screams at her. Security guards chase him down, but not before the doctor neatly disposes of the two needles properly, in a medical-waste container.

They got the nurse medical treatment immediately, and it looks like her unborn child will live, thank God. But methotrexate causes potentially serious birth defects. We don't know yet whether the unborn child has been mutilated by his father.

Now let me ask you a serious question: What exactly is Dr. Pack's crime? Assault and battery against the mother, of course. But is that all? A number of states have passed laws making it a felony to attempt to kill a fetus. These laws specifically exempt women seeking to abort their own unborn children. In Congress, similar legislation at the federal level passed the House and is pending Senate approval.

When that bill was introduced last fall, the ACLU screamed bloody murder. The

APPENDIX D

pro-choicers don't want laws against killing fetuses, even wanted ones. The crime should be terminating a pregnancy, not a life. "Enhanced penalties [for terminating a pregnancy against a mother's will] would focus the criminal law where it should be: on the especially devastating loss or injury to the woman that occurs when her pregnancy is compromised," said the ACLU spokesman.

Let's think about that for a minute. Certainly the poor nurse suffered an appalling assault on her body and her pregnancy. But are her loss and injuries really the only ones? It is the baby, not the mother, who may suffer terrible lifelong physical defects. It is the baby's life, not the mother's that was endangered.

Hard, horrifying cases like these reveal certain simple biological truths. There is not one, but two violated bodies, and two injured victims here, each of whom cries for justice. Are our hearts too hardened by abortion politics to make the punishment fit the crime?

SUBSCRIPTIONS AND BOUND VOLUMES

Subscriptions: the *Human Life Review* accepts regular subscriptions at the rate of \$20 for a full year (four issues). Canadian and all other foreign subscriptions please add \$5 (total: \$25 U.S. currency). Please address all subscription orders to the address below and enclose payment with order. You may enter gift subscriptions for friends, libraries, or schools at the same rates.

Additional Copies: this issue—Nos. 2 & 3, Volume XXVI—is available while the supply lasts at \$8 per copy; 10 copies or more \$5 each. A limited number of back issues from 1996 to this year are also available at the same prices. We will pay all postage and handling.

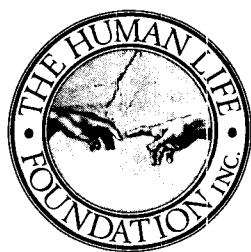
Bound Volumes: we still have available bound volumes of the years 1990 through 1998 at \$50 each. The volumes are indexed, and bound in permanent library-style hardcovers, complete with gold lettering, etc. (they will make handsome additions to your personal library). Please send payment with order to the address below. We will pay all postage and handling.

Earlier Volumes: while several volumes are now in very short supply, we can still offer most of the volumes for the first 16 years (1975-1989) of this review at \$50 each.

Selected articles from the current issue of the *Review* are available on our website, www.humanlifereview.com. Articles from recent issues can also be accessed, in whole or in part, from the CD-ROM database of **Information Access Company** (362 Lakeside Drive, Foster City, California 94404).

Address all orders to:

**The Human Life Foundation, Inc.
215 Lexington Avenue, 4th Floor
New York, New York 10016**



Index

the
HUMAN LIFE
REVIEW

Volume XXVI
2000



Index: The Human Life Review, Volume XXVI, 2000

The code for all references is:

W (Winter), SP (Spring), SU (Summer), F (Fall) issues
followed by the page number for that issue.

Titles in **bold face** indicate articles which appeared in this *Review*.

A

abortion W: 89-98, 113-118, 123-124, **SP/SU**:
7-28, 33-36, **SP/SU**: 91-98, 125-159, 163-171,
175-176, F: 15-26, 27-37, 47-54, 63-85, 130-132
 and the Democratic Party
 W: 7-14, **SP/SU**: 160-162
 in Ireland
 F: 38-46
 partial birth
 W: 92-97, 100-102, **SP/SU**: 5-6, 172-174,
 F: 86-129, 133-134
 physical complications of
 SP/SU: 12-15
 as population control
 W: 15-25
 Protestant views on
 F: 42-44
 and rape
 W: 3, 26-29
Abortion Act of 1967 (UK) F: 44
Abortion as a Sacramental Moment?
 Paul W. McNellis, S.J., **SP/SU**: 132-134
The Abortion Rules
 Steven Mosher, **SP/SU**: 137-146
An Act of Judicial Infamy
 George F. Will, F: 133-134
Ad Hoc Committee in Defense of Life W: 96
Adler, Mortimer, **SP/SU**: 92
"Affirming the Sanctity of Human Life," W: 95
Albert Report F: 139
American Association for the Advancement of
Science W: 4, 53, 57-58, 61-62, 68, 81, F: 64-
75
American Civil Liberties Union (ACLU) **SP/SU**:
34-36

American College of Obstetricians and
Gynecologists (ACOG) F: 95
American Enterprise W: 103, 104
American Eugenics Society W: 52, 57-59, 62,
64-66, F: 64, 67
American Journal of Psychiatry W: 35
American Medical Association (AMA) F: 56-57,
101, 110, 121, 134
And Then I Heard the Heartbeat
 Meredith Berkman, W: 127-128
Anderson, George M., S.J. **SP/SU**: 81-86
animal rights **SP/SU**: 37-45
Anthony, Susan B., W: 125-126
Appleton, Joan, **SP/SU**: 12, 20, 22
Arkansas Right to Life W: 11
Arkes, Hadley
 A Season for Chameleons: Abortion
 and the Court **SP/SU**: 163-171
 Millennial Blues, Cautious Hopes W: 99-
102
 On the Born-Alive Infants Protection
 Act of 2000 F: 15-26
Arnold, Judge Richard, **SP/SU**: 172-174
Ashcroft, John, W: 119
assisted suicide W: 111-112
 in Oregon
 SP/SU: 117-123
Associated Press F: 30

B

Badinter, Elisabeth
 and *The Unopposite Sex: The End of the*
 Gender Battle F: 51
Barbee, Lloyd, W: 39
Barrett, Cynthia, **SP/SU**: 122

Behe, Dr. Michael J.
*and Darwin's Black Box: The Biochemical
 Challenge to Evolution W: 49*
 Bell, Gary, F: 50
 Bell, Joan Andrews, F: 28
 Benham, Flip, **SP/SU** :21
 Bennett, William J.
*and The Index of Leading Cultural
 Indicators SP/SU: 112-113*
 Bergen, Polly, F: 52
 Bergson, Henri, **SP/SU**: 93-94
 Berkman, Meredith
**And Then I Heard the Heartbeat W: 126-
 127**

Bernardin, Cardinal, **SP/SU**: 61-62
 bioethics **W**: 105
 Biological Sciences Curriculum Studies
 (BSCS) **W**: 59-62
 Blacker, C.P., F: 71
 Blackmun, Justice Harry, **W**: 114, F: 12
 Blakey, G. Robert, F: 28-29
Body Parts for Sale
 Mona Charen **W**: 103-104
 Boehm, Frank, M.D. F: 95-96
 Bomchill, Mark, **SP/SU**: 11, 14
 Bonnici, Father John, **W**: 96
 Bork, Robert H.
**Here Come the Judges: The Courts in
 the Balance F: 135-137**
 Born-Alive Infants Protection Act F: 3, 15-26,
 138-139
Boston Globe SP/SU: 134
 Boxer, Barbara, **W**: 100-101
 Boyd, Curtis, **SP/SU**: 15
 Bradley, Bill, **W**: 2, 8-10
 Bradley, Gerard V.
The Fantasy Life of Justices W: 119-122
 Braun, Debra, **SP/SU**: 20
 Brejcha, Tom, F: 28
 Brewer, Dr. David, **SP/SU**: 9, 17-19
 Breyer, Justice Stephen, F: 22
Britain's Cultural Conspiracy
 Lynette Burrows **SP/SU**: 99-108
Broadrick v. Oklahoma F: 101

Bryan, William Jennings, F: 74
 Buber, Martin, F: 49, 51
 Buck, Carrie, F: 80
 Buckley, William F. Jr.
**Cheering on the Survivors at the
 Oscars SP/SU: 135-136**
 Burrows, Lynette
**Britain's Cultural Conspiracy SP/SU: 99-
 108**
 Burt, Sir Cyril, F: 80
 Bush, George, W., **SP/SU**: 29, F: 7, 135
 Bybee, Rodger, **W**: 60

C

Caine, Michael, **SP/SU**: 135
 Callahan, Daniel, F: 56
 Callahan, Sidney, **W**: 126
 Campbell, C.G., **W**: 58
 Canady, Rep. Charles, F: 3, 15-17, 138
 Canavan, Francis S.J.
The Dying of the Mind SP/SU: 109-116
Candor and the Court
 Richard Stith **SP/SU**: 172-174
 capital punishment **SP/SU**: 29-30, 32-36, 81-
 82
Cardinal O'Connor, R.I.P.
 Michael Potemra, **SP/SU**: 72-74
 Carhart, Dr. Leroy, F: 86, 90-92, 94, 96
 Carruthers, Peter, **SP/SU**: 37
 Carter, Ann Hill, F: 53
 Casey, Alphonsus Liguori, **SP/SU**: 160
 Casey, Robert P., **SP/SU**: 4, 160
Catholic New York SP/SU: 50
Catholic World Report W: 17
 Charen, Mona
Body Parts for Sale W:103-104
Cheering on the Survivors at the Oscars
 William F. Buckley, Jr., **SP/SU**: 135-136
 Cheney, Kate, **SP/SU**: 120
 Chesterton, G. K., **W**: 99
The Cider House Rots
 Chris Weinkopf **SP/SU**: 125-131
The Cider House Rules—Not!

Maria McFadden, **SP/SU**: 125
 Clayton, Fay, **F**: 28
 Clinton Administration **W**: 24
 Clinton, Bill, **W**: 10-11, 93, 101, **SP/SU**: 167-168
 Coar, Judge David, **F**: 28
 Coelho, Tony, **W**: 7
Cohens v. Virginia **F**: 24
 Colglazier, Dr. E. William, **F**: 79
Commentary **W**: 4
 Committee on Population **F**: 77-78
 Compassion in Dying (CID) **SP/SU**: 119-120
 Confederate Flag debate **W**: 123-124
 Conklin, E.G., **W**: 57-58
A Consistent Ethic of Love
 Fr. Frank Pavone **SP/SU**: 58-63
 Coolidge, David Orgon, **SP/SU**: 113
 Cranford, Dr. Ronald, **F**: 61
 Crick, Francis, **W**: 76
Crisis **SP/SU**: 112-113
 Crouch, Stanley
 Mourning the Loss of Cardinal
 O'Connor **SP/SU**: 69-71
 Crow, James, **F**: 68
 Crutcher, Mark, **W**: 99
 Cruzan, Mary Beth, **F**: 56-57

D

Dads for Life **F**: 50
 Darrow, Clarence, **F**: 74
 Darwin, Charles, **W**: 47-49, 51, **F**: 63
 Daschle, Senator Tom, **W**: 7
 Davenport, C.B., **F**: 80
 Davis, Jefferson, **W**: 123
 Davis, Joy, **SP/SU**: 10, 14, 18
 Davis, Kingsley, **W**: 62, 67, **F**: 66-67
 de Beauvoir, Simone, **SP/SU**: 32
 Death with Dignity Act **W**: 30
Death-Lovers Unmasked
 Wesley J. Smith **W**: 111-112
 Decter, Midge
 A Revealing Pill **F**: 143-144
The Dehumanization of Robert Wendland
 Wesley J. Smith **F**: 55-62
 Delaware Women's Health Organization, Inc.

F: 27
 DeMarco, Donald, **SP/SU**: 3
 The Zygote and Personhood **SP/SU**: 91-98
 The Reality of Motherhood **F**: 47-54
A Democrat Who Never Stopped Championing the Weak
 Matthew Scully **SP/SU**: 160-162
 Derr, Mary Krane
 Pro-Life Feminism: Yesterday and Today **W**: 125-126
Dissent **W**: 13
 Dobzhansky, Theodosius, **W**: 65-66
 Dole, Bob, **SP/SU**: 50
 domestic partnerships **SP/SU**: 109-116
 Donaldson, Sam, **W**: 10
 Donovan, Mother Agnes Mary
 Interview from *America Magazine* **SP/SU**: 81-86
 Dreher, Rod, **W**: 17
 Dutch Health Council **W**: 32-33
 Dutch Pediatric Association **W**: 31, 33
 Dutch Pediatric Society **W**: 33
 Dyck, Arthur, J., **F**: 76
The Dying of the Mind
 Francis Canavan, S.J. **SP/SU**: 109-116

E

Eagleton, Tom, **W**: 11-12
 Ebner, Ferdinand, **F**: 51
 Eddington, Sir Arthur, **SP/SU**: 96
 Einstein, Albert, **SP/SU**: 95
 eugenics **F**: 63-85
 Eugenics Research Association **F**: 64
 Euthanasia Society of America **W**: 34-35
 euthanasia **F**: 55-62
 for children
 W: 3, 30-45
 in the Netherlands
 W: 31-35
 Everett, Carol, **SP/SU**: 8, 10, 13-14, 18
The Evolution of Genocide
 Rebecca Messall **W**: 47-75
 evolutionary theory **W**: 47-75

The Ex-abortionists: Why They Quit

Mary Meehan **SP/SU**: 7-28

F

FACE (Freedom of Access to Clinic Entrances act) **F**: 36

Faithful Citizenship: Civic Responsibility for a New Millenium **SP/SU**: 61-62

Family Planning Australia **F**: 22

The Fantasy Life of Justices

Gerard V. Bradley **W**: 119-122

Feingold, Russ, **F**: 134

Feldt, Gloria, **SP/SU**: 132

feminism in the UK **SP/SU**: 99-108

Feminists for Life **W**: 126

fetal parts, sale of **W**: 99-104

Fetrow, Judith, **SP/SU**: 8, 12, 16

Fieser, Louis, **F**: 81

Fitzsimmons, Ronald, **SP/SU**: 23-24

Floyd v. Anders **F**: 18

Frisby v. Schultz **F**: 102, 112, 115

From the Hunters Net: Excerpts from a Jewish/Catholic Dialogue on Partial Birth Abortion **W**: 96

G

Gallagher, Maggie

She's Not Doc's Only Victim **SP/SU**: 175-176

Gallup Organization **F**: 12

Galton Society **F**: 64

Galton, Sir Francis, **W**: 51, 56, **F**: 63

genetic engineering **W**: 76-87

genetic technology **W**: 76-87

George, Professor Robert, **W**: 101

Gersten, Chris, **W**: 93

Gilbert, Margaret Shea

and Biography of the Unborn **SP/SU**: 91

Girsh, Faye, **W**: 41, 43, 111

Glass, H. Bentley, **W**: 59-60, 62, 67, 81, **F**: 66, 68

Goldberger, Dr. Joseph, **F**: 80

Goldkamp, Richard J.

The Scheidler Case: Conning a Court

With RICO **F**: 27-37

Goodwin, Dr. Peter, **SP/SU**: 120

Gore, Al, **W**: 2, 7-12, **SP/SU**: 110-111, **F**: 7, 130-132, 135-137

Gould, Stephen Jay, **F**: 73-74

Graham, Lindsey, **W**: 101-102

Griswold v. Planned Parenthood **W**: 120-121

Gutmacher, Alan, **F**: 67

H

Haeckel, Ernst

and The History of Creation **W**: 55-56

Halpern, Dr. Arnold, **SP/SU**: 12

Hamburg, Dr. David A., **F**: 78

Hamilton, Catherine, **SP/SU**: 122

Handler, Philip, **F**: 76

Haynsworth, Judge Clement, **F**: 18

Hardin, Garrett, **W**: 59, **F**: 67

Haskell, Dr. Martin, **SP/SU**: 10

Hatch, Senator Orrin, **W**: 7

Hattersley, Lord, **SP/SU**: 106

Haught, John, **F**: **W**: 63

Heaney, Stephen J.

Prolife Voting: More Than a Hill of Beans
SP/SU: 147-159

Heidegger, Martin

and Being and Time **SP/SU**: 94

Here Come the Judges: The Courts in the Balance

Robert H. Bork, **F**: 135-137

Hemlock Society **W**: 41, 111, **SP/SU**: 122

Henry, Debra, **SP/SU**: 8, 18

Hentoff, Nat

Remembering Him **SP/SU**: 67-68

Hess, Rudolph, **W**: 4, 67

Hill, Dr. McArthur, **SP/SU**: 18

Hitler, Adolph, **W**: 52, 57-58

Holy Innocents

Maria McFadden **SP/SU**: 54-57

homosexual couples; (see also domestic partnerships) **SP/SU**: 110-116

homosexuality

media attitudes to **SP/SU**: 109-110

Hopkins, Fr. Peter, L.C. **W**: 26

Human Genome Project W: 76
Humphry, Derek, W: 111, **SP/SU**: 122
Humphrey, Hubert, W: 11
Huxley, Aldous, W: 85
Huxley, Sir Julian, W: 50, 55, 63-64
 and *Evolution: The Modern Synthesis* W: 51
Hyde Amendment W: 9

I

Ibsen, Henrik
 and *Peer Gynt* F: 51
The Illusion of Animal Rights
 David S. Oderberg, **SP/SU**: 37-45
In Response to Those Who Ask Why I Care about Abortion
 Richard Stith W: 113-117
Institute for American Values F: 141
Institute for Religious Values W: 93, 95-96
Institute of Medicine F: 78
International Academy of Humanism W: 86
International Anti-Euthanasia Task Force W: 3
International Conference on Population and Development W: 19
International Planned Parenthood Federation W: 15, F: 70

Ireland's Abortion Impasse
 David Quinn F: 38-46
Irish Medical Council F: 39
Irving, Dr. Dianne, W: 110
Irving, John, **SP/SU**: 124-135, 142-146

J

Jackson, Jesse, W: 8
Jacobson v. Massachusetts F: 98
Jarrett, Paul E. Jr., **SP/SU**: 7
Jefferson, Thomas, F: 81
Jensen, Arthur, F: 72
John Cardinal O'Connor, R.I.P.
 The Wall Street Journal **SP/SU**: 75-76
Johnson, Dr. Noreen, **SP/SU**: 18
Johnson, Margaret, **SP/SU**: 24-26
Jonas, Han, W: 79
Journal of the American Medical Association

W: 33

Just for Being

Jo McGowan **SP/SU**: 87-92

K

Kansas State Board of Education W: 47
Kansas v. Hendricks F: 97
Kass, Leon R., W: 106
 The Moral Meaning of Genetic Technology
 W: 76-87
Kennedy, Dr. Foster, W: 34-35
Kennedy, Justice Anthony, **SP/SU**: 164-165, 169-171, F: 89-103
Kevorkian, Jack, W: 112
Kidder, Margot, F: 52
Kids and Euthanasia
 Rita L. Marker, W: 30-45
Kinsey, Alfred C., W: 54-55
Konig, Susan Brady, **SP/SU**: 47
Koop, Dr. C. Everett, F: 121
Kovacs, Gab, F: 22
Krauthammer, Charles, W: 107
Kuhl, Stefan
 and *The Nazi Connection* W: 61
Kuhse, Helga, W: 37
Kyrillos, Senator Joseph, **SU**: 89-90

L

Laughlin, Harry, F: 80
Lautenberg, Frank, F: 134
Lazio, Rick, **SP/SU**: 30
Leahy, Michael, **SP/SU**: 37
Leo, John, **SP/SU**: 111
 The Sleeper Effect F: 140-141
 Time to Draw the Line on Abortion and Infanticide F: 138-139
Levatino, Dr. Anthony, **SP/SU**: 20-21
Lewis, C.S., W: 80, 106
Lieberman, Senator Joseph, W: 93-94, 101
Life W: 113
Life Issues Institute W: 99
Lifton, Robert J.
 and *Nazi Doctors* W: 55

Lincoln, Abraham, **SP/SU**: 167-168; **F**: 26
Living the Gospel of Life: A Challenge to American Catholics **SP/SU**: 61
 Locke, John, **F**: 25
 Longmore, Paul, **SP/SU**: 119
 Los Angeles *Times* **SP/SU**: 127

M

Madsen, Dina, **SP/SU**: 10-11
A Magnificent Ride
 Faith McFadden, **SP/SU**: 47-53
 Mahony, Cardinal Roger, **SP/SU**: 32-33
 Malthus, Thomas Robert, **W**: 48
 Marcel, Gabriel, **SP/SU**: 94
 Marie Stopes International **W**: 15
 Maritain, Jacques, **SP/SU**: 96
 Marker, Rita L.
 Kids and Euthanasia **W**: 30-45
 Marshall, Alexander, **W**: 17
 Matheny, Patrick, **SP/SU**: 121
 Mathewes-Green, Frederica
 Susan B. Anthony: Pro-Life Feminist **W**: 125-126
 May, William F. **W**: 108
 Mayr, Ernst, **W**: 54, 63, 67, **F**: 67
 McCorvey, Norma, **W**: 119, **SP/SU**: 21
 McFadden, Faith
 A Magnificent Ride **SP/SU**: 47-53
 McFadden, James P., **SP/SU**: 49
 McFadden, Maria
 Holy Innocents **SP/SU**: 54-57
 The Cider House Rules—Not! **SP/SU**: 124
 McGill Centre for Medicine, Ethics and Law **W**: 109
 McGovern, George, **W**: 11
 McGowan, Jo
 Just for Being **SP/SU**: 87-90
 McGrory, Mary, **F**: 130
 McMillan, Dr. Beverly, **SP/SU**: 8, 17, 20
 McNatt, Justice Bob, **F**: 59
 McNellis, Paul, W. S.J.
 Abortion as a Sacramental Moment? **SP/SU**: 132-134

Meehan, Mary **W**: 4
 The Ex-abortionists: Why They Quit **SP/SU**: 7-28
 What's Wrong With the Science Establishment? **F**: 63-85
Meet the Press **F**: 130
 Meilaender, Gilbert
 "Strip-Mining" the Dead **W**: 105-108
 Mengele, Josef, **W**: 61-62
 Menken, Professor Jane, **F**: 77
 Merle, Sandi, **W**: 5, **SP/SU**: 47
 Not My Rosary? **SP/SU**: 77-80
 Of Life, the Law, and Roses **W**: 89-98
 Messall, Rebecca
 The Evolution of Genocide **W**: 47-75
 Michelman, Kate, **W**: 7-8, 12, 23, **F**: 11-12
Millennial Blues, Cautious Hopes
 Hadley Arkes, **W**: 89-102
 Miller, Dr. James, **F**: 72
 Miller, Monica Migliorino, **F**: 28
 Milosevic, Slobodan, **W**: 17
 Mislovic, Alexej, **W**: 28
 Mondale, Walter F., **SP/SU**: 110
 Moore, John A.
 and *Developing Biological Literacy* **W**: 62-63
 and *Science as a Way of Knowing* **W**: 53-59, 62-63, 66-67
The Moral Meaning of Genetic Technology
 Leon R. Kass, **W**: 76-87
A Moral Muddle
 William Murchison, **SP/SU**: 29-36
 Morgenthau, Robert, **W**: 97
 Mosher, Steven
 The Abortion Rules **SP/SU**: 137-146
Mother Jones **SP/SU**: 132
 Mother Teresa, **F**: 8
 Motulsky, Arno G., **F**: 79
Mourning the Loss of Cardinal O'Connor
 Stanley Crouch, **SP/SU**: 69-71
 Muller, Hermann J., **W**: 54-55, 57, 62, 64-65
 Murchison, William
 The Party of Death **W**: 7-14
 A Moral Muddle **SP/SU**: 29-36

Rolling Back Roe F: 7-14
Murphy, Roseanne, W: 16
Murphy, Tim, F: 27, 33-34
Muskie, Edmund, W: 11
The Monday Club (UK) **SP/SU:** 100

N

Nadler, Jerrold, F: 138
Nathanson, Dr. Bernard, **SP/SU:** 17-20, 26
 and The Hand of God SP/SU: 16-17
 and The Silent Scream W: 98
National Research Council W: 53
National Abortion and Reproductive Rights Ac-
tion League (NARAL) W: 2, 8, 12, **SP/SU:** 23,
 F: 138
National Abortion Federation (NAF) **SP/SU:** 23,
 26, F: 143
National Academy of Sciences F: 64, 74-77, 79
National Bioethics Advisory Commission on
Cloning Human Beings W: 84
National Coalition of Abortion Providers (NCAP)
 SP/SU: 23
National Education Association F: 136
National Institutes of Health F: 77, W: 110
National Opinion Research Center F: 12
National Organ Transplant Act W: 105-106
National Organization for Women (NOW) **SP/**
 SU: 12, F: 27-30, 36-37
National Post (Canada) W: 109-110
National Right to Life W: 2, 101
National Science Education Standards (NSES)
 W: 52-54, 62-67
NATO W: 15
Nature Neuroscience W: 109
Neuhaus, Fr. Richard John, **SP/SU:** 36, 95-96
New England Journal of Medicine (NEJM) **SP/**
 SU: 118-119
New Life at the Expense of Another
 Mark Pickup W: 109-110
New York Daily News SP/SU: 48
New York Post W: 17, **SP/SU:** 47
The New Republic SP/SU: 115
New York Times W: 7, 33, 58, **SP/SU:** 29, 32,

48, 109-112

Newsweek W: 59
Nicholas, Dr. Mary, W: 95-96
Nitschke, Dr. Philip, W: 32, 42-43, 111
Nixdorff, Charles, W: 34
Nixon, Richard, W: 11
Norplant F: 78
Not My Rosary?
 Sandi Merle, **SP/SU:** 77-80
NOW v. Scheidler F: 27-37

O

O'Brien, Edwin, **SP/SU:** 47
O'Connor, John Cardinal, W: 91, **SP/SU:** 46-86
O'Connor, Justice Sandra Day, F: 122
Oderberg, David S.
 The Illusion of Animal Rights SP/SU:
 37-45
Of Life, the Law, and Roses
 Sandi Merle W: 89-98
O'Keefe, Katharine, W: 49-50
Olshansky, S. Jay, F: 71-72
On the Born-Alive Infants Protection Act of
2000
 Hadley Arkes, F: 15-26
Opening Lines, Inc. W: 103
Operation Rescue **SP/SU:** 21, F: 28, 30
Organ Transplantation W: 105-110
Osborne, Frederick, F: 70-71, 75

P

pacte civil de solidarite (PACS) (France) **SP/SU:**
 112
Pain Relief Promotion Act W: 112
Partial Birth Abortion Act F: 113-114
The Party of Death
 William Murchison W: 7-14
Pavone, Fr. Frank
 A Consistent Ethic of Love SP/SU: 58-
 63
Pendley, Hellen, **SP/SU:** 11, 12-14, 16, 18, 20
Peters, Thomas, W: 107
Phillips, Melanie

and The Sex Change Society: Feminised Britain and the Neutered Male **SP/SU**: 99
Physicians for Compassionate Care **SP/SU**: 122
Pickup, Mark

New Life at the Expense of Another W:
109-110

Pinker, Steven, **W**: 4
Planned Parenthood **W**: 113, **SP/SU**: 21, 127,
132, 160, **F**: 67-68

Planned Parenthood of Central Mo. v. Danforth
F: 121

Planned Parenthood v. Casey **W**: 119-121, **SP/**
SU: 163-164, **F**: 12, 87-89, 92-97, 102, 116, 118,
120, 122, 124

Planned Parenthood v. Ashcroft **F**: 18

Podhoretz, Norman, **F**: 137

Pope John Paul II, **W**: 18-19, **SP/SU**: 33-34, 165

Population Research Institute (PRI) **W**: 15

Posner, Judge Richard, **SP/SU**: 172-174

Potemra, Michael

Cardinal O'Connor, R.I.P. **SP/SU**: 72-74

Potts, Dr. Malcolm, **SP/SU**: 93

PRI Review **W**: 17

Pro-Life Action League of Chicago **SP/SU**: 7-8,
F: 27

Pro-Life Action Ministries **SP/SU**: 20

Prolife Voting: More Than a Hill of Beans

Stephen J. Heaney, **SP/SU**: 147-159

Q

Quinn, David

Ireland's Abortion Impasse **F**: 38-46

Quinn, John, **SP/SU**: 50

R

Randall, Dr. Joseph, **SP/SU**: 9

rape **W**: 26-29

Reader's Digest **SP/SU**: 91

Reaffirmation of the Pastoral Plan for Pro-Life Activities **SP/SU**: 61

The Reality of Motherhood

Donald DeMarco **F**: 47-54

Reaves, Jessica, **F**: 132

Rehnquist, Justice William, **SP/SU**: 165

Remembering Him

Nat Hentoff **SP/SU**: 67-68

Resolution on Abortion **SP/SU**: 61

A Revealing Pill

Midge Decter **F**: 143-144

Richardson, Dr. Robert **SP/SU**: 121

Richmond Medical Center for Women v. Gilmore
F: 101

RICO **F**: 28-29

Robinson, Mary, **W**: 20

Rockefeller, John D., III **F**: 75

Roe No More Ministry **SP/SU**: 21-22

Roe v. Wade **W**: 47, 119-120, **SP/SU**: 152, 167-
168, **F**: 9-14, 24, 89-90, 118

Rolling Back Roe

William Murchison **F**: 7-14

RU-486 **F**: 143-144

Rudin, Ernst, **W**: 57

Rudman, Warren, **SP/SU**: 168-169

Ruse, Austin

UN Pro-Life Lobbying: Full Contact Sport
W: 15-25

Russert, Tim, **F**: 130

Ryan, George, **SP/SU**: 35

S

San Francisco *Examiner* **SP/SU**: 110

Sanger, Margaret, **W**: 51

Santorum, Rick Sen., **W**: 100-102, **F**: 134

Sauer, Dr. Pieter, **W**: 31

Saunders, Dame Cecily, **W**: 112

Scalia, Justice Antonin, **SP/SU**: 165, **F**: 86-89

The Scheidler Case: Conning a Court With RICO

Richard J. Goldkamp, **F**: 27-37

Scheidler, Joseph M., **SP/SU**: 2, 7, 22, **F**: 27,
33, 36-37

Scholberg, Andy, **F**: 27

Schuman, David, **SP/SU**: 121-122

Schumer, Senator Charles, **W**: 7

Schwartz, Stephen, **SP/SU**: 96

Schweitzer, Albert, **SP/SU**: 142

Scruggs, Stirling, W: 17
 Scruton, Roger, **SP/SU**: 37
 Scully, Matthew
 **A Democrat Who Never Stopped
 Championing the Weak SP/SU**: 160-162
**A Season of Chameleons: Abortion and the
 Court**
 Hadley Arkes, **SP/SU**: 173-171
 Seidman, Michael, W: 119-120
 sexual revolution **SP/SU**: 109
 Shafer, Brenda Pratt, **SP/SU**: 9-10
 Shanahan, Corrie, W: 17
 Shapiro, Harry L., W: 66-67
She's Not Doc's Only Victim
 Maggie Gallagher, **SP/SU**: 175-176
 Siess, Jane, F: 59
 Singer, Dr. Eric, W: 35-36
 Singer, Peter, W: 35-39, **SP/SU**: 38, 44-45
 Sisters of Life **SP/SU**: 81-86
**The Sisters of Life: An Interview With Agnes
 Mary Donovan SP/SU**: 81-86
The Sleeper Effect
 John Leo F: 140-141
 Smith, Cheryl K., W: 41
 Smith, Wesley J.
 Death-Lovers Unmasked W: 111-112
 **The Dehumanization of Robert
 Wendland F**: 55-62
 **Under Oregon's Iron Shroud: Real
 People, Real Deaths SP/SU**: 117-123
 Smocovitis, Vassiliki Betty
 and *Unifying Biology: Evolutionary Biology
 and The Evolutionary Synthesis W*: 50, 64-65
 Society for the Study of Evolution W: 65
 Society for the Study of Social Biology (SSSB)
 W: 61, F: 64, 77, 79
 Soloveichik, Meir
 A Yarmulke at the March SP/SU: 64-66
 Somerville, Dr. Margaret, W: 109
 Sowell, Thomas, F: 136
 Sparks, Kathy, **SP/SU**: 19-20
 Sperduto, Dr. Andrea, W: 35
 Spragens, Thomas A.
 and *The Irony of Liberal Reason SP/SU*: 116

Standing Together to Oppose Partial-Birth
 (STOP) W: 5, 93
 Staneck, Jill, F: 138
Stars, Bars & Choice
 Chris Weinkopf W: 123-124
 Stein Research Institute W: 95
 Stein, Ben, W: 95
 Steinfelds, Margaret O'Brien
 "Democrats and Catholics" W: 13
Stenberg v. Carhart SP/SU: 5, F: 22, 86-129
 Stern, Dr. Curt, F: 76
 Stevens, Justice John Paul, F: 86
 Stith, Richard
 Abortion and the Court SP/SU: 172-174
 **In Response to Those Who Ask Why I
 Care About Abortion W**: 113-118
Strip-Mining the Dead
 Gilbert Meilaender, W: 105-108
 Sullivan, Andrew, **SP/SU**: 115
 Summit Women's Health Organization F: 27
 Supreme Court F: 135-137
Susan B. Anthony: Pro-Life Feminist
 Frederica Mathewes-Green, W: 125-126

T

A Teachable Moment Lost on Gore
 Chris Weinkopf, F: 130-132
 Terry, Randall, F: 28
Testimony of a Nun
 Fr. Peter Hopkins, L.C., W: 26-29
 Thomas, Justice Clarence, F: 103-124
 Thomson, Judith Jarvis, F: 47-48
 Tiller, George, **SP/SU**: 9, 15
Time W: 11, 58, **SP/SU**: 110
**Time to Draw the Line on Abortion and
 Infanticide**
 John Leo F: 138-139
 Tivis, Luhra, **SP/SU**: 9, 11, 15
 Tooley, Michael, **SP/SU**: 95
 Tucker, Thomas, **SP/SU**: 14-15

U

UN Pro-Life Lobbying: Full Contact Sport

Austin Ruse, **W**: 15-25
Under Oregon's Iron Shroud: Real People, Real Deaths
Wesley J. Smith, **SP/SU**: 117-123
United Nations Population Fund (UNFPA) **W**: 2-3, 15-18
University of Iowa College of Law **W**: 40

V

van Leeuwen, Evert, **W**: 33
Vanity Fair **SP/SU**: 49
Versluys, Dr. Zier, **W**: 33
Vertrusc, Sister Lucy, **W**: 26-29
Von Verschuer, Dr. Otmar, **W**: 61-62

W

Waite, Linda
and The Case for Marriage **F**: 141
Wall Street Journal
John Cardinal O'Connor, R.I.P. **SP/SU**: 75-76
Wallerstein, Judith
and The Unexpected Legacy of Divorce **F**: 140-141
Walzer, Michael, **W**: 106
Warren, Chief Justice Earl, **F**: 12
Washington Post **SP/SU**: 26
Washington Times **W**: 63
Watson, James D., **W**: 76
Weinkopf, Chris
A Teachable Moment Lost on Gore **F**: 130-132
Stars, Bars & Choice **W**: 123-124
The Cider House Rots **SP/SU**: 125-131
Wendland, Robert, **F**: 55-62
What's Wrong With the Science Establishment?
Mary Meehan **F**: 63-85
White, Jeff, **W**: 109
Whitten, Nina, **SP/SU**: 11-12, 15, 19
Wiesenthal, Simon, **W**: 38
Will, George F.
An Act of Judicial Infamy **F**: 133-134

Willke, Jack and Barbara, **W**: 99
Wilson, James, **SP/SU**: 165-166
Wilson, Warren, **F**: 34-35
Wilt, Judith
and Abortion, Choice, and Contemporary Fiction: The Armageddon of Maternal Instinct
F: 51

Wittgenstein, Ludwig, **F**: 49
Wolf, Susan M., **W**: 43
World Health Organization **W**: 23

Y

Yard, Molly, **SP/SU**: 20
A Yarmulke at the March
Meir Soloveichik **SP/SU**: 64-66

Z

The Zygote and Personhood
Donald de Marco **SP/SU**: 91-98
zygote development **SP/SU**: 91-98