

the HUMAN LIFE REVIEW



SUMMER 2003

Featured in this issue:

Ellen Wilson Fielding on Breeding Contempt
Maria McFadden on The Story of Us
Mary Ann Glendon on The Women of *Roe*
David Quinn on The Eurocrats Are Coming
Lori Brannigan Kelly on Pro-Life on Campus
Randy Boyagoda on . . . Pro-Life, Pro-Choice, Pronouns
Mary Meehan on Democrats for Life

Also in this issue:

Hadley Arkes • Maggie Gallagher • Patrick Buchanan
Kathleen Parker • Wesley J. Smith • Kathryn Jean Lopez

Published by:

The Human Life Foundation, Inc.

New York, New York

Vol. XXIX No. 3

\$7.00 a copy

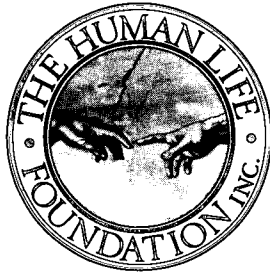
ABOUT THIS ISSUE . . .

. . . the disconnect between hard-wired abortion elites and what an old Apple Computer ad campaign memorably called “the rest of us” is reaching grotesque proportions. A July 2 story in the *Washington Times*, for example, reported that “fifty-one percent of women surveyed by the Center for the Advancement of Women [headed up by former Planned Parenthood president Faye Wattleton] said *the government should prohibit abortion or limit it to extreme cases, such as rape, incest, or life-threatening complications*” (my emphasis). But that didn’t stop the *New York Times* from branding David Pryor, the pro-life attorney general of Alabama and Bush federal court nominee, an “extremist,” whose views “fall far outside the political and legal mainstream” (July 23). To *New York Times* editors, and Senate Democrats now filibustering Pryor’s nomination, “mainstream” means partial-birth abortion. How did it come to this? Long-time contributor (and political independent) Mary Meehan reminds us that pro-lifers once held real power in the Democratic Party; they are not, she suggests, totally without blame for its having become the party of abortion (“Democrats for Life,” page 63).

Academia is another elite (and Democratic) stronghold. But even in the groves of Harvard one finds Mary Ann Glendon, law school professor and ardent advocate for the unborn. “The Women of *Roe v. Wade*” (page 31), which thanks to *First Things* we reprint here, is the most succinct discussion we’ve seen of the historical and legal context in which *Roe* was so disastrously decided. Meanwhile, Lori Brannigan Kelly (“Pro-Life on Campus,” page 47) and Randy Boyagoda (“Pro-life, Pro-choice, Pronouns,” page 59) have good news about college students—while it may not always be apparent, many are open to embracing a culture of life. Indeed current polls show young people to be more pro-life than their parents. And may they continue to be because, as senior editor Ellen Wilson Fielding observes in “Breeding Contempt” (page 7), science, too, is suffering elite creep. “Today’s mad scientists,” she warns, are pushing a cloning agenda which, if left unchecked, will eradicate our notion of what it means to be human. Over in Ireland, contributor David Quinn worries about unchecked *political* agendas, namely attempts by the European Union to usurp the power of the nation-state (“The Eurocrats Are Coming,” page 39).

The late J.P. McFadden founded this journal to check the great abortion offensive launched by the elite progenitors of *Roe v. Wade*. “Good writing can win battles,” he insisted, “great writing whole wars.” In “The Story of Us” (page 17), editor Maria McFadden recounts her father’s engagement in the pro-life cause, which began as he read the text of *Roe* in the January 23, 1973 edition of the *New York Times*, and ended on October 17, 1998, when the cancer he’d wrestled with for five years finally bested him. But not his *Human Life Review*, a 28-year-old weapon which Maria and Faith McFadden, and the rest of us, will continue to load with great material.

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 L. Marker

William McGurn

George McKenna

Mary Meehan

David Quinn

Wesley J. Smith

Business Manager

Rose Flynn DeMaio

Production Manager

Ray Lopez

Publishing Consultant

Edward A. Capano

Founding Editor

J.P. McFadden

the HUMAN LIFE REVIEW

Summer 2003

Vol. XXIX, No.3

Introduction 2
Maria McFadden

Breeding Contempt 7
Ellen Wilson Fielding

The Story of Us 17
Maria McFadden

The Women of Roe v. Wade 31
Mary Ann Glendon

The Eurocrats Are Coming 39
David Quinn

Pro-Life on Campus 47
Lori Brannigan Kelly

Pro-Life, Pro-Choice, Pronouns 59
Randy Boyagoda

Democrats for Life 63
Mary Meehan

Appendices 82

Hadley Arkes
Maggie Gallagher
Patrick Buchanan
Kathleen Parker
Wesley J. Smith
Kathryn Jean Lopez

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. Edi-
torial and subscription inquiries, and requests
for reprint permission should be sent directly
to our editorial office. Subscription price: \$25
per year; Canada and foreign \$30 (U.S. cur-
rency). ISSN 0097-9783.

©2003 by THE HUMAN LIFE FOUNDATION, INC.
New York, N.Y. Printed in the U.S.A.

INTRODUCTION

“SOMEDAY, THE FIRST CLONED HUMAN BABY will emerge from the human birth canal and emit a cry so fraught with significance that it will leave no corner of the cosmos silent.” Ellen Wilson Fielding’s words, from our lead article, “Breeding Contempt,” are themselves fraught with meaning: They take as a given the arrival of a cloned baby, and speak of a human race hurtling towards “progress” that may blow apart our understanding of what it *means* to be human. In her piercing look at “today’s watershed issue,” cloning, Fielding takes us back to *Roe v. Wade*, and the simple truth about abortion: that accepting it has bred contempt for human life in *all* its stages, as evidenced by the human life controversies society has been grappling with ever since it became legal. Our acceptance of abortion conflicts with reality (that abortion is *wrong*: “philosophically and biologically as well as morally . . . wrong in the sense that an incorrect answer on a math test is marked ‘wrong’”); “the abortion mentality thereby set free expresses itself in reduced respect for innocent human life.” A split from reality has also opened doors to the “‘mad scientist’ self-delusion that we too can be creators”—thus the march toward cloning.

The *Human Life Review* was founded in 1975 to give a platform to those who would defend the unborn. Fielding’s essay is a beautiful example of the kind of powerful writing we have published over the years. In this, our third issue of 2003, the 30th anniversary of the *Roe* decision continues to spur reflections on the pro-life movement, and is evident in Fielding’s and several of the following articles. For the staff here at the *Review*, this year and the present season usher in a somber anniversary as well. October 17th will mark the fifth anniversary of the death of our Founding Editor (and my father) James P. McFadden. (He was 68 years old, cruelly young, it seems, for those of us who mourn him.) I thought it appropriate therefore to include an adapted version of a speech I gave last year to the Long Island Pro-Life Coalition. I had been asked to tell the *Review*’s story; of course in recounting that, I told a good part of my father’s story as well. “The Story of Us” begins on page 17, opposite a famous photo of J.P. at his trusty typewriter, his pipe-smoke swirling around him. I hope those of our readers who knew him will especially enjoy the look back.

Our next article, “The Women of *Roe v. Wade*,” is written by Professor Mary Ann Glendon, the Learned Hand Professor of Law at Harvard University, and author of many books, including the seminal *Abortion and Divorce in Western Law*. Professor Glendon takes a broad and fascinating look at both the causes and the effects of *Roe*, as well as *Doe v. Bolton* (decided, of course, on the same day) which she thinks “was the more ominous of the two decisions.” She examines the “peculiar form of feminism that took shape in the 1970’s” which had “emboldened the Court majority” to go as far as it did with both decisions, a “puzzling combination”

of “anger against men and promiscuity.” But she makes a salient point: “When reading *Roe* and *Doe*, it is surprising to see how little they have to say about protecting women and how much they have to do with protecting doctors.”

Though the 70’s-style feminist ideology still “lives on in law and policy,” Glendon sees hope in a new feminism very much evident today, in which women are rejecting abortion as an answer. Interestingly, as you will read in the appendices section, the plaintiffs in both *Roe* and *Doe* have filed legal appeals to have “their” cases overturned, on the grounds that they were deceived by their lawyers and that the decisions have caused incalculable harm.

We now hear from our esteemed Irish contributor David Quinn, who has just become correspondent for religious and cultural affairs at *The Irish Independent*. He has sent us an article on a tremendously important subject, the European Union. As Quinn opens: “For most people in Europe, the European Union is out of sight and out of mind. For Americans it is the same, only far more so.” But stop right there, he warns: “Like it or not, the U.S., along with every other country on the planet, is being inexorably tied into a network of international treaties and organizations that are robbing the traditional nation-state of much of its freedom of action.”

Quinn gives the reader a valuable lesson in the history and nature of the EU, and writes specifically about an area that most concerns him, and ought to worry the international pro-life community—Ireland’s abortion law. He takes a powerful case in point: Many Irish citizens may not even be aware of it, but thanks to an EU law (EU laws are called “regulations”) which was a response to the United Nations’ Cairo and Cairo plus 5 conferences, the Irish government has “signed up” her citizens to fund “reproductive services” in developing countries that will likely include abortions, funding that clashes with the Irish constitution’s protections for the unborn. As Quinn explains, even if Ireland had objected, “anything passed into law by the EU automatically supersedes anything in Irish law” when it is a matter of how Irish money is used overseas. This is just one example of the potential danger the EU poses for religious freedom as well as for family and pro-life issues. As you’ll read, to meet the threat of a “*Roe v. Wade*”-style decision by the European Court of Justice,” Quinn urges “pro-life and pro-family groups” to “think beyond the nation-state and organize at the EU level.”

It is time to refresh the reader with news that’s unequivocally *good*: Lori Brannigan Kelly, writer and mother of three from Walpole, Massachusetts, became interested in the idea of doing a survey of pro-life activity on college campuses. She compiled a series of questions, sent them out and analyzed the responses; her research reinforces and provides real examples of what Professor Glendon asserts about young women’s (and men’s) desire for better alternatives to abortion. Kelly, who focused considerably on *why* and *how* certain students got involved in pro-life activities, observes that “for the pro-life college activist, pro-life advocacy is women’s advocacy.” What’s most important to these young people—who are after all of the age-group most likely to face abortion—is that they extend a helping hand to their peers who are facing a crisis pregnancy. “All the students interviewed

for this article,” writes Kelly, “have participated in and organized seminars, conferences, marches and vigils, but the service they seem most passionate about is pregnancy outreach, and the clear-cut goal of this outreach is to provide direct and meaningful support to pregnant students and student parents.” Kelly’s article provides inspiring profiles of individual student activists as well as accounts of how pro-life campus groups have fought challenges from faculty and administrators opposed to their existence. “If you’re looking for hope,” she concludes, “it is here, on these campuses, with these young women and men.” May their tribe increase!

Our next article is also set on campus—in an American literature class. *Long-time* readers of the *Review* may recall an article we ran two decades ago by R.V. Young (“Literary Abortions,” Fall 1983), about abortion in literature. It included, among other works of fiction, Ernest Hemingway’s 1927 short story, “Hills Like White Elephants.” In “Pro-Life, Pro-Choice, Pronouns,” Randy Boyagoda, a Ph.D. candidate who teaches at Boston University, relates how he used the same story for a lesson on the indeterminate pronoun “it,” which is used by the author to refer to several different persons, including an unborn child. Broaching the subject of abortion on a secular campus, Boyagoda writes, is almost impossible: students invariably respond by donning their “ideological blinders” and “automatically revert to their respective positions.” However, by approaching the subject through a study of the use of language, Boyagoda had the heartening experience, which he vividly describes, of watching his class “naturally transform itself into a quiet outpost for the Culture of Life.”

As Ellen Fielding observed, if abortion is just plain wrong (like an incorrect math equation), then the human heart knows it, and can only suppress this knowledge by denying reality. In our final article, Mary Meehan begins a two-part look at pro-life Democrats; that is, the members of the Democratic party who, though facing tremendous pressure to conform to the party of abortion, refuse to abandon the unborn. In this issue Meehan introduces us to the Democrats for Life of America, a slow-growing group that survives on a “shoe-string” budget, but for which there is new hope, thanks to their politically savvy and energetic new executive director, Kristen Day.

Meehan spends a good portion of this first installment revisiting the history of the Democratic party *vis à vis* abortion—there was a time, after all, “when pro-lifers had strength within the party,” and looking back, she asserts, can help “suggest strategies for retaking lost ground.”

Meehan revisits well-known events—such as the shameful shutting-out of Governor Robert Casey from the 1984 Democratic convention; she has also uncovered, by reading his papers at Boston College, shocking evidence of hypocrisy and “double-dealing” by Jesuit Congressman Robert Drinan. At the close of part one, Meehan gives readers something of great value: She has gathered, in one place, documented pro-life statements made by many top Democratic politicians who have since done 180-degree turns. For example, I can’t tell you how many times

people have called our office over the years trying to track down a passage from a speech given by Jesse Jackson, which is eloquently *pro*-life. You'll find it on page 78, along with less eloquent but solidly pro-life statements from Al Gore, Senator Tom Daschle, and several others. Meehan has a suggestion: "These remarks could be incorporated into a strikingly effective brochure. They could also be displayed on billboards to greet delegates as they sweep into Boston next July," and give them something to think about. Wouldn't that be remarkable!

* * * * *

Our first two appendices comment on the potentially staggering ramifications of the Supreme Court's recent ruling in *Lawrence v. Texas*. Professor Hadley Arkes, writing for National Review Online, argues that even the "more conservative commentators" missed the real point of the ruling. It was *not* about sexual policing; everyone knows that such laws (as the Texas anti-sodomy law in question) were not enforced. The real import of the ruling was about detaching marriage from the "function of begetting"—a serious threat to the institution itself. Arkes, whose recent book, *Natural Rights and the Right to Choose*, talks about the *Roe* court's power-grab, finds the justices once again guilty of over-reaching: "Justice Kennedy and his colleagues offered rhetoric soaring well beyond any judgment they had been obliged to reach," and only "some timely, focused measures" now can protect marriage and "rescue Justice Kennedy from a jurisprudence that ultimately cannot explain itself."

Columnist Maggie Gallagher has been at the forefront of the intellectual movement to defend marriage. In her column (also reprinted from NRO) she, too, criticizes analyses of the *Lawrence* decision for missing the point, and obscuring the stakes: "Gay marriage is not some sideline issue, it *is* the marriage debate." If marriage is not about family structure, it's not about anything, and if marriage as an institution fails, the resounding evidence from both here and Europe is that the result is "not a flourishing libertarian social order, but a gigantic expansion of state power and a vast increase in social disorder and human suffering."

As I noted above, the actual women named as plaintiffs in *Roe* and *Doe* are both seeking to overturn the decisions. In *Appendix C*, Pat Buchanan writes about "Jane Roe," Norma McCorvey, who filed her petition in Dallas federal court in June. As our readers surely know, McCorvey has had a conversion to the pro-life movement—Buchanan writes that her change of heart began while she was working at an abortion clinic and witnessed the awful carnage first-hand. McCorvey is a "brave woman seeking to right a horrible wrong that was done, in some measure, because of her." However, as Kathleen Parker reports in "Media, darlings, your abortion bias is showing again" (*Appendix D*) McCorvey's petition was "thrown out by the district court within 48 hours, but has been appealed to the 5th circuit federal court. The judge must have been a fast reader." In the meantime, Sandra Cano, the less well-known woman who was the "Mary Doe" of *Doe*, has also filed a motion in

Georgia to vacate that ruling, and right a wrong. But “Despite the enormous importance of Cano’s motion, the mainstream media have largely ignored it.” Both McCorvey and Cano were poor women who were used and deceived by agenda-driven lawyers—now they are being ignored by another “elite few,” the press.

“When I tell audiences that only about 13 percent of physicians take the Hippocratic oath—if that—invariably they respond with loud, shocked gasps of alarm,” and they *should*, writes Wesley Smith in *Appendix E*. Throwing the Oath out, and relying on “individual conscience” as a guide to a doctor’s ethical decision-making is a terrifying prospect, but one becoming more and more acceptable in the medical profession. There is even a new theory being promoted “in psychiatry, psychology, and social work known as ‘rational suicide’”: rather than doing “no harm,” the physician (or social worker?) merely has to decide if the patient’s wish for suicide is “rational,” in which case their job switches from preventer to *facilitator*. Need we say again that legal abortion has opened the doors to contempt for human life?

Finally, though (to leave you on a more “up” note) we have a column written by *National Review*’s Kathryn Jean Lopez, about a speech Senator Rick Santorum gave last May at the annual dinner for the Sisters of Life (the order of nuns founded by the late Cardinal John O’Connor). Santorum, fresh from being bludgeoned by the press for comments he made about the then as-yet-undecided *Lawrence* case, told a moving story about the partial-birth-abortion-ban hearings. It’s a story he tells often—you’ll see why. His account reminds me of Mother Teresa’s famous reminder that God calls us to be faithful, not successful. Yet in our fidelity to the truth, good will come, even if we don’t always witness it.

Speaking of *fidelity*, cartoonist Nick Downes faithfully sends us fresh chuckles, for which we are grateful. I hope you’ll enjoy the issue.

MARIA MCFADDEN
EDITOR

Breeding Contempt

Ellen Wilson Fielding

The day after Christmas 2002, news stories broke about a crazed French-American sect that claimed to have produced the first cloned human being. Two more such claimed clones were announced shortly thereafter—"virgin births" to Raelian adherents, for whom cloning is ostensibly a recovery of their traditional mode of reproduction, since the sect traces the human race back to visiting space aliens who cloned themselves.

At this writing there is no evidence that the story is anything other than a hoax (the Raelians have refused to allow genetic testing of mothers and infants to corroborate their claims). No matter. The post-Christmas announcement of secular tidings of great joy was like the entrance of the fate theme from *Carmen*, warning us not to depend upon a happy ending. Someday, the first cloned human baby will emerge from a human birth canal and emit a cry so fraught with significance that it will leave no corner of the cosmos silent. The timing of the first false dawn tells it all: mankind wrestling with God to create a different sort of miraculous birth from that remembered nativity in Bethlehem. Mankind, dissatisfied with the brand of salvation bought by Calvary, inaugurating a great project of self-salvation (Operation Boot Strap on a grand scale) that ultimately is aimed at defeating disease and perhaps threatening death itself, or holding it at bay indefinitely.

It is the philosophy of the self-help book writ large—self-help on a global scale. The Raelians were likely grabbing some bizarre publicity by means of a strangely motivated hoax, but this only extends the seemingly inevitable deadline projected by the self-creation project. We garner some extra time in an uneasy truce—but to what purpose? What use can we put this time to, since time primarily favors the cloners? The more opportunity they have to talk about cloning humans, the more natural or at least inevitable the idea will begin to appear to increasing numbers of people.

The "respectable" scientists' take on bringing a cloned human being to birth at this stage of research is positively apocalyptic. Their lurid descriptions of genetic defects and freaks among experiments in cloning animals are not only powerful public arguments against doing anything similar with human genetic matter right now, but presumably true as well. Of course, many of these same scientists have no long-term objection to human reproduction by

Ellen Wilson Fielding is a senior editor of this *Review* and author of *An Even Dozen* (Human Life Press). She lives in Maryland with her four children.

cloning, once all the kinks are worked out. Meanwhile, many research scientists are keenly enthusiastic about “therapeutic” cloning to harvest embryonic stem cells and perform other research on cloned humans who are condemned to be destroyed before they progress beyond very early stages of development. Some scientists may even derive most of their motivation for condemning the Raelians and their kind from fears that well-publicized human cloning tragedies will turn the public against the entire genetic project, however hopefully science ultimately contemplates the medical miracles it will make possible.

So the horror story arguments against cloning humans now, however graphic and true, are stopgaps. They point to the willingness of the cloners eventually, when it makes more sense, to trample on human rights and dignity to achieve their end. By alerting us to these underlying intentions, they encourage us to listen skeptically to the rest of what they say. “Responsible” scientists point to a genuine evil outcome of human cloning experiments that many sectors of society can, at least temporarily, unite against. But the unintended production of gravely handicapped babies is not the final ground of pro-life opposition to human cloning. If, as may someday be the case, science works out its developmental difficulties with cloning, those who believe in the sanctity of human life would still oppose it. Why?

For at least two reasons. For how it treats the cloned human being, and for what it does to the cloner. Lincoln famously made the case that slavery was objectionable both for what it did to the slave and for what it did to the slaveholder. “As I would not be a slave, so I would not be a slave owner.” The slave suffered more from the physical conditions of slavery, the potential for ill treatment, the assault to his human dignity, the stunting of his human capacity for making and abiding by free decisions about his destiny, the frustration of his desire to form a stable family.

But the slaveholder, by immorally exercising ownership over another human being, malformed (or violated) his own conscience and accustomed his mind to an untrue understanding of the worth and dignity of the human person. He involved himself in a corrupting and morally debasing relationship whose tendency was to distort not only the human psyche under his subjection, but the psyche and soul of the enslaver, by inclining him toward a tyrannical attitude toward fellow human beings. “*Sic semper tyrannis*,” shouted John Wilkes Booth after firing a bullet into Lincoln’s brain. Booth, like his fellow pro-slavery (or at least “pro-choice”) Southerners, would not admit his own de facto tyranny over enslaved blacks, no matter how disguised this tyranny was in many well-meaning individuals by care for their slaves’ well-being and even personal affection for them.

Mary Chesnut, the wife of one of the Confederate leaders, wrote a diary of the war years that provides a keen-eyed view of the diseased center of the Confederate position. Most Southerners were neither slaves nor slaveholders, and some opposed the institution. But those fighting for the right to secede were, in a conflict increasingly defined by slavery, inevitably also fighting to defend slavery. Slavery was a prime example of a “sinful structure”—that over-applied but genuine reality called to our attention in the politicized ’60s. Sinful structures are social, economic, or political arrangements, policies or institutions that make it difficult or impossible to act morally without courting martyrdom or social or economic harm. Living within such a structure inclines one—tempts one—to create intellectual defenses, false ideas of reality that will justify cooperation with the status quo rather than risking the penalties of non-cooperation.

For example, in Mary Chesnut’s South Carolina milieu of slave-holding families, decent, Church-going heads of loving families would find self-justifications for parting slave families under their “ownership,” and punishing slaves who attempted to run away. Many of these plantation owners ended up fathering slave children who, even when treated with extreme kindness and generosity by slave standards, still lived at a great divide from the slave owner’s children by marriage.

And no matter how well the slaveholding father might treat his slave children, an heir might sell them off to meet debts or remove unpleasant reminders of a master/slave liaison. Under these circumstances, how great must have been the temptation for the slave owner to deny or argue around the slave’s fundamental human equality as a fellow child of God. How attractive the paternalistic defenses of slavery, based on arguments about natural slave classes and the like. Enmeshment in slave-holding hampered the slaveholder’s (and the slavery defender’s) accurate perception of the created world and its human inhabitants as they really are in relation to God their common father. So the slaveholder’s initial involvement in an immoral situation first inclined him to wrong thinking, which further inclined him to wrong action; after all, it was in the slaveholder’s interest—his financial interest and his interest in sleep unbroken by bad conscience—to believe that the slave was sub-human or at least sub-slaveholder. However, this convenient though untrue belief made him more likely to treat the slave inhumanely, and by so doing immorally.

Abortion shows a similar pattern: Convenience collides with a true picture of reality, “reality” gives way, and the abortion mentality thereby set free expresses itself in reduced respect for innocent human life. The nation-

wide increases in incidents of child abuse and such child-abusive behaviors as indulging in pornography, tolerating open homosexual lifestyles, marriage and adoption, and exposing children at young ages to sexual language and situations are examples of this reduced respect.

It is wrong to believe that abortion does not snuff out a human life, or that these particular lives possess no inherent value. It is wrong philosophically and biologically as well as morally—wrong in the sense that an incorrect answer on a math test is marked “wrong.” It does not accord with reality. Those who, through weakness or some form of coercion, submit to abortion but don’t deny or disguise to themselves the reality of what has occurred, are those suffering straightforward cases of post-abortion syndrome.

Whenever our understanding of reality differs from reality itself, reality rudely alerts us to the fact. If we attempt to walk on water without divine assistance, we will sink. If we consistently accumulate monthly deficits with no way to pay them, we will face bankruptcy. If we design a bridge using non-Euclidean geometry, it will collapse. If we get behind the wheel after downing a six-pack of Budweiser, our judgment and coordination will be impaired. If we plant carrot seeds under the illusion that they are cucumbers, carrots and not cucumbers will sprout in our garden. Some of these exercises in unreality have a moral component, some do not, but the real world has sharp edges that let us know when we bump up against them.

And so we wind back to today’s watershed issue, human cloning. Can creatures successfully grab the role of Creator? Is human life *really* sacred—not just subjectively, in our own eyes, but *really*, in the eyes of the God who made both us and the rest of reality?

If human life is sacred from conception to natural death, in the pro-lifer’s formulation, what follows? Forgetting for the moment eternal rewards and punishments, what consequences attend ignoring this little bit of reality, either by redefining membership in the human race or by employing a cost-benefit analysis?

Two natural consequences follow. The “exterior” consequence is our willingness to treat certain classes of human life as non-sacred, or to treat all human life as potentially non-sacrosanct to the extent that it crosses other social or personal interests, or deteriorates substantially in perceived “quality of life.” For example, people now conceive babies solely to obtain compatible organs or tissue for transplants or medical treatments—not in large numbers, but legally, and surrounded by decreasing controversy. In an English case that recently raised headlines across the Atlantic, a court granted a married couple permission to pursue fertility procedures to conceive a child for the therapeutic benefit of their already existing child, afflicted with

a rare and debilitating blood condition. The child brought into existence for, presumably, his own sake was going to be medically served by the sibling conceived solely for that contingency. The interesting thing is that we here in America showcased similar articles and commentary on this issue several years ago, when a home-grown example first came to public notice. I have not observed recent U.S. stories on this procedure, however. It is no longer shocking, alarming, or sufficiently disquieting to sufficient numbers to produce front-page newsprint. So what does this say about the original grounds of disagreement or disquiet? Probably, that most people reacted viscerally to it as unprecedented and as the stuff of Frankensteinian sci-fi movies.

If public shock had reflected outrage at the exploitative use of human life, especially by those—the parents—who should most value and protect it, then why would it have dissipated relatively promptly and without cogent philosophical arguments about why it was all right to conceive human life as a means to prolong or enlarge someone else's life or health? Over and over again in these human life controversies—legalized abortion, frozen fertilized eggs, in vitro fertilization, fetal tissue research, euthanasia, denial of necessary medical treatment for the handicapped, cloning—outrage and opposition are not worn down by moral and logical argument, but by sheer familiarity, which breeds increasing contempt of human life—other people's human lives—as objects innately worthy of protection from abuse, misuse and manipulation.

A consensus might have arisen at a critical moment that abortion—or fetal research, or disposing of fertilized eggs, or cloning—is wrong because human beings possess an innate dignity that always and everywhere makes wrong the cavalier disregard of individual lives and well-being in pursuit of other people's ends. If such a consensus had crystallized, proponents would not have been permitted to go forward with these “advances,” at least until they had argued away or morally corrupted the consensus. Instead, they merely repeated what they wanted and why, like a demanding child showing greater endurance than his parent, until the outrageous no longer outraged. It had become the familiar.

The process is similar to the contemporaneous coarsening of language used in public and private, in movies and on TV; to the proliferation of off-color jokes and explicit sexual references, even in prime-time venues, to the toleration of public displays of homosexual affection and newspaper announcements of homosexual unions. In none of these instances was the public persuaded by rational debate that their earlier more restrictive or “judgmental” preferences were wrong or misguided; these preferences simply wore

away, like water wearing away stone, under repeated exposure to what initially shocked and outraged.

In some ways abortion may seem an exception to this process. As several authors, reflecting on the 30th anniversary of *Roe v. Wade*, pointed out in the previous issue of this *Review*, polls show growing numbers of Americans in general and young Americans in particular opposing most abortions, and abortion numbers in this country began declining a few years ago—not nearly enough, but significantly—from about 1.6 million performed per year to about 1.3 million. And in the past year, with Bush in the White House and a slightly Republican Congress, several pro-life initiatives have made it through Congress or appear to have a good chance of doing so. Bush has also thus far held the line on permitting human cloning.

All this is a tribute to the resiliency of natural law and its resistance to complete extinction by the arguments of situation ethics and the powerful pull of sheer self-absorption. Hopeful indicators such as these poll statistics are welcome grounds for renewed optimism and rededication to the pro-life effort as America enters its fourth decade of legalized abortion on demand. However, several less positive observations need to be made in order to understand how difficult it is likely to be to oppose people on issues that, like cloning, apparently interfere with promised progress. For on scientific research involving the use of newly conceived human lives, the Dr. Frankensteins have unfortunately positioned themselves as “pro-lifers” of a sort.

Of course, they mean pro-life in a sense that the unborn and their advocates would not be able to appreciate. The lives they are “pro” are those belonging to the already born but ailing or, like Christopher Reeve, the handicapped. That in itself would not pose a moral problem, but those lives have been set in competition with those of the unborn. Those engaging in such research or convinced that they or their loved ones stand to gain from it establish a hierarchical “right to life” that permits them to dump experimental or “therapeutic” conceived human life in good conscience.

After all, the experimental humans die in a good cause, and why should we not direct our actions based on a cost-benefit analysis of the good versus harm they do? One objection—that of the sanctity of human life—we already know the cloners do not acknowledge, or at least they do not understand it as we do, as something that might keep us from doing what we want to do. Another objection also derives from our finite, creaturely status, and that is our inability to truly judge, looking at the big picture and broad expanses of space and time, what is best in the long run.

Of course, we have to make many such prudential judgments daily, to the best of our limited ability and knowing that we are likely to make some

mistakes. We make business decisions like that, and professional decisions, and personal decisions about things like marriage and children. The difference between the Dr. Franksteins who make such decisions, and those of us who admit the limitations of our creaturely status, is that we self-acknowledged creatures know we lack sufficient wisdom to confidently sacrifice means to ends in the assurance that using those often morally murky means will get us to those ends and avoid entangling us in more perilous unanticipated evils.

Even if we possessed sufficient power or virtue, we would still lack the necessary perspective to take on the role of Divine Providence. We cannot remove ourselves far enough outside space and time and finite existence to view our world from, well, God's perspective, in which all of the interweavings of human acts, their long-term and short-term and unanticipated and anticipated consequences, stand revealed. This doesn't mean we freeze, paralyzed, and refuse to act at all, but if we are realistically modest in our self-assessment as creatures, we gratefully clutch any absolutes the natural law places in our hands to assure us that in a given case we are doing the right thing.

Thornton Wilder's novel *The Bridge of San Luis Rey* tells the story of a friar who attempts to comprehend God's reasons for "causing" the death of a small group of unrelated people who happen to be crossing a bridge when it collapses. There are times when all of us think we know why—for what good end—God acted or permitted others to act in this or that human event. But only the mad—the kind of people who suffer delusions of grandeur—think they always know why this or that event happened, or what would be the best future outcome, and how it could best be brought about.

Most of us do not lay claim to that degree of foreknowledge, but detached from moral absolutes, more and more of us drift into determining what seems the best outcome by thought processes that are either utilitarian (the greatest good for the greatest number, "the bottom line") or simply selfish. Many sufferers from Parkinson's or their friends and relatives, for example, understandably but selfishly brush aside the interests of the unborn who might mitigate that suffering or reverse that decline in neural function. The projected good outcome justifies the moral compromise necessary to achieve it.

So, despite cautiously—oh, so cautiously—optimistic news on the abortion front, the news is very bleak on the frontiers of science, where complexities of thought confuse the issue and repeated exposure softens the sense of strangeness originally aroused by concepts like designer babies. And even

legalized abortion faces no full-scale threats to its continued existence. The hoped-for pro-life successes are at the margins, in areas like partial-birth abortion, parental consent, public funding, and the like. In fact, a United States of America in which abortion was once again illegal—even if banned in only two-thirds or three-fourths of the states—would now seem almost as “shocking” to the imagination as the post-*Roe* world looked to those waking up on January 23, 1973.

Yes, Americans were shocked several years ago to learn that partial-birth abortions were taking place in this country, and they politically supported the bills that attempted to ban the procedure. They still do. However, even that truly gruesome form of executing the almost born is now familiar enough, un-upsetting enough, to allow the overwhelming majority of the population to go about their daily business without so much as a pained moment’s thought for that day’s victims.

So the effects of this Frankensteinian choice to take charge of our human destiny are, externally, to greatly strengthen society’s willingness to treat other human beings well or poorly depending upon the extent to which they are in our way (and to determine which groups of human beings we classify as such depending upon our perceived need to use or lose them). Internally, the effect is to further weaken or deaden our capacity to recognize binding, objective, universal duties toward others, based upon their dignity as fellow creatures destined by their Creator for a life, a death, an afterlife that we have no right to fix or pronounce upon for our own purposes.

Related to this second, interior effect is the “mad scientist” self-delusion that we too can be creators, authoring creatures whose destinies may rightly lie under our control. Perhaps above all such issues that have yet challenged the conscience of the human race, cloning encourages what we might call ontological self-delusion. It seems to distinguish two classes of human beings—those created the old-fashioned way, and those confectioned by us and therefore, presumably, *for* us. If we bring them into being, aren’t they, in a special sense, here on sufferance, until and as long as they prove helpful or convenient?

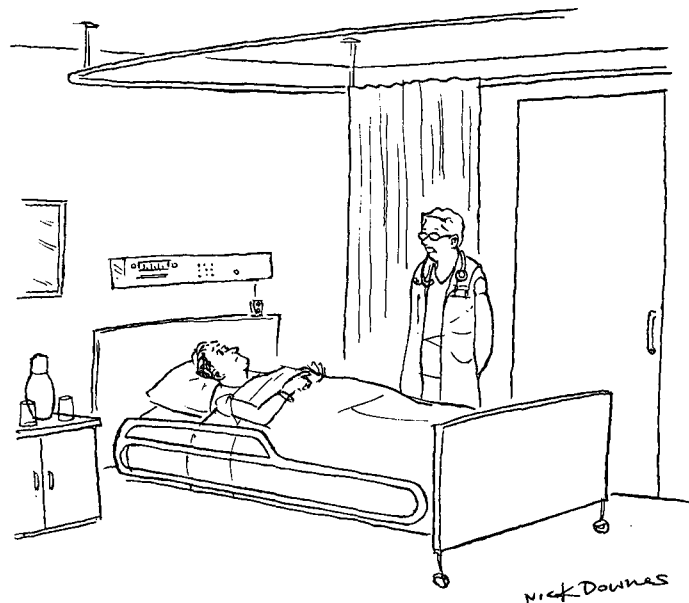
Interestingly, those who identify themselves with the creator class often avoid looking squarely at the question of their own usefulness to a Creator. Those seeking research grants in human genetics or secular journalists pushing Utopian agendas seek to put distance between the human race and the extended finger of the Creator. One of the primary psychological strengths of the secular versions of evolutionary theory lies in the relative freedom from divine interference that comes when you interpolate aeons’ worth of

generations between the earliest life forms and Michelangelo's depiction of the enkindling touch of the Creator in the Sistine Chapel. Modern man desires to expand the small significant space separating the groping hands of Adam and God cosmically across untold ages in the history of a (perhaps eternal) universe.

For secular intellectuals, it's the equivalent of running away from home. "Deny thy father and refuse thy name." Acknowledging God's Fatherhood creates both First and Fourth Commandment duties; a secularized evolutionary flight from the primordial ooze extenuates the father-child relationship into something slight enough for safety from moral oversight or judgment.

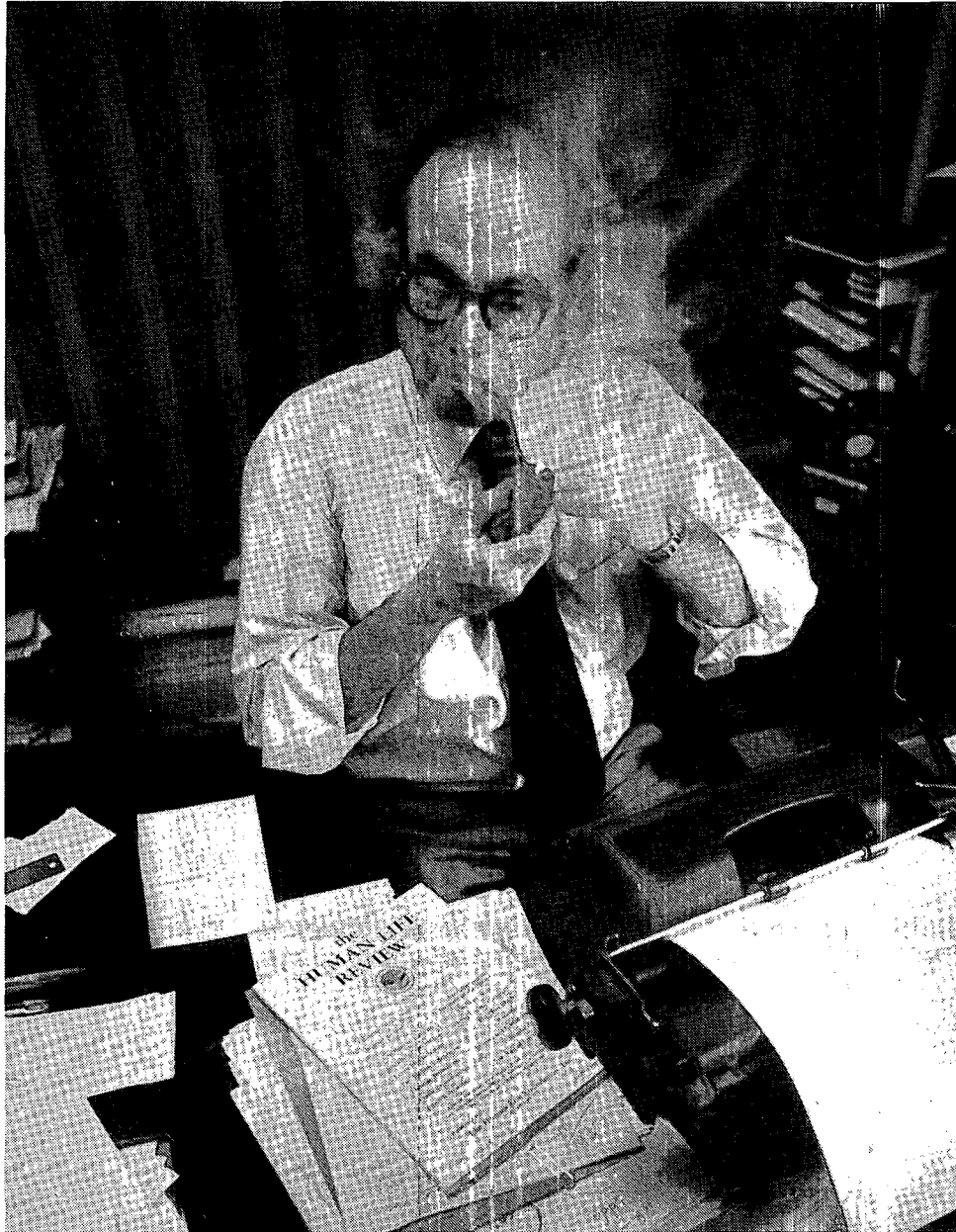
This way of thinking—and the related "right to choose" way of thinking, and the "let's not call them humans" way of thinking, and the "some must die that others might live" way of thinking, and all the rest of those mental tricks and evasions, are exercises in what Malcolm Muggeridge, following William Blake, termed "fantasy." They are escapes from reality. They carry with them the common penalty of all forms of mis-seeing and miscalculating reality—the hard knocks we receive when we bump into the sharp unanticipated edges of reality.

Which renders the moral landscape of today's mad scientists—and their familiarized followers—a true breeding ground for disaster.



"I'm afraid I have bad news—your illness is unprofitable."

J. P. McFadden
1930-1998



J.P. resting behind his Royal typewriter in 1983. At left is the Spring '83 HLR in which then-President Ronald Reagan's essay, "Abortion and the Conscience of the Nation," first appeared.

The Story of Us

Maria McFadden

Hello, and thank you for inviting me here tonight. A special thanks to Dr. [Jerry] Higgins, who is the connection I have to you . . . which I'll explain a bit later. He asked me to speak to you tonight about the *Human Life Review*, and the Human Life Foundation . . . and I am happy to tell you about us. Along the way I hope to reflect a bit on broader themes of connections—how we who work in the pro-life movement find interesting connections to others, how our personal lives often become interconnected with the issues we confront. The pro-life movement in this country is a network of so many different kinds of organizations, with a myriad of approaches and goals. The Human Life Foundation is just one organization, with specific goals; we do work together with other groups, as you do, to make progress toward the common goal of the protection of all human life. Your organization [the Long Island Coalition for Life] is a great example—a coalition, varied groups working together. I will tell you I am very impressed with the number of people here and have also been impressed by *Life News*, your newsletter.

I do want to make something clear at the outset: I am *not* an “expert”—not an expert on every piece of pro-life legislation, on political strategies; I am not a scientific expert on stem-cell research. I am a working wife and mother of three; I have a degree in philosophy and professional experience in writing and editing. I suspect many women here would agree with me that most days, if I am an expert at anything, it is worrying, and/or *juggling*—not the circus act, though it often feels that way. My children are eight, six and almost two, and we live in a two-bedroom apartment in Manhattan's Stuyvesant Town with Daddy, my husband Bob. We are very happy there, but it does get crazy at times.

Also, before I begin, I want to tell you my mother Faith is here tonight as well. She is Senior Editor of the *Review* and Vice President of the Foundation—and she raised five kids in a Manhattan apartment! So is Rose Flynn DeMaio, who is the Foundation's financial manager, as well as the right arm of the organization, and she lives here on Long Island.

I want to tell you the story of the Human Life Foundation. That story is impossible to tell without telling the story of the man who created it, and ran it until four years ago, my late father James Patrick McFadden. We lost him

Maria McFadden is president of the Human Life Foundation and editor of this *Review*. This article is adapted from a speech she gave to the Long Island (NY) Coalition for Life in October, 2002.

to cancer four years ago this month. He is the reason I am here tonight, and so I hope you will indulge me if there are some personal reminiscences—because he was my dad, I loved him, and I’m proud of what he did.

My father was born in 1930, in Youngstown Ohio, and raised there. He came to New York City after serving in intelligence in the army—stationed in Germany. What he really cared about, his cause then, was anti-communism—no surprise, after being in intelligence. It was also almost synonymous with being an American Catholic in the 50’s. When he got to New York, he looked up a man he admired, William F. Buckley Jr., who had just launched the conservative magazine *National Review*. So he came to meet Buckley and ended up signing on at *NR*. It was a connection that would remain strong throughout his life.

J.P. had been a newspaper man, and he started out at *NR* as a writer. But it soon became clear that the magazine needed someone to handle the business end. Though he’d had no experience in business, his dean at Youngstown College had encouraged him to investigate copywriting, so he had read a bit about it. The thing about J.P. was, he had an amazing mind—so when I said “he read a bit about it,” he was probably already well on his way to knowing a *lot* about it. He had an incredible ability for recalling facts, historical dates, and so on. So he took on the job of direct-mail promotion at *NR*.

Here, like it or not, he found his calling. I say “like it or not” because he used to say, like many young people, that his dream was to grow up and write the Great American Novel, but . . . in the meantime, he had to work, and when he began creating direct-mail appeals, well, many would agree with me that he was truly a direct-mail genius. More on that later . . . but you have to realize, in the late 50’s, direct mail appeals were not a fraction as common as they are today (this is a problem we all face—how we groan when we open our mailboxes!). Nor were there the annoying phone solicitations, etc. In my father’s case, he initiated his own unique style of direct mail appeal—and it *worked* stupendously. So *NR* grew, and J.P. stayed, and he stayed for over thirty years, eventually becoming Associate Publisher.

I’ll fast-forward to 1973, the year of the *Roe v. Wade* decision, but first—the ’60’s were very busy for my father and mother! He married Faith Abbott in 1959, and they had 5 children (and 8 pregnancies—the three miscarriages were consecutive, between children 3 and 4). As our family grew, and to supplement his income from *NR* (magazines being notoriously low-paying), J.P. did many free-lance writing and promotional jobs, many of which he said he loathed. He could have taken his promotional talents to the commercial world, and probably would have made millions, but he remained loyal to

National Review, and I don't think he ever could have "sold" *products* anyway.

And then came *Roe v. Wade*. Dad often used to tell the story of what happened to him when the decision was passed. It was one of those watershed moments, as he used to describe it. Like many people in those days, J.P. didn't really think it could ever really happen—that abortion would be legalized. He was certainly aware of and against the "liberalization" of abortion law in New York, but hadn't felt the need to get involved. As he said once, "It never dawned on me that the Supreme Court would come and simply turn the world upside down." On January 23, 1973, we were on vacation in Florida—there were five children by then. That day changed all of our lives forever. The following is a quote from an interview J.P. gave author Patrick Allitt on October 12, 1987. Allitt was then working on his book, *Catholic Intellectuals and Conservative Politics in America, 1950-1985*, which was published in 1994.

On Jan. 23, 1973, I was sitting on the deck of the *Cyrano* in Miami harbor, drinking a bottle of Lowenbrau, which was then made in Munich. The boat's engine was broken. I walked over and bought the New York *Times* which all New York expatriates do in Miami. The *Times* was then the paper of record and printed the entire *Roe v. Wade* decision. I sat there on the deck and read it. If I had been in the office I would have read it later. It was a day-long road to Damascus for me. I hadn't realized these kinds of things were going on. I hadn't realized that anyone was making these arguments, that the Supreme Court of the United States could put the moral suasion and moral power of this country behind killing babies. It wasn't an instant road to Damascus but that's when I got involved in the anti-abortion movement.

Immediately upon his return to New York, J.P. began to set up the Ad Hoc Committee, a pro-life lobbying organization. He got a Washington office, and hired a fulltime lobbyist. By its name, you can see that in those early days he thought this was a battle *with an end in sight*. As he used to say, a good pro-lifer would like nothing more than to be put out of business! The Ad Hoc Committee, which we still run today, published for years a newsletter called *Lifeletter* . . . it was a tremendous hit with many people—a fast-moving, witty and smart report on what was happening legislatively in what *Roe* had jump-started—an active opposition movement. And here J.P. had a major turning point in his life: He realized that his talents for direct mail, and punchy writing, could now be used for something of ultimate importance—and he saw that maybe there was a reason he'd been honing his skills. Now he was writing with all the conviction of his heart and mind. And it worked. Another quote from the Allitt interview:

When the abortion decision hit, I said "Now I see why I was doing all those things. Now I can see how I can use it." A little belief in the Holy Ghost helps here. That's

what has enabled me to keep going. I have no institutional help of any kind. All of the well over a million dollars I have to raise every year to do all these things is done in small amounts of money, primarily from direct mail. I became an expert at that . . . even though I loathed it. Now everything I write I believe in, and think is true. It works better.

This started a new era in J.P.'s direct-mail efforts. He had found a cause that took his heart and mind, and it went straight into the typewriter and in the mail. His letters became very successful. From the '70's until his death, he raised amazing amounts of money for pro-life and Catholic efforts, and he did it by writing people . . . well, the truth. That's really what made his letters special—they were real. I am not going to say he didn't use some tricks of the trade, like get your "free gift," etc., but the bottom line in his letters was that he told you what was going on, why he needed money, and what he was going to do with it. And then the next time he wrote he gave you an update, and told you what he really did do with the money! Over time, he'd put in personal things, so over the years people felt they got to know him, and they did. Since no one else ever wrote any of the letters, the letters felt real because they *were* real. I should also stress here that he had a great sense of humor—he adored bad puns, and had great fun with word-play. That made a huge difference in *all* his writing—we all need liberal doses of humor, even or especially when the subject is serious. (*The Human Life Review*, as you'll see, has cartoons. Some people don't understand why, but it's not the kind of thing you can explain—you either get it or you don't, though we do try to be sensitive and careful as to where we place them.) And of course since he did have a great mind and strong opinions, his letters, and his newsletter *Lifefletter* were always interesting and often gripping.

So that is how J.P. started raising money for pro-life efforts, and this is how we continue to do it today. I have worked for several non-profit organizations, and I can tell you that they all had major support from other Foundations. Well, we don't and never did. The amazing thing about J.P.'s style of fundraising is that we really do survive because of generous souls who send modest gifts of \$25, \$50 and \$100—but probably some of you know this well with your own organizations. Another thing one of my dad's colleagues called "liquid gold" was the attention J.P. gave to his donors. Everyone who gave, say, \$50 or over got a typed thank-you note sent out the same day, and J.P. looked at all the names because he signed the letters. Over time, he'd recognize frequent givers and write them a more personal note, and again over time he would have personal correspondences and make good friends, many of whom he would never meet in person.

This is how we got to know Dr. Jerry Higgins. He and J.P. had an active

correspondence, and everyone at the office knows Dr. Higgins' name because of his faithful generosity to us—but it wasn't until after my dad died that any of us *met* him. I can't tell you how many people told us, after J.P.'s death, that though they never met him, they felt they knew him, through his letters. And in a sense, they did.

I should also say that J.P.'s favorite place through all his years in pro-life work was behind his manual Royal typewriter. He didn't give speeches or go to conferences or feature his own photo in his newsletters—I am not saying he was humble, because he'd tell you straight out what he was best at!—but he did believe in sticking to what he did best, and not letting ego concerns get in the way of what he could do for the unborn.

Back to the story: As he worked with the Ad Hoc Committee, starting in 1973, he saw the need for a separate organization, one that would be tax-exempt and raise money for charitable purposes. (Ad Hoc, because it was a lobbying organization, was political, so of course not tax-exempt.) He was aware that there were already people organized to fight abortion outside of politics, the foot-soldiers of the movement, those who offer real help to women in need. I am sure there are many such people here tonight, and I applaud you—you know that your efforts have saved lives, and what could be more wonderful than that! Well, J.P. met and became friends with several groups who were doing baby-saving work, and he wanted a way to help them. And so the Human Life Foundation was born, in 1974.

The Foundation began what we still call our “baby-saving” program. Like many of Dad's ideas, it works. We offer crisis pregnancy centers, which we carefully screen, matching-grants. This makes it necessary for them to go to their local community and raise funds, with the attractive incentive of doubling the donor's money. It also helps the center to develop reliance on the local community, where it can go back again and again, rather than being dependent on another organization.

Unfortunately, our grant program is smaller than it used to be, but I hope we can build it up again. We have a core number of groups we support regularly, but we haven't been able to fund new groups in the last few years, due to the financial strains we're all under.

In January of 1975, J.P. wrote a letter to Human Life Foundation members, announcing the creation of the *Human Life Review*. I have a copy of it here. (The date is February, 1975.)

Fellow Concerned American: I am delighted to announce an important new event: the first issue of our new quarterly, *The Human Life Review*, is coming off the presses as I write this I'm convinced it is *very* important because those of us who care

about the value of life—about abortion, euthanasia, and other present-day challenges to the *sanctity* of life—*need* such a publication, and need it badly, as a vehicle for the widespread public dissemination of intelligent (even scholarly) and informed viewpoints on these vital matters. *The Human Life Review* means to provide such a vehicle and further, to make the *results*—the thinking and expertise of the best minds and best writers we can find—available to the people who will finally decide these issues.

And so the *Review* was born, and has been published quarterly, without interruption, every since. The *Review* was created to be a gathering place for scholars, intellectuals and journalists interested in telling the truth about abortion and euthanasia. Its purpose is to use calm, reasoned, intelligent words and arguments, to persuade others of the truth of the pro-life position, *and* to shore up those in the movement. We publish a variety of articles—legal analyses, personal reflections, historical tales, medical and scientific information. But we do try to stay away from legalese, or highly technical writing. Our goal is to have each issue be readable, accessible, and compelling. While we hope to convert minds, we also see how important it is for pro-lifers to have such a journal—so that they can be informed, so that they can read the good material others are writing, so that they will not feel alone.

J.P. hit on a unique formula. While the *Review* would publish exciting new articles, it would also be a place to “recycle” excellent anti-abortion literature—articles from other journals that our readers might have missed, as well as columns from newspapers that would otherwise be thrown away (the work of the maverick pro-life *Village Voice* columnist Nat Hentoff, for example—the newspaper gets thrown away, but his columns live on in back issues of our *Review*). Hentoff still directs people to us if they are investigating his pro-life writing, because we’re the ones with the evidence! Each issue has an appendices section which reprints work from around the world.

All of this translates (and certainly has over the years) into an historical record of the pro-life movement. Always the promotion man, but as well a history buff and a man who knew the *importance* of history, J.P. made sure that each year’s reviews were bound in handsome hard-cover volumes—we sell them to libraries, and also to many individuals.

(A side note on the importance of history—the policies in respected hospitals on the treatment of disabled newborns or fetuses with handicaps is not very far removed from the Nazi atrocities the civilized world condemned only 60 or so years ago.)

The *Review* was and is in *itself* a cause. To explain, the subscription price is nominal. J.P. did that so students, for example, could afford it. But we depend on extra fundraising from Foundation members to get the *Review*

where we want it to go. Since the '70's, the *Review* is sent with our compliments to all the Supreme Court Justices, to members of Congress, to the U. S. bishops, the Pope, to many journalists. So we ask for the help of those on the right side so that we can keep sticking our *Review* in the faces of those who are often on the wrong side.

Since this was all my Dad's idea, I can say that I think it was a great one, and we have had countless letters over the years from people who agree. The kind of letter we get often is from a prolifer whose sense of isolation is greatly lessened when they sit down to read a *Review*; or from a parent who is happy to share the *Review* with her college-age children—a place for reasonable and reasoned arguments to be passed along. Some people say they sit and read it cover to cover! We have heard from quite a few enthusiastic readers from overseas, and we do have some regular contributors from Ireland, England and Australia, and now Holland, to keep us up with what's going on in the international scene.

Let me give you an idea of the history of the *HLR*. The very first issue had an article by Senator James L. Buckley about a Human Life Amendment; a piece by the then-chief Rabbi of London, Rabbi Dr. Immanuel Jacobovits on the Jewish View of Abortion (we've reprinted this several times). In our very first year of publication we had a symposium on fetal research. Interestingly, in 1975 we reprinted a piece by Margot Hentoff (wife of Nat) from the *Village Voice*—she had profound things to say about liberals and how they deceive themselves about abortion: “As the debate heats up, the liberal community is becoming more outraged than I have seen it since the Christmas bombing of Hanoi. But it remains unwilling to look at the real question abortion raises now and forever: is killing for utilitarian principles morally acceptable to humanism and where should it end?”

She also talks about the liberal community's obfuscation of language in refusing to speak plainly about what abortion is.

As J.P. edited the *Review*, he didn't hesitate to send it to a long list of writers and thinkers he admired. Many of them wrote back, and some of them became friends of my parents—like Malcolm Muggeridge. One of the great joys of Dad's life was getting to know “St. Mugg,” one of his heroes. He was the British writer and humorist, editor of *Punch*, who had a dramatic conversion to Christianity (*Jesus Rediscovered*). He made Mother Teresa well-known with his television documentary (and then book), *Something Beautiful for God*. J.P. wrote and sent him the *Review*, and Muggeridge wrote back that he was greatly impressed, and that “it has long been my opinion that the abortion-euthanasia issue with all its implications is the basic one of our time.” The correspondence grew into a friendship, with several visits

here in the U.S., and lasted until Mugg's death in 1983. J.P. also became friendly with Clare Boothe Luce, and the novelist Walker Percy—both famous persons whose eloquence when it came to the anti-abortion cause was often, to say it nicely, downplayed by the media. There was the time when Walker Percy wrote to the *New York Times*, who'd normally jump at the chance to run a letter from him, but because he espoused views against abortion, the letter wasn't even acknowledged. (So naturally J.P. printed it in the *Review*.) And there was, of course, the late—how we miss him—Cardinal John O'Connor, who became a great supporter of the *Review* and a friend to our family. J.P. truly enjoyed his work for the *Review* and the meeting of minds—J.P. used to say the opposition couldn't possibly have a journal like ours, because all the best arguments, and the best minds, were on the anti-abortion side.

In any case, I obviously don't have time to go through all of the *Review*'s history (thank God, you're thinking!). So I will skip to a momentous event for us. In 1983, then-President Ronald Reagan wrote an original piece for the *Review*, "Abortion and the Conscience of the Nation." You can see it and read about it on our website (www.humanlifereview.com). At that time, my Dad was very active in anti-abortion legislative circles in DC. He "floated" the idea of the article—and it arrived on his desk and was published, he said at the time, without editing. It caused quite a stir, gaining the *Review* a good amount of press coverage. It was later made into a book with a foreword by Malcolm Muggeridge. (I often wonder, now that Nancy Reagan is campaigning for embryonic stem-cell research, what her husband would think about it.)

In his article, President Reagan compared abortion to slavery and *Roe v. Wade* to the *Dred Scott* decision:

The *Dred Scott* decision of 1857 was not overturned in a day, or a year, or even a decade. At first, only a minority of Americans recognized and deplored the moral crisis brought about by denying the full humanity of our black brothers and sisters; but that minority persisted in their vision and finally prevailed. They did it by appealing to the hearts and minds of their countrymen, to the truth of human dignity under God. From their example, we know that respect for the sacred value of human life is too deeply ingrained in the hearts of our people to remain forever suppressed. But the great majority of the American people have not yet made their voices heard, and we cannot expect them to—any more than the public voice arose against slavery—*until* the issue is clearly framed and presented.

President Reagan also mentioned the Bloomington Baby case, which many of you will remember. In 1982 "Baby Doe," in Bloomington, Indiana, was born with Down Syndrome. He also had a deformed esophagus, but that

could have been corrected with a surgical procedure that was reported to have a 90 percent success rate. But his parents and the doctors decided to let him starve to death, instead. That process took 6 days. He was given no food, and no water, nothing. Meanwhile, others tried desperately to adopt him.

This awful story drew the left-wing *Village Voice*'s Nat Hentoff to write publicly for the first time about infanticide and abortion. The *Human Life Review* had a special section in Spring of 1984—we carried the entire series of Hentoff columns, which ran in the *Voice* from December 6, 1983 to January 10, 1984, and was about the Bloomington Baby case and other cases of infanticide. And since then we've regularly reprinted columns by Mr. Hentoff, who, you probably know, is a self-described atheist and liberal, an unusual prolifer. But that's one of the *Review*'s strengths. The *Review* itself, I should have said earlier, is non-sectarian. The majority of our Editors are Catholic, but we don't publish (for example) Catholic "devotional" pieces. To be sure, we've run a lot of pieces by Catholics, and on the Pope and the Pope's teachings, etc., but the emphasis is on the pro-life message and its universality. We have published pro-life pieces from Catholic, Protestant, Jewish and even secular points of view, and we are always open to good arguments, from whatever source.

Sometimes we even publish articles we disagree with, if we think they say something valuable, or if they reveal some of the disturbing truths of the abortion mentality. For example, we once reprinted a piece from *Mother Jones* magazine written by a feminist reporting on her experience of becoming accidentally pregnant, and then offering to be a guinea pig for a new drug cocktail procedure, similar to RU-486 (which at the time was not available in the U.S.). We felt this piece needed to be read to be believed. And so we reprinted it, following it with a column by Greg Erlandson, editor-in-chief of *Our Sunday Visitor*, who shared our reaction. He wrote:

Occasionally, a pro-abortion article will come along that must be read by every prolifer. . . . The details of the story are out of Planned Parenthood's central casting: unmarried woman gets pregnant, feels ambiguous about abortion, then does it. Feelings of relief mixed with a sense of feminist heroism follow. But the tale told by Redman is so horrifyingly detailed that she inadvertently files an eyewitness report on the medical savagery and moral dim-wittedness of the "choice" movement.

Listen to D. Redman's own words on the day of the abortion: "Today's the day. I still have this life inside of me. Last night Dr. Crenin and I saw a heartbeat on the monitor, like the fluttering of a butterfly's wing. I have a four o'clock appointment for the methotrexate shot. I still don't know what I am going to do." (I remember what was especially disturbing about this

story was that the drug had to wait until there *was* a heartbeat—as Redman reports, “For the purposes of data collection, there has to be proof that the fetal tissue is normal before it can be eliminated.”) And here she is, almost two weeks later, as she finds herself at a march on “Women’s Day”: “I look at the women around me and think how beautiful we are in our rebellion. . . . I stand with my sisters, a woman without children. A barren field perhaps, or an orchid that will produce a different fruit. My life feels luxuriant with possibility. For one precious moment, I believe that we have the power to dismantle this system.”

Here is another example: the *Review* had a symposium, in the Winter 1996 issue, on pro-abortion feminist Naomi Wolf’s article, *Our Bodies, Our Souls*, which had appeared in the *New Republic*. Wolf’s article caused quite a stir because in it she admitted that she had come to think of abortion as a necessary evil, not a right to be taken casually and for granted. Her own reasoning was fuzzy, and she revealed well the weaknesses in logic of the pro-abortion movement, yet at least she was honest about the sadness and pain involved in abortion, something which remains anathema for most pro-choice feminists. (We had such response to the Wolf symposium that we followed it up with an interview with Wolf herself.)

Another “hero” Dad wanted to do something for was the great Mother Teresa. There is a funny story about that, which J.P. wrote after her death in 1997. As I said, he was a promotion man, a great talker, and a successful fundraiser. Here’s the story in his own words, which is taken from the Introduction to the Fall, 1997 issue of the *Review*:

. . . Faith and your servant share an amusing “real life” memory of that formidable woman, which I’ll try to tell briefly now. Some 15 years ago, the Human Life Foundation helped sponsor a forum in Washington; “Mother T” was to be the featured speaker, and we invited our contributors to donate for a “purse” we’d present to her there. In the event, it came to just a few dollars short of \$25,000, so we gleefully took a check for that amount to Washington; on the train down I composed a little presentation speech to go with it.

She duly spoke her usual piece (she never failed to attack abortion, as everybody knows), and was then surrounded by well-wishers—but the meeting’s chairman managed to get her aside for my “presentation” and, bending down from his six-foot height to whisper in her ear, explained what I was there for. As he did, I cleared my throat and prepared to give *my* speech. Mother Teresa then turned and looked up, straight in my face. My hand came forward with the check, my mouth opened, and I heard myself say weakly “*Here*.” She took the check with a smiling nod, went back to her place at the table and, after lunch, *left* it there—a waiter saw it, and ran after her to put it back in her hand. Faith was of course next to me through all this and, after my great, glorious moment, we looked at each other dumbfounded, and then

burst into gales of laughter (later she claimed that it was the only time in my life that I'd been speechless).

There is a *postscript* here too: a week later I got a sharp letter, from the then Boss-nun of the Missionaries of Charity up in the Bronx, telling me I had *no* business using Mother's name to raise money—I'd better wash out my type-writer with soap, and never do it again! I hadn't thought of that, but of course she was quite right: good intentions were never sufficient for Mother Teresa, who was eminently practical, like a saint *should* be.

I've got my *own* postscript—that \$25,000 wasn't sent back—it went to the Missionaries of Charity, who save lives all over the world, and some of their branches regularly receive our “baby-saving” grants.

I'd like to shift to our personal story again for a bit—since, in talking about the *Review*, etc. it was very much a family business, because J.P.'s work in the movement affected the family. We didn't go on many vacations with Dad after 1973—no big trips, just a weekend here and there. As the battle wore on, he did become more and more preoccupied—and there were many ups and downs. At times it was hard for my younger siblings especially to understand why their father was so obsessed with his work. Frankly, I think this is a danger we all face. We can probably never feel we are doing enough. At the same time, we have our own families to be present for. I myself have a lot of guilt about being a working mother. Several years ago, I wrote an article for the *Review* on the importance of being a stay-at-home Mom titled “Just Stay Home”! But for many reasons, I have to work now. I get comfort in something Mother Agnes Mary Donovan of the Sisters of Life once said. As I remember, she told her sister, who had a little girl, that when her daughter grew up enough to know about the horrors of abortion, she'd want to know what they had *done* about it. So I know what my dad did, and I hope my kids will know why I was working . . . I went off on a tangent, but the point is, as I am telling you our story, I am not speaking of some perfect life, or perfect people. I am sure many of you here have made sacrifices for your involvement in this movement, which has ground on and on. And J.P. was a human being with many flaws; I don't think he would appreciate me making him out to be a mild-mannered saint. He was a force to be reckoned with! But that made him a champion for the unborn.

As we kids grew up and needed less constant supervision at home, my mother, who had put her writing and publishing career aside to raise us (she had written a book about her conversion to Catholicism in the 50's, before she met my father, but it had not been published) resumed her writing, and began to contribute articles to the *Review*. She also revised her book, and my father wrote an introduction. *Acts of Faith* was published by St. Ignatius Press in 1994. I graduated from the College of the Holy Cross in 1983, and

had several publishing-type jobs in Boston, and then a stint working for Father Richard Neuhaus in New York at *First Things*. In 1988, I decided to come back and work with J.P. My older brother Robert, the first-born, had gone to school for a Masters in social work, but he too decided to work with Dad, and he became head of the Ad Hoc office in D.C., after his wedding in 1990.

Meanwhile, J.P. had started yet another publication, *catholic eye*, for another of his organizations, the National Committee of Catholic Laymen. It was a perfect outlet for him. A quickly read, witty, often biting newsletter on the state of the post-Vatican II church! But that would be another lecture's topic. Suffice it to say he had taken on an enormous amount of work in launching his now three cause organizations, so it became necessary to officially retire from *National Review*—though unofficially he remained close, and we still house our offices within the *NR* suites.

As I looked over years of letters, in preparation for this speech, I was struck anew by J.P.'s perseverance. And that again is something I am sure many of you here have in spades as well. The progression of the anti-abortion movement has not been an encouraging one, in many ways. In the early days, there was the feeling that if only we could just inform enough Americans of the issues, we could overturn *Roe* and go back to sanity. Sadly, that hasn't been the case. As the years wore on, more and more atrocities were permitted in the name of "choice," and more and more people accepted them, and a new generation was born largely unaware of the anti-abortion movement, since the media are so hostile to it. I am sure it took perseverance to stay in the fight.

I have often reflected on why J.P. was so steadfast. He used to say that many of the "diehards" had a personal reason—a retarded child, for instance. I wonder about my father's reasons. He was born in 1930, the youngest of seven. His formerly prosperous family had lost everything in the Great Depression, and sometimes there was literally not enough food to go around. His family loved him of course, but I have wondered if, even in his subconscious, he was aware that if he had been conceived in another era, in an era of "choice," he might have been seen as a child his family just couldn't afford? And then I think of our family in the '60's—with three miscarriages . . . perhaps that experience personalized the unborn for him as well. Dad was also a man with a terrible soft spot for newborns. I know lots of men who are nervous about holding tiny babies—but J.P. was always fascinated and most at ease with the tiny ones. I think, up to the day the *Roe v. Wade* decision was announced, he just could not believe that anyone would want to institutionalize the killing of God's precious infants, and perhaps it was

that basic disbelief that kept him going in the fight.

Unfortunately, or maybe fortunately in God's mysterious plan, the sanctity of life became painfully personal for all of us during the '90's. In May of '93, one month before my wedding, Dad was diagnosed with throat cancer. He underwent surgery three weeks later, and lost the ability to swallow, and most of his voice. He, the great talker, gourmet cook, and yes, drinker and smoker, couldn't taste at all, had to have a feeding tube, and was embarrassed by how his voice sounded. But he survived. In August, my husband and I lost our first child to a miscarriage, an incredibly sad thing for all of us, especially as we had been so cheered by my pregnancy. And then, in November, the third devastating blow: just five months after Dad's diagnosis, the unbelievable news that my 33-year-old brother Robert also had cancer, of a very bad sort, already spread to the lymph nodes. He started chemo immediately.

As a family, we felt blindsided of course. And yet we all went on. Dad and Robert continued to work while undergoing treatments. They both amazingly kept their senses of humor, and we all pulled together—my three younger siblings and I and my mom. Robert had what we thought was a successful bone-marrow transplant in March of '94, but the cancer came back with a vengeance that summer. He died, 14 months after the diagnosis, on December 28, the Feast of the Holy Innocents, leaving Mary, his young wife of four years.

When Robert died, Bob and I had become the happy parents of three-month-old James, who had cheered Robert (his godfather) during the last months of his illness. He was joined by a sister, Anna, two years later. Over the next few years, my father would endure several more cancers, operations, indignities, sufferings. He lost his voice completely and had to communicate by hand-writing notes and typing on his beloved Royal typewriter. Mom became his constant companion at home and at work; and if he wasn't in the hospital, he was at work every day, including weekends. He and Mom left the office at the usual time on October 16th—he died suddenly at home, early the next morning.

After his death, my mother and I and our small staff decided we'd try to keep everything going as long as we could. I had told J.P., when he was diagnosed as terminal, that I would keep the *Review* going. I always knew I would, because I believe, outside of it being a family thing, that it is a needed publication in the world. But I didn't see how we would keep the Ad Hoc Committee and the "Catholic committee" going as well. However, after his death, largely because of the encouragement and dedication of our staff (all four of them, Rose Flynn DeMaio, Anne Conlon, Ray Lopez and Esther Burke), and the outpouring of support we got from J.P.'s legions of friends,

we decided to try and keep all of J.P.'s operations (his empire!) afloat. We believed it was the right thing to do. With all J.P. had to deal with, *he* kept going—who were we to quit? And here *we* are, four years later.

I don't mean to get maudlin recounting the sad parts of the story—we all have them, after all. But it explains why we are where we are today, and it also struck me when I was thinking about what to say to you . . . that of course the pro-life cause is connected to all of our real lives. My dad's physical life became the kind that some prochoicers would say pushes the envelope as far as "quality-of-life," yet he didn't let his own pain and suffering stop him from fighting that mindset, or living a very productive life. Likewise, my brother's illness only made *him* more passionate about his pro-life work. I've had two miscarriages which have given me a greater understanding of the pain of pregnancy loss. And (talk about perseverance) as a pro-life organization, we were hit with the loss of our two top people. But we learned to just put one foot in front of the other, and trust the end result to God.

I now have a third child, Grace, who is a beautiful little toddler. My son, James, was diagnosed at age four with PPD-NOS, a developmental disorder on the autistic spectrum. We are incredibly blessed to have James, and very lucky that his form of autism is fairly mild. He is a sweet, sensitive, funny and handsome little boy. But here too, there is a chilling connection to the quality-of-life mindset so pervasive in our culture. I have sat at a school parents' meeting where a woman complained that there was no test for this when she was pregnant, that she had dutifully had her amnio, etc., but that, still, she ended up as a "caretaker." (For the record, I believe she loves her son deeply. There is a disconnect between the "choice" mentality and the reality of love, thank God.) And there is so much research being done on the causes of autism—but what if a genetic test is discovered, as there has been for Down Syndrome? Another class of humans will be marked for death.

My growing family and the needs of my children have made it difficult for me to accomplish as much as I would like to at work, and I am not the promotional genius J.P. was. But we have been holding steady: we are now focusing on finding new readers for the *Review*. This is a real challenge, because times have changed. Direct-mail isn't as effective as it was—there are so many, many organizations now, competing for people's attention and resources. Our own list, the members we have had for awhile, are still incredibly loyal and generous. But we need to get new readers. So many people have never heard of us, and yet I have had the experience many times of new readers letting me know how grateful they were to find us. So we are looking for new ways to spread our message, and I thank you for this opportunity, tonight, and for your gracious welcome.

The Women of *Roe v. Wade*

Mary Ann Glendon

To understand fully the incalculable effects of *Roe v. Wade* it is necessary (though of course not sufficient) to understand the historical and legal context in which it occurred. When the decision came down in February 1973, the nation was embroiled in the Vietnam War and President Nixon had just begun his second term. Just around the corner, but unforeseen by any of us, were the fall of Saigon and the President's resignation. Nor did most of us perceive how, all around us, the social environment was being transformed by a sudden breakdown in traditional norms governing sexual behavior and a sharp rise in family disruption. It would be years before professional demographers took the full measure of that cultural revolution, and when they did, even they were startled. Here is how one of them, looking back on the period, summarized what happened: "It is exceedingly rare in the history of populations that sudden changes appear across the entire set of demographic indicators. Yet in barely fifteen years, starting in 1965, the birth rate and the marriage rate in all the industrialized countries tumbled, while divorces and births outside marriage increased rapidly. All those changes were substantial, with increases or decreases of more than 50 percent."

With hindsight, we can now see that in February 1973, the U.S. (along with other affluent nations) was a few years into a massive social experiment. No society was prepared for that experiment, and no society has yet adjusted to its consequences. It was in that time of social and political turmoil that a pair of cases involving abortion were presented to the Supreme Court. The better known case, *Roe v. Wade*, challenged an old Texas statute that banned abortion except where the mother's life was in danger. The other, *Doe v. Bolton*, challenged a more modern statute patterned on the Model Penal Code drafted by the prestigious American Law Institute. The statute in *Doe* permitted abortion under certain conditions, but subjected it to regulation.

Though *Roe* got all the attention, I think it is fair to say that *Doe*, decided on the same day, was the more ominous of the two decisions. It was *Doe* that signaled the doom of legislative efforts to provide even modest protection of unborn life—statutes of the type that are in force in most other liberal

Mary Ann Glendon is the Learned Hand Professor of Law at Harvard University. This essay is adapted from a speech given at a Boston College School of Law symposium sponsored by Americans United for Life, and will appear in a forthcoming volume of essays on women and abortion. Reprinted from the June/July issue of *First Things*. Copyright (c) 2003 First Things 134.

democracies (where the regulation of abortion has largely been left to be worked out in the ordinary democratic processes of bargaining, education, persuasion, and voting). And it was *Doe*'s broad definition of "health" as "well-being" that the Court would later use to strike down even bans on the cruel procedure known as partial-birth abortion.

Among legal scholars, what attracted the most attention about *Roe* and *Doe* were the separation of powers and federalism issues. Leading constitutional lawyers such as Paul Freund and Archibald Cox were critical of the Court majority for striking down the statutes of all fifty states with so little warrant in constitutional text or precedent. Even Court watchers who favored legislative liberalization of abortion law were inclined to agree with dissenting Justice Byron White that the case represented an extraordinary judicial power grab. As for pro-life lawyers, most of them did not foresee how far the Supreme Court would extend *Roe* and *Doe* over the years—even to the point of striking down laws designed to protect late-term, healthy, viable babies. For years, the pro-life movement poured much of its energy into litigation, confident that *Roe* and *Doe* would eventually be limited, if not expressly overruled.

To be sure, there were a few visionaries, but their fears were generally dismissed. Who but a madman or a prophet would have imagined, as novelist Walker Percy did, that a whole industry of profitable "Qualitarian Centers" would spring up, where, as one of Percy's characters explained, doctors would respect "the right of an unwanted child not to have to endure a life of suffering"? Who but a madman or a prophet—or an artist who sees more deeply into things than the rest of us—would have imagined, as Percy did in a 1971 novel, that state governments might recognize a right to die, and that arrangements would be made for the sick and elderly to push a button that would waft them away into a "happy death" in Michigan, a "joyful exitus" in New York, or a "luanalu-hai" in Hawaii?

It's something of a puzzle why the public has never really grasped how extreme the legal treatment of abortion is in the United States. (Even Sweden, the poster country for women's equality and liberal attitudes toward human sexuality, strictly regulates abortion after the eighteenth week of pregnancy.) Two factors, I believe, combined to obscure the degree to which the U.S. has become careless about protecting human life at its fragile beginnings and endings. First, journalists and other opinion leaders have persisted in misdescribing *Roe v. Wade* as a case that permits abortion in the first trimester of pregnancy, but permits regulation thereafter. That is a flagrant misstatement, for *Roe* permits no regulation in the interest of protecting the

unborn child for the first *two* trimesters. Moreover, when *Roe* is read with *Doe*, third-trimester restrictions are effectively ruled out as well—for *Roe*'s dictum that such restrictions might be permissible if they did not interfere with the mother's health was negated by *Doe*'s definition of "health" as "well-being."

The second factor that enabled the radical character of these decisions to pass under the radar is that most people just couldn't believe the Supreme Court would do such a thing. When I have explained the extreme permissiveness of American abortion law to people, one of the most common reactions is: "That can't be right." I've found that most people—including many law professors—have a great deal of difficulty wrapping their minds around the idea that the Court would permit the intentional destruction of a healthy infant who was capable of living outside his or her mother's body, when the mother's health (in the ordinary meaning of that word) is not in serious danger. That's why polls show that the same people who say they approve of *Roe v. Wade* also say they believe that abortion should not be permitted except for grave reasons, and that it should never be permitted after viability except to save the mother's life.

What finally helped to raise public consciousness was the most shocking decision thus far, *Stenberg v. Carhart* (2000), in which the Court struck down a state statute that would have banned partial-birth abortion. By 2000, technology had advanced to the point where many parents proudly displayed ultrasound photos of pre-born babies. Thus, Justice Stephen Breyer's callousness about something so close to infanticide highlighted as never before the discrepancy between the rigid, lethal logic of the Court majority and the more complex moral sentiments of most Americans.

One other aspect of the history of the 1973 decisions demands comment. When reading *Roe* and *Doe*, it is surprising to see how little they have to say about protecting women and how much they have to do with protecting doctors. That is because much of the pressure for these decisions came from the medical profession. By 1973, with the sexual revolution well underway, licensed doctors were increasingly performing elective abortions for their patients, but they were worried about criminal and civil liability. Justice Harry Blackmun, who had been counsel for the Mayo Clinic, wrote much of the majority opinion in *Roe* at the Mayo Clinic library. As is well known, he grounded the decision on the supposed "right to privacy" in the physician-patient relationship. It was not until years later that the Court majority described abortion as a woman's right, and then shifted in *Casey v. Planned Parenthood* (1992) from the much-criticized privacy ground to treating abortion as an individual liberty.

Part of what emboldened the Court majority to go as far as it did in the line of cases extending *Roe* and *Doe* was the embrace of unlimited abortion rights by the peculiar form of feminism that took shape in the 1970s. To earlier feminists who had fought for the vote and for fair treatment in the workplace, it had seemed obvious that the ready availability of abortion would facilitate the sexual exploitation of women. Women like Susan B. Anthony and Elizabeth Cady Stanton regarded free love, abortion, and easy divorce as disastrous for women and children. They would have regarded women who actively promoted those causes as foolish or deranged.

What made 1970s feminism such an anomaly was a puzzling combination of two things that don't ordinarily go together: anger against men and promiscuity; man-hating and man-chasing.

I remember that it was around this time that some of my students at Boston College Law School began to ask me if I was a feminist. My answer, then and now, is yes—if that means I am specially concerned about a range of issues that disproportionately affect women. But, as the mother of three young children in those days, I had to admit I was baffled by the groups that were purporting to speak for women. Organized feminism had almost nothing to say to women like me who were trying to juggle work and family obligations. In fact, many of its spokeswomen went out of their way to denigrate marriage and motherhood. Moreover, as a lawyer, I could see that the chief beneficiaries of the divorce reforms they backed so enthusiastically were ex-husbands and second wives.

The feminism of the 1970s was decisively shaped by a demographic phenomenon that brought heartbreak and disappointment to two large groups of women. The first group was the cohort of women born in the early years of the post-World War II baby boom. These young women were caught in what demographers call the “marriage squeeze”—the shortage of potential mates that resulted from the sharp jump in birthrates that began in 1947. There simply were not enough baby boys born during the war years to provide husbands for the bumper crop of girls born in 1947, '48, and '49 (given the then-custom for women to marry men a year or two older than themselves). When these girls started dating (in the 1960s), there were *1.7 million more* of them than there were men in the age group where they ordinarily would have expected to find husbands. Just imagine what a painful experience that must have been for young women who had been socialized for domesticity, girls who had grown up in the 1950s to expect life as it was portrayed in the *Ladies Home Journal* and *Good Housekeeping*. They had no idea why things weren't working out the way they were supposed to.

The increased competition for mates, coinciding with the arrival of the

birth control pill, helps to explain a number of things, such as the collapse of sexual taboos as young women began to offer free samples and to pursue men previously considered off limits (such as other women's husbands). The ripple effects were vast and affected nearly everyone. Inevitably, there were abuses by men of their suddenly dominant position in the mating market. Many women of Betty Friedan and Bella Abzug's generation found themselves alone and in difficult circumstances when their husbands divorced them to marry younger women. That created a second large group of angry women, and 1970s feminism was off to the races.

The unusual conditions that gave rise to that particular form of feminism have long since passed, and thus it is hardly surprising that most women today are looking for something more responsive to their needs and aspirations. Betty Friedan, the smartest of the old guard, was the first of their number to see the writing on the wall. In a 1996 piece for the *New Yorker*, she warned organized feminism that "as a number of recent polls have made clear, the urgent concerns of women today are not gender issues but jobs and families." Two years later in *Time*, she again advised official feminism to get over its fixation with gender, saying, "All the sex stuff is stupid. The real problems have to do with women's lives and how you put together work and family."

Friedan was right that problems of work and family are central concerns of many women, and there are signs that she and others have succeeded in moving the feminist establishment to pay closer attention to those matters. But old-line feminism still has a tin ear for listening to women with children, as evidenced by their main solution to the problem of combining work and family life: the socialization of child care. Ironically, the old feminism brought to light how much of women's work has been undervalued, but then bought into that very same disrespect by acting as though the only work that matters is market work.

It's no wonder that four out of five young women today are so turned off by these negative attitudes toward men, marriage, and motherhood that they reject even the term "feminism." The title of Elizabeth Fox-Genovese's book *Feminism Is Not the Story of My Life*, taken from her interviews with dozens of women in all walks of life, says it all.

It is now apparent to nearly everyone that what Betty Friedan calls the "sex stuff" does matter, and that it matters very much. As the bills for the sexual revolution pile up, it looks as if the late nineteenth and early twentieth century feminists were closer to the mark. The price for the nation's prolonged bacchanal has been high, especially for women and children.

There's been a high cost in terms of women's health, including an epidemic of infertility caused by sexually transmitted infections, and a startling rise in cervical and oral cancers among young women from the same cause.

Most women have understood all along that *Roe v. Wade* would not, as Friedan once predicted, "make women whole." For the past thirty years, all three leading polling organizations have consistently told us that a large majority of Americans, women even more than men, disapprove of the majority of abortions that are performed in this country. In recent years, that disapproval has increased significantly. The latest Zogby poll, reported in November 2002, reveals not only that Americans in general are becoming more conservative in their views about abortion, but that young people are significantly more pro-life than their parents. The strongest supporters of abortion rights in the United States, as any nineteenth-century feminist could have predicted, are not women—but men in the age group of eighteen to twenty-five. Nevertheless, the most pro-life part of the population is people under thirty.

Why, then, a curious person might ask, has that widely shared sentiment not tempered the extremism of American abortion law? In part it's probably because the Supreme Court has left so little room for expression of popular will through legislation. In part it's probably also because so much confusion exists about what the law really says. But there may be other, deeper reasons. With almost a million-and-a-half abortions a year for thirty years, we have become a society where nearly everyone has been touched by abortion, if not personally, then through friends and family members. When we speak about abortion today, we are speaking to women who have had abortions; to men who have asked women to have abortions; to young people who have lost brothers and sisters to abortion; and to the mothers and fathers, friends and neighbors of those women and men. That knowledge often leaves us tongue-tied, at a loss for words, for what to say and how to say it.

That knowledge has made it tempting for countless women and men to take refuge in slogans like: "Who am I to be judgmental?" and the famous "Personally, I'm opposed, but I can't impose my opinions on others."

I have to admit that, back in the 1970s, I was rather uncritical of such phrases. I remember asking the former dean of Boston College, a Jesuit priest, "Father, what do you think about this abortion issue?" He said, "Well you see, Mary Ann, it's very simple. According to Vatican II, abortion is 'an unspeakable moral crime.' But in a pluralistic democracy, we can't impose our moral views on other people." "Oh," I said, "OK."

I know this story doesn't reflect any credit on me, but I mention it to show that many of us just didn't focus on the issue all that closely. I know now that I should have questioned the word "impose." But it took some time before growing numbers of Catholics, Protestants, and Jews stepped forward to point out that when people advance their moral viewpoints in the public square, they are not imposing anything on anyone. They are proposing. That's what citizens do in a democracy—we propose, we give reasons, we vote. It's a very strange doctrine that would silence only religiously grounded moral viewpoints. And it's very unhealthy for democracy when the courts—without clear constitutional warrant—deprive citizens of the opportunity to have a say in setting the conditions under which we live, work, and raise our children.

It was only after I started to look into how controversial issues like abortion and divorce were handled in other liberal democracies that I realized how my dean's slogan has been used not only to silence religiously grounded views, but to silence all opposition to abortion. I should have asked the dean why citizens should have to withhold their moral views on abortion but not on other issues where he did not hesitate to advance religiously grounded moral viewpoints—the Vietnam War, capital punishment, civil rights, and relief of poverty. Years later, I put a related question to the former dean of Harvard Law School. In the mid-1980s, after I had given a talk to the Harvard faculty comparing American abortion law unfavorably with the approaches taken in several other liberal democracies, Dean Al Sacks took me out for lunch and said, "You know, no one in that room agrees with you." Since he had put the point in a friendly, avuncular way, I asked him about something that had long puzzled me. "Why," I asked, "did you and so many other constitutional lawyers stop criticizing the Court's abortion decisions after most of you had been highly critical of *Roe v. Wade*?" He sighed and gave me a very candid answer that had the ring of truth. "I suppose," he said, "it was because we had been made to understand that the abortion issue was so important to the women in our lives, and it just did not seem that important to most of us."

Today, thirty years after *Roe* and *Doe*, polls tell us that the abortion issue is still more important to women than to men. But they also tell us that women's and men's views have changed. For one thing, many of the unintended consequences of the cultural revolution of which these decisions were part have come into clearer view. There is growing awareness that the moral ecology of the country has suffered something like an environmental disaster, and that we are faced with a very complicated clean-up operation.

What makes that task especially difficult now is that the social changes of

the past four decades have taken a heavy toll on the nation's human capital. We now live in a culture in which about half of all marriages end in divorce; in which nearly half of all children spend part of their childhood in fatherless homes; in which women and men who put their families first are falling behind economically and professionally; in which many of the nation's youngest citizens are starving for parental time and attention, and often for basic material necessities.

Moreover, though old-line, hard-line feminism has little appeal for today's women, its ideology lives on in law and policy—like light rays from a dead star. The cohort of women most captivated by that ideology now holds influential positions, and the organizations that promote the worst ideas of 1970s feminism continue to be handsomely bankrolled by its chief beneficiaries—the vast, profit-making abortion industry, the sex industry, and the organizations that promote aggressive population control.

Fortunately, however, the times are changing. There are signs that new forms of feminism are emerging to tackle the challenge of renewing the culture. We are hearing more voices of women who are in touch with the real-life needs and aspirations of a broad range of women. We are hearing more voices of women who regard men and women as partners rather than antagonists in the eternal quest for better ways to love and work. We are hearing enough to give us hope that a collaborative, creative effort is underway—an effort to promote a moral ecology that is in keeping with American traditions of welcoming the stranger, caring for the weak and vulnerable, lending a helping hand to the needy, and giving a fresh start to someone who got off on the wrong track.

Skeptics might say that that hope is misplaced. Perhaps so, but hope may be all that we have in an otherwise daunting time.

The Eurocrats Are Coming

David Quinn

For most people in Europe, the European Union is out of sight and out of mind. For Americans it is the same, only far more so. After all, what does the talk that goes on in Brussels or in Strasbourg have to do with the lives of ordinary Europeans, let alone Americans?

The answer is that for Europeans certainly, and even for Americans, the EU is of immense and growing importance. Politically this is beyond doubt. The various institutions of the EU are taking unto themselves more and more of the powers which traditionally have been exercised by the parliaments of the various nation-states.

Many influential figures within the EU want to turn Europe into a power bloc that will rival, and sometimes directly oppose, America. Imagine an EU run by France, and what it would have done to thwart American actions in Iraq.

On the socio-moral front, too, the EU is increasingly significant. The U.S. Supreme Court, in its recent decision quashing anti-sodomy laws across America, cited the European Court of Human Rights. This is not a body of the EU, but the principle is the same: it is an international body whose precedents should have no relevance to U.S. law.

Obviously courts such as the ECHR and the European Court of Justice have no direct power whatever over America, but increasingly national courts are beginning to see themselves as part of an international network. In the years ahead expect courts in one country to quote courts in other countries more and more. Especially quoted will be those courts with transnational jurisdiction like the ECJ or the International Criminal Court.

Like it or not, the U.S., along with every other country on the planet, is being inexorably tied into a network of international treaties and organizations that are robbing the traditional nation-state of much of its freedom of action. The U.S. is strongly resisting this process, especially with a Republican in the White House. Many Europeans are encouraging it. What is more, these Eurocrats want to tie America into precisely the international network of treaties and obligations that they are happy to be a part of. To make matters worse, the EU is probably the single most influential entity shaping those treaties and organizations. And it is trying to shape various of

David Quinn, former editor of *The Irish Catholic*, is the correspondent for religious and cultural affairs for *The Irish Independent*.

them in a way that many Christians and other religious believers would find repugnant.

To cut to the chase, Americans, and especially Americans who are orthodox Christians, cannot ignore the EU any longer. They cannot ignore it because insofar as the EU influences treaties that the U.S. signs, it influences the U.S. itself. And even when the U.S. does not sign a given treaty or convention, it can still be cited in U.S. law, as happened in *Lawrence v. Texas*.

In Europe, of course, the situation is far worse. The following is a particularly egregious example of the way decisions at one international conference can be used by EU bureaucrats to make laws for their member states with little, if any, further public debate and with most of the citizens of those states having little, if any, idea of what is being done in their name.

In 1994 the UN organized an International Conference on Population and Development in Cairo. That conference became a battleground between pro-life and pro-choice groups as the latter tried to have a right to abortion enshrined in the final document. They failed, no thanks to the delegates from the EU and the U.S., but the document did include references to sexual and reproductive health without defining what this meant.

It also included a clause forbidding the promotion of abortion as a form of family planning. The insertion of this clause was a “victory” for the Irish delegation at that conference, a way of convincing pro-life voters back home that the government had not signed on to something that would permit abortion. But it was ever only a fig leaf, as became clear in the story of EU Regulation 168.

“Regulation” is what the EU calls its laws. Regulations are proposed by the Commissions (something like government departments) of the EU, are discussed and amended in the European Parliament, and are then put before the Council of Ministers to be voted on. (The Council of Ministers is made up of ministers representing the governments of the individual member-states. It is arguably the most powerful body of the EU.)

Last year a regulation was proposed aimed at promoting “sexual and reproductive health” in developing countries. It was intended as a response to the Cairo conference as well as to the Cairo plus 5 follow-up discussions held in 1999. The new regulation was to replace a previous one that was also a response to Cairo. That previous regulation, however, was focused on developmental issues, whereas the proposed one was far more tightly focused on sexual and reproductive health.

The proposal got by the European Parliament despite stout opposition from Dana Rosemary Scallon, far and away the most outspoken defender of the unborn among the Irish delegation at the Parliament. She and some

fellow parliamentarians tried to amend the proposed regulation to specifically exclude the possibility of its being used to fund abortion. They failed.

Back home my own newspaper (at the time I was editor of *The Irish Catholic*) repeatedly asked the government whether the regulation, if passed, could be used to fund abortion. We were told repeatedly, and often with some vehemence, that the proposal was “in strict conformity” with the Cairo Program of Action and that abortion would therefore not be promoted as a form of family planning. Note what the government did not say: it did not say that abortion would not be funded, merely that it would not be promoted as *a form of family planning*.

For a time it was very difficult to get clarification on this point from the government. It kept on repeating the same answer. Finally a trawl back through the debates over the issue at the European Parliament found the vital piece of evidence needed to draw the government out into the open. Ulla Sandbaek, a Danish MEP (Member of the European Parliament) was the main author of the report that led to the regulation. On February 12, 2003, she stated: “This regulation is about providing women in the developing world with access to the most basic services—those services we take for granted—and also, where it is legal, to include in those services the choice of a safe abortion.” Note the use of the word “safe,” as though abortion were ever safe for the unborn child.

Presented with this quote, the Irish government finally admitted that funds released by the regulation (number 168)—to which the Irish taxpayer had contributed—might possibly be used to fund Third World abortions. The government still wouldn’t emphatically state that abortions would in fact be funded, but it was bad enough that Dublin had agreed in principle to such a thing—despite the fact that the Irish constitution commits the Irish government to protecting and vindicating the right to life of the unborn.

On May 20, the Council of Ministers passed the said regulation without a murmur of protest from the Irish public. When in July the Irish government finally admitted the nature of the thing it has supported, pro-life groups were depressingly quiet, as though last year’s civil war over the Protection of Human Life in Pregnancy Bill referendum (see my previous *HLR* article, “Ireland’s Pro-Life Civil War,” Winter/Spring 2002) had knocked the stuffing out of them. In the media there was hardly a word about the story. The upshot is that hardly a person in Ireland knows what our government has signed us up for.

So, to recap the evolution of this measure: Nine years ago Ireland and

other EU countries signed on to the Cairo Conference Program of Action. This led to an EU regulation that concentrated mainly on developmental issues. This was then replaced with another regulation that concentrates on "sexual and reproductive health." Thus has it come to pass that the Irish taxpayer will be funding abortions in Africa and Asia.

Note how Irish sovereignty and the Irish constitution are set at naught by the regulation. Even if the Irish members of the Council of Ministers had objected strenuously to it, the chances are that they would have been outvoted by the ministers from the other member-states. The Irish Constitution counted for nothing, because anything passed into law by the EU automatically supersedes anything in Irish law. In pro-life terms the one exception to this is a protocol that prevents the EU from overriding the protection Ireland's constitution gives to the unborn. Unfortunately that protocol does not extend to how Irish money is used overseas.

Soon that same money could be used to fund embryo research in other EU countries, and maybe so-called therapeutic cloning as well. Curiously, the Vatican is a big supporter of the EU despite the fact that the EU is emphatically not a big supporter of it or the causes it holds dear. Again and again the two have found themselves at loggerheads at UN conferences over life and family issues. And yet the Vatican is mute when similar issues arise at the EU. This is especially odd when you consider that the EU, unlike the UN, has actual law-making powers.

Perhaps its attitude is partly due to the fact that many of the founders of the EU's predecessor organizations were devout Catholics and Christian Democratic politicians when that still meant something.

The first of those predecessors was the European Coal and Steel Community (ECSC). Founded in 1950, just five years after the end of World War II, it was a direct response to that catastrophic conflict. The founding fathers of the ECSC were the French political economists and statesmen Robert Schuman and Jean Monnet. They believed that if France and Germany, plus the other four initial members (Italy, Belgium, the Netherlands, and Luxembourg) were to pool their two major resources, steel and coal, and become economically interdependent, it would make it much harder for them ever to go to war with one another again. Therefore, the EU originated not simply out of a desire for increased prosperity, but primarily to secure the peace and unity of Europe. It is important to bear in mind that many bishops, the bishop of Rome included, well remember the war and will support almost anything that might prevent another general war on European soil.

From the outset Schuman and Monnet had something much more than a coal and steel pact in mind. They wanted full-scale political and economic

unity involving, ideally, every country in Western Europe. Through a series of treaties and additions of new members, this dream is now not far from being achieved—and, indeed, the countries of Eastern Europe are also joining up. But is a politically and economically united Europe in the ideological context of the twenty-first century really what the peoples of the various nations of Europe had in mind when their countries joined?

For the British and the Irish certainly the wholesale surrender of national sovereignty was far from their minds. As late as 1973, when they (along with Denmark) joined, they thought they were joining something that was primarily an economic community. Indeed, at that time, the entity that had evolved from the ECSC was still called the European Economic Community. The EEC then became the European Community in 1975, and the European Union in 1993. Some people have mooted that it should in the future be called the United States of Europe.

In a way, joining the EEC was like embarking on a train journey with no definite final destination. That's not necessarily what people believed at the time, but it has turned out to be the case. Each subsequent treaty has been a sort of stop along the way, a further ceding of national sovereignty. Some of the passengers fear that the final stop will be something close to the end of national sovereignty altogether. Other passengers fervently hope this will be the case. The majority seem oblivious to what is happening.

Already the EU has a single currency. A great many laws are decided not in the national parliaments of the member-states, but in Brussels. Now a European constitution is under discussion.

A final version of this constitution should be available by the middle of next year. It must then be ratified by each of the member-states of the Union. At that point the number of member-states could be as high as 21, as the countries of Eastern Europe (plus Malta) are admitted. If it is ratified by all the member-states, then the EU will have one more of the distinguishing characteristics of the nation-state.

The negotiations that have led up to the draft of the constitution help to demonstrate why the Church should be more wary of the EU than it is. There was, for example, a highly symbolic battle over whether there should be any mention of God, or Christianity, in the preamble to the constitution. The preamble would have no binding legal force, but given the strength of feeling on both sides of this debate, it was obviously judged to be very important that God and/or Christianity either should, or should not, rate a mention. Ireland's former Prime Minister, John Bruton, who was a very senior member of the Convention charged with drawing up the constitution, argued in

favor of including a reference to God. He drafted a preamble that should have kept all sides happy. It mentioned no specific religion. It referred to those who derive their values from their belief in God and those who derive their values from elsewhere. And yet it was still rejected.

The president of the Convention was former French president Valéry Giscard d'Estaing. He was adamant that God should not be mentioned. He and his numerous allies maintained that any reference to God or Christianity would be "divisive." But as John Bruton pointed out, if politicians waited until there was total consensus on a given issue, they would never get anything done. As he also pointed out, his wording included both those who believe in God and those who don't, so it was as inclusive as any wording about anything could possibly be. It would seem that what Bruton had exposed was a deep vein of anti-religious bigotry in Europe.

Giscard came up with a preamble of his own. It referred to Europe's cultural heritage dating back to the ancient Greeks and Romans and then skipped forward to the Enlightenment, omitting all mention of the hundreds of years of Christendom in between. Fortunately there were also loud objections to *this* preamble. Poland's president, who is an atheist, said it was absurd that Greece, Rome, and the Enlightenment should be referred to but not Christianity, given the overwhelming importance of Christianity in Europe's history.

Others pointed out that if it is "divisive" to mention Christianity, then it is also divisive to mention the Enlightenment, or the Greek and Roman heritages. Like Christianity, these have their critics and would cause division. In the end, Giscard altered his preamble. But rather than make reference to Christianity, he dropped the references to Greece, Rome, and the Enlightenment.

The Vatican let it be known that it wasn't happy with the course of the Convention but left it pretty much at that. It seemed poor payback for vesting the EU with the Church's moral authority, something that certainly keeps many Catholics on board the EU train, especially in applicant countries like Poland.

The preamble apart, if the constitution goes through much as it is now, it could have severe implications for religious freedom as well as for family and life issues. The EU's Charter of Fundamental Rights is to be incorporated into the constitution, giving it legal force for the first time.

Many of the Charter's rights are anything but fundamental (for example, it contains a right to collective bargaining). Some are downright menacing. For example, the Charter commits the EU to giving the family "legal, economic, and social protection" without defining the family. Who can doubt

that some day some judge or Brussels mandarin will decide that homosexual unions fall within the ambit of this section? Will it also be used to permit homosexuals to adopt children anywhere within the EU?

Elsewhere the Charter says that men and women must have equal access to all areas of life. Does this include church, synagogue and mosque? Might the European Court of Justice some day order that women priests, women rabbis, and women mullahs be accepted? If so, what will be reaction of the adherents of the affected religions? If their leaders refuse, what will happen?

At present, the pro-life amendment to Ireland's constitution is protected by a protocol to one of the EU's various treaties. (It is called the Maastricht protocol, after the city in which the treaty was drafted.) The proposed EU constitution will override *all* of these treaties, including their protocols. If Ireland does not win for itself another protection similar to the Maastricht protocol, then it leaves itself open to a *Roe v. Wade*-style decision by the European Court of Justice which will enforce a uniform abortion law upon all the member-states of the EU. Article 3 of the Charter has pro-life activists particularly worried. It guarantees a person's right to "physical and mental integrity." It doesn't take a genius to see how this could be interpreted to justify abortion.

So it is clear that recent and potential developments within the EU give Christians and other religious believers plenty to worry about. What can be done? Basically pro-life and pro-family groups need to think beyond the nation-state and organize at the EU level. As legislative powers drain away from national parliaments to the institutions of the EU, there will be far more need to lobby the movers and shakers in those institutions, in addition to the ones back home.

Pro-life and pro-family groups cottoned on to what was happening at the UN years ago and are now well organized to give pro-choice groups a fight at various UN conferences and fora. The same is not the case at the EU. There are some pro-life/pro-family groups—C-FAM for example—keeping an eye on the EU. In fact, the existence of such groups has caused the EU to set up a unit to monitor them, something that is sinister in itself. But there is no genuinely well-organized and well-funded lobby group there.

Such a group probably wouldn't even need to be all that big or that lavishly funded. Its job would be to lobby the relevant people within the institutions of the EU and to keep pro-life and pro-family groups in the member-states informed of relevant developments in Brussels. Lobby groups back home could then lobby their national parliamentarians and mobilize their supporters.

While national parliamentarians have little direct influence over EU laws,

they can make it known to their governments that support for a given measure in Brussels or Strasbourg would lose them votes back home. Pressure enough national governments into opposing a given measure and it could be defeated in the Council of Ministers, which must ultimately approve all EU laws.

I believe that the establishment of such a lobby group is an absolute priority. It should not be Catholic only, or even Christian only. It should draw support, moral and financial, from whoever cares about the rights of the unborn, of the aged and the handicapped, and of the traditional family based on marriage.

There will soon be 21 members of the EU. It is hard to believe that in these 21 countries there cannot be found enough supporters to sustain such a lobby group. Here is where the Vatican might be able to do some useful work. It could bring together concerned businessmen from throughout Europe and also begin to interest other religious groups in the venture, and even non-religious groups that for other reasons are concerned about these issues.

If the Vatican is astute enough to see the need for such a lobby group to operate at the UN, it should be astute enough to see the much more pressing need for such a group to operate in the EU.

If not, then pro-choice groups, which are already extremely influential within the corridors of power in the EU and have many fellow-travellers there, will have a free hand to advance their agenda as they please. That will have repercussions not only in Europe but also in the developing world, and in the U.S. as well.

Pro-Life on Campus

Lori Brannigan Kelly

There is an active and vibrant pro-life student group at Wellesley College. Don't those twelve words just knock your socks off? But wait—it gets better.

Brown. Cornell. Harvard. University of New Hampshire. Berkeley. Stanford. All of these schools have students committed to the protection and support of life at every stage of its existence. Members of their pro-life organizations have attended the annual March for Life and the American Collegians for Life¹ conferences. They have held candlelight vigils on the anniversary of *Roe v. Wade*, organized baby showers, coordinated seminars on stem-cell research, and invited speakers to address the topic of post-abortion healing. They have volunteered time to baby-sit for student-parents, pressed for providing more baby-changing tables on university grounds, and written letters to the editors of their college newspapers to defend the defenseless unborn. Some of these students have faced abuse and discrimination, and they have come out on the other side of this discrimination all the more committed to challenging the culture of death and proclaiming the sanctity of life.

What has sparked this pro-life movement on college campuses? What challenges have these student activists faced? What are their goals, and what is their direction and hope for the future?

Sparkling the Fire

For the past three decades, most students arriving on college campuses discovered very active pro-choice groups, but not a single pro-life voice to challenge them.

At the University of New Hampshire, Elizabeth Andrew decided to change that.

A Music Education major, class of 2004, Andrew reflects on how it all began: “During the winter of my freshman year, I picked up the school newspaper and read an article that stated that since Bush had been elected to office, all of the rights that women had fought for would be overturned. The article was very specific about ‘reproductive rights’ and was extremely biased.

Lori Brannigan Kelly is a freelance writer whose work has appeared in *First Things*, *The Pilot* (Archdiocese of Boston) and this *Review*. She and her husband Dan live in Walpole, Massachusetts with their three children.

Seeing the one-sidedness of the article really shook me up. It is not that I was naïve and didn't know that such bias existed; I was more devastated that it was happening at a research university as opposed to some other, more worldly venues. Perhaps that does make me naïve. Yet in later issues of the newspaper, there were never any responses by students to the article. Over time, the feeling that I was the only student who was pro-life on the entire campus seemed to be affirmed. I began making phone calls—the local crisis pregnancy center, the campus ministries office, the Catholic Student Organization. None of these leads developed into much.

“It was not until the beginning of my sophomore year, namely after September 11, that I made a final resolve. Personally, I knew that I would face crumbling friendships, less time to put into my own academics, as well as inevitable frustrations that would come with dealing with this issue. I am not proud that it took something like September 11 to force me to see that I had a personal responsibility as a human being to forgo some social comforts in order to promote a culture of life at UNH.”

Things still took time. Then in early April of 2002, a woman from the surrounding community called, from out of the blue, informing Andrew that Bryan Kemper of the organization *Rock for Life* would be visiting Durham, N.H. as part of a local high-school program, and suggesting that Andrew reserve a room in the UNH student union building so that Kemper could also speak with university students. Andrew followed through on the suggestion, and the event turned out to be precisely the catalyst that she needed: “Logistics clicked, and the room was *packed*,” she reports. Kemper would not leave that evening until Andrew had enough signatures to start a pro-life student organization. Fifty students signed up.

Andrew was willing to be, as another co-ed puts it, the “lone pro-lifer on campus,” if that had proved to be the case. But in fact Andrew is not alone. The great calamity that abortion presents to society in general, and to college women in particular (it is estimated that one in five abortions is performed on a college student), has triggered outrage and sadness among this generation of co-eds, and this distress has led many of them directly to the pro-life front lines. Through their own personal experience and education, and through the tireless and committed college outreach programs of groups like Feminists for Life, more and more students are recognizing that America's culture of death is a grave civil injustice. And that recognition has spurred them into action.

Laura Openshaw is a case in point.

Openshaw, a linguistics major at Harvard College, class of 2005, will serve as Harvard Right to Life's vice-president next semester. “I joined HRL,”

Openshaw writes, “because I am deeply distressed by how women are victimized and innocent human lives are taken by the greed of the abortion industry, which is supported by what has been called the ‘culture of choice.’ Were I, a young unmarried college student, to become pregnant, this culture would exert a frightening amount of pressure on me to abort, not because it would be the best option for me, but because abortion is a ‘right,’ and who would I be to renounce a right that my feminist forebears fought so hard to secure? A lot of women abort for this reason: because they feel obligated to and because they aren’t aware of alternatives, not because they want to.”

Feminists for Life president Serrin Foster corroborates Openshaw’s argument, using one Ivy League college as an example: “Yale covers three abortions in health care in three years, but they provide no housing for families or child care. They simply say, ‘I’m so sorry,’ and offer women a ride to a clinic. Other campuses have given women money or loans for abortions, but they don’t offer financial assistance for a live birth. No housing, no child care, no maternity coverage.” And, says Foster, if pregnant women are seen on campus, “they are stared at like exotic creatures.”

For pro-life campus advocates, this hostile and uncaring environment demands change. Many of them were initially brought into the pro-life cause by one person, be it a parent, a teacher, a counselor, or a friend. They increasingly realize that each of them is now called to be, for others, that one person.

Service: Spreading the truth, extending a hand

For the college pro-life activist, service means three things: education, outreach, and pregnancy support. It is through these three vehicles that campus activists expose their peers, as well as the surrounding community, to the scientific facts on fetal development and embryonic stem-cell research; the truth about partial-birth abortion, the horrors of cloning and euthanasia, and the possibilities of adoption; and, finally, the real and pressing needs of the many unwed, pregnant students—and student single parents—whom they meet every day.

All the students interviewed for this article have participated in and organized seminars, conferences, marches, and vigils, but the service they seem most passionate about is pregnancy outreach, and the clear-cut goal of this outreach is to provide direct and meaningful support to pregnant students and student parents. For the pro-life college activist, pro-life advocacy is women’s advocacy. The students leading this effort recognize that they must provide a sustained base of support for the women they help once their children are born. Anything short of this complete circle of care is seen as dropping

the ball.² As one activist puts it: "Giving birth to a child must be a *reasonable option* for all students. . . . Support must be had in terms of medical care, housing, professional emotional aid, and opportunities for pregnant students to continue their education."

Feminists for Life's College Outreach Program has hosted pregnancy resource forums at Stanford, Harvard, Notre Dame, and Georgetown. These programs had dramatic results. Through FFL's efforts at Georgetown, for example, endowed housing was set aside for student parents, the Hoya Kids Learning Center was established to provide child care, and eligible co-eds obtained both private and government pregnancy and parenting assistance.

One student-inspired program at the University of California, Berkeley, provides another good example of practical service. According to Berkeley graduate Elizabeth Maier, between 1,000 to 1,500 student parents use the Berkeley campus daily. In 2001, when the Berkeley Student Parent Project took on the task of assessing these parents' needs, it was easily determined that the two baby-changing tables that were available at that time just did not suffice. Berkeley Students for Life joined forces with the Berkeley student government, the Student Parent Project, and the Chancellor's office to obtain funding to increase the number of changing tables by twenty.

Indeed, pro-life college outreach programs often unite opposing camps. Christina Wang, President of Wellesley Alliance for Life, gives one example of this. WAL teamed up with Wellesley Women for Choice to launch the Initiative for Student Mothers, a program intended to obtain on-campus housing for student mothers. The Alliance was not limited just to members of WAL or WWFC; everyone on campus was invited to participate. Unfortunately, the project failed. According to Wang, Wellesley President Diana Chapman Walsh and others let the Alliance know that this was not a high priority for the administration. But the project built bridges and planted seeds: "It wasn't that hard to work and dialogue with pro-choice students, because we work and dialogue with Wellesley students in general every day," Wang remarked. Although housing units were not obtained, the Initiative did shed light on the needs of Wellesley student mothers, reminding the campus at large that these women are accomplished and significant participants of the student body and, as Wang says, "success stories themselves."

Personal Challenges

American colleges may be the single most challenging environment for the pro-life activist. Not only do college and university pro-lifers encounter student adversaries, but they often also face opposition from faculty and administrators who have spent their entire professional and academic careers

promoting philosophical and scientific discourse that condones moral relativism, buttresses abortion rights, and, in one medical student's words, denounces any prudent federal or societal limitation on human biological experimentation as a "criminalization of research."

At first, the challenges and criticisms are personal. Roger Severino, former President of the Harvard Law School Society for Law, Life and Religion, recalls the abuse that he and members of his group received: "Our posters would routinely and almost exclusively be torn down,"³ says Severino. Fellow students whom he considered friends turned on him once they learned of his pro-life activities. Members of Severino's group were "called almost every name in the book, from 'morons' (through anonymous counter-postering of our pro-life campaign), to 'homophobe,' 'religious zealot,' 'bigot,' and 'oppressors of women.'"

Tom Reuland, President of Brown University/Rhode Island School of Design Students for Life, tells a similar story. Although Reuland's organization has hosted lectures, sponsored seminars, and worked with campus health services in support of compassionate service to the infirm, the vulnerable, and women in need, it cannot escape the usual falsehoods. Reuland sums it up this way: "Sometimes people do jump to conclusions. . . . I'm in charge of a 'pro-life' group. . . well that must mean that (a) I'm a white, rich, male, who votes Republican, (b) I hate women, art, music, poetry, and anything associated with university 'culture' (in the positive sense of the word) and (c) I hate all people who have had abortions. These judgments really frustrate me at times. It's hard to argue on uneven ground."

This ground is often made all the more impassable by faculty and administrators who, when offered compelling arguments in favor of the defense of life, are either passive or hostile. Frequently, students express frustration with faculty members who are reluctant to support the pro-life movement. This reluctance is especially perplexing to students at Catholic institutions. One Boston College student notes that "many faculty members seem scared to say anything against [abortion]. . . . We have a hard time finding faculty advisors; everyone says that they are too busy to help us out."⁴ Says another activist, from Berkeley: "[Our] professors are very liberal, somewhere between Marx and Lenin, to be exact. . . . Sixties radicals are not too happy about the new pro-life radicals holding the rallies."

Institutional Challenges

Beyond the personal attacks by peers and faculty lie other, more formidable challenges: monolithic academic environments that demand ideological orthodoxy, suppress factual instruction and honest debate, and, in the

pursuit of medical discovery, routinely and consistently advance the culture of death.

Consider Stanford and the University of California at San Francisco. Both institutions are currently in the midst of major stem-cell research initiatives, with Stanford recently launching the Institute for Cancer/Stem Cell Biology and Medicine,⁵ and UCSF establishing a Developmental and Stem Cell Biology program. UCSF officials hope their Stem Cell Discovery Fund, made possible by a \$5-million matching-grant donation from Intel Corporation chairman Andy Grove, will raise \$20 million by the year 2005.⁶ As the specter of stem-cell research grows, and the obfuscation over what stem-cell experimentation actually entails spreads, articulate and dedicated students must step forward to fight the battles that need to be fought. And these students, like Suzana Glavas, must be supported.

Glavas is a Ph.D. candidate in pharmacology at UCSF. She has firsthand experience of what UCSF faculty and researchers are actually up to:

UCSF is a graduate school which focuses on the medical sciences. The main programs of study include medicine, dentistry, pharmacy, nursing and graduate programs in health sciences related research. . . . UCSF has a very strong pro-choice voice, and is in fact the university at which Medical Students for Choice first started. Many of the schools strongly support a pro-abortion agenda. The medical school, in particular the Ob/Gyn department, aggressively promotes educating medical students in abortion procedures. The pharmacy school has a number of faculty members who were instrumental in lobbying for the approval of mifepristone. Furthermore, UCSF is one of the few research institutions with approval to distribute human embryonic stem cells. As a result, the pro-abortion agenda is strongly promoted to the students, who often only hear one side of the issue.

Glavas continues:

UCSF is training the next generation of medical health professionals. Unfortunately, it is also training them to disregard ethical concerns that may arise during the course of their practice. It is doing this by misinforming students about the medical and scientific facts about abortion, abortifacients, contraception, stem cells, etc.

Glavas lists some specific examples of what is being taught at UCSF:

- 1) Partial birth abortion is necessary for the health of the mother. Never is it mentioned that at the late stages at which such abortions are performed, if there is in fact a health risk to the mother, the baby can be delivered and the two patients can be treated separately.
- 2) Abortifacients are not harmful and can be administered with a minimum of supervision by a pharmacist.
- 3) Contraceptives can never act as abortifacients (i.e., prevent implantation of a fertilized egg).
- 4) There are no scientific problems related to the therapeutic use of human embryonic stem cells (i.e., immunogenic responses, tumorigenic effects, etc.).

Glavas insists that these falsehoods present a colossal problem for society. Research institutions like UCSF, she contends, which are supposed to be training future health professionals to make life-or-death decisions, are actually “skewing the truth to protect their perceived understanding of what is right.” Because of this, she concludes:

Students are coming out of medical schools, nursing schools and pharmacy schools with a very poor understanding of the medical facts surrounding abortion and other right-to-life issues. These future doctors, nurses and pharmacists will then misinform their patients, who often look to their health professional for facts about issues which they do not fully understand themselves. These health practitioners fail to do what is in the best interests, both morally and medically, for their patients. We face a significant challenge in training future health professionals to respect the right-to-life, especially when the majority of faculty members at universities such as UCSF are not pro-life.

Officials at UCSF refused to comment on Glavas’s assertions.

Legal Challenges

When pro-life college activists are not fighting for the rights of women, the infirm, and the unborn, they are busy doing something else.

They are fighting for their own rights.

In September 2002, members of Law Students Pro-Life at the Washington University School of Law appeared before the Student Bar Association to request approval from the school as a new student organization. Twice, they were turned down. The SBA made the absurd objection that Law Students Pro-Life’s constitution did not include a denunciation of the death penalty, and suggested to the group that it broaden its scope to include pro-abortion advocacy that would actively “facilitate discussion of the issues (sic) as a whole, and not simply the pro-life side . . .”⁷ “Of course,” noted Shane Intihar, Law Students Pro-Life’s Director of Public Relations, “we knew that the SBA didn’t demand other student organizations to advocate positions that they didn’t hold, much less support positions diametrically opposed to their very purposes.”⁸

Without SBA approval, Law Students Pro-Life would lack all the amenities that other campus organizations enjoyed: funding, usable campus office space, and a tax-exempt status. Essentially, without SBA approval, Law Students Pro-Life would cease to exist.

So the organization contacted the Foundation for Individual Rights in Education (FIRE), a watchdog group that has assisted hundreds of students across the United States who have found themselves in similar circumstances, facing

attacks on their basic civil liberties. According to FIRE's Executive Director, Thor L. Halvorssen, the law school's actions against Law Students Pro-Life amounted to "an intolerable restriction on freedom of conscience, freedom of association, and freedom of speech." Halvorssen sent a letter to Washington University's Chancellor Mark Stephen Wrighton, requesting an immediate reversal of the SBA's decision, and declaring that "[e]ach hour that this decision remains the decision of your university is a violation of fundamental human rights."⁹

Victory was swift and sweet. In October 2002, in a dramatic reversal, the Student Bar Association at Washington University School of Law voted 27-6, with 4 abstentions, to recognize Law Students Pro-Life.¹⁰

FIRE is careful to point out that it takes no position on the issue of abortion. So why did they intercede? The organization's co-director, Harvey L. Silverglate, responds that "FIRE was simply concerned with the freedom of a student group to advocate its cause without having to follow the school's ideological dictates, period."

Adds Halvorssen: "It was the decent thing to do."

Direction: A Road Map for the Miles Ahead

The college pro-life movement, says Cornell University graduate student Sean Breheney, "needs to decide what its priorities are, what methods and goals are effective and important, and follow them with a level of dedication that befits the emergency situation that we are in."

So, in this state of emergency, what are the priorities? And what methods should we use? The ten points that follow, all offered as goals by student activists themselves, provide a good starting point.

- *Unity, Unity, Unity*: No one captures the urgent need for unity better than Berkeley graduate (and former newsletter editor for American Collegians for Life) Elizabeth Maier: "Too often, we spend so much of our time arguing with other pro-life groups on the correct approach. Planned Parenthood, NARAL Pro-Choice America, and NOW definitely have this approach mastered. We must learn to mimic our opponents and attempt to unite ourselves in a more common rhetoric. We all must not only argue for the lives of the unborn children, but also against the damage that abortion causes on the woman."

- *Image, Image, Image*: Again, Maier hits the mark: "[T]he largest challenge is that many pro-lifers do not know how to present themselves to the public in the most effective manner. Showing a twenty-foot poster of an aborted fetus to a feminist from NOW is not going to persuade her. Pro-lifers need to tailor our arguments towards our audience. If speaking to a

Christian group, you bring in God; if speaking to NOW, you argue against abortion from a feminist perspective. Too often, pro-lifers use the exact same speech for different groups, all because they think they have the truth behind them. We must realize that yes, truth is behind us, but effectiveness in publicity also needs to be there.”¹¹ UNH’s Elizabeth Andrew echoes this argument when she observes that “an underlying premise of any pro-life group [is] to demonstrate that we are just normal, intelligent, compassionate students, who happen to find our culture of death completely unacceptable.” Finally, one male student observes that the media routinely portray pro-lifers as a “fringe, dying minority,” a group that forces its religious ethics on others, when, in actuality, it has strong secular and legal arguments behind it, and a “growing, young base of support.”

◦ *Present the abortion issue as a women’s issue:* Feminists for Life’s revolutionary women-centered message has taken hold of the country, and the results have been tremendous. To give just one example, one student who had planned to become an abortion provider because she saw abortion as “a right and a necessity” told Serrin Foster that she changed her position “completely” after hearing Foster’s Women Deserve Better presentation at the University of Pittsburgh School of Medicine. The Women Deserve Better campaign, aimed at destroying the myth that abortion is empowering to women, is clearly influencing the way pro-life campus activists talk about life issues and helping them to recognize that, as one student puts it, “the availability of abortion has taken away society’s responsibility towards women who face difficult pregnancies.”

◦ *Spread the truth:* Fact-based education concerning fetal development, embryonic stem-cell research, and the recent advances in the field of prenatal medicine all must become mainstream. Accurate, but life-affirming information must be provided to all members of society, especially young women. Currently, says one student, the vast majority of collegians receive their training and direction on life issues “via sex-education classes, the media, university health systems, and biased Women Studies programs.” This must change.

◦ *Demand the truth from college and university instructors:* College and university students are confronting syllabuses, curricula, and training methods that routinely misrepresent medical and scientific facts. Demand that this be corrected. If serving on student/faculty advisory or hiring panels, work with the academic institution to hire more informed pro-life instructors. Remember, by their very nature and vocation, college and university instructors have the ability, the considerable resources, and the obligation to provide accurate information to the community of students that they serve.

All pro-life activists—campus and otherwise—should demand this accuracy.

- *Use the law!* Should your basic civil rights be attacked, remember that legal recourse is available. Use it. The Foundation for Individual Rights in Education and other advocacy groups are available. Contact them.¹²

- *Network with other schools:* The annual conferences that are sponsored by such groups as American Collegians for Life and California Students for Life (CASTL) make it possible for pro-life student activists to share information, exchange ideas, gain know-how, and find much-needed support and fellowship. These programs demand benefactor and student participation. Sign up now.

- *Dialogue with pro-abortion opponents:* Remember, it is all about winning hearts and minds, one at a time. If efforts like the Berkeley baby-changing table drive and the Wellesley Initiative for Student Mothers can unite pro-life activists with their pro-choice opponents, other initiatives can, as well. Suggest projects. Build bridges. Plant seeds.

- *Plan ahead:* Pro-life college groups can be kept alive only if they dedicate themselves to drawing in new recruits. Keep membership up. Most importantly, as one pro-life student officer puts it, “Make sure that you constantly expand your inner circle by having underclassmen replace you.”

- *Seize the moment:* One recent survey indicated that “teenagers and college-age Americans are more conservative about abortion rights than their counterparts were a generation ago.”¹³ Additionally, a recent Alan Guttmacher Institute/Planned Parenthood report revealed a 33% decrease in abortion by college graduates since Feminists for Life began its College Outreach Program in 1994.¹⁴ These figures hold great promise for the expansion and success of college pro-life activism in the decade ahead.

In Conclusion

Thirty years to the day after the *Roe v. Wade* ruling, Stanford University’s *Stanford Report* remarked: “That issue about when personhood develops in an individual cannot at this time be settled scientifically, and so it will remain the subject of controversy and debate. For many physician-scientists, the blastocyst is a ball of cells and it would be a violation of their medical oaths not to use these cells to gain valuable medical knowledge that could translate to therapies.”¹⁵

Less than three months after the *Report*’s hubris-ridden proclamation was made, a tough and determined army of over one hundred pro-life students gathered together for workshops, lectures, fellowship, and planning at the second annual Celebrate Life Conference, presented by California Students

THE HUMAN LIFE REVIEW

for Life on the campus of, yes, Stanford University.

If you're looking for hope, it is here, on these campuses, with these young women and men. For them, the fight against all that *Roe* has done is not three decades old. For them, the fight is just beginning.

CONTACT:

American Collegians for Life – www.aclife.org

Feminists for Life – www.feministsforlife.org

The Foundation for Individual Rights in Education (FIRE) – www.thefire.org

Another valuable resource, not mentioned in this article, is American University Women for Life. AUWL offers educational programs and forums for women, with special interest in issues related to the sanctity of all human life from conception to natural death. AUWL also serves as a resource network and referral service for people working in areas such as crisis pregnancy counseling, the support and direction of homes for young mothers, and the identification of assistance for parents concerned with school curriculums. Contact President Mary Elizabeth DeWinter/24 Lois Lane/Needham, MA/02492/Telephone: 781-444-3226.

NOTES

1. American Collegians for Life was founded in 1987 by a small group of Georgetown University students who recognized the need to connect isolated pro-lifers with one another. Now, nearly two decades since its inception, ACL is going strong, hosting annual conferences and providing pro-life services, information, and instruction through its excellent website and its national directory of pro-life organizations. ACL's efforts give strength and stability to campus pro-life activities, and its members, as president Kelly Kroll says, constantly learn from one another "how we can better serve each of our individual campuses."
2. See also Serrin Foster as quoted in "Abortion: A Tool of Male Oppression?," *National Catholic Register*, (April 16-22, 2000). "[W]omen go into college and they find that they have no resources for themselves or their friends to have a child even though the whole campus is highly sexually charged. Between that and some very hostile women's study programs, you have a culture that is very much in support of abortion."
3. Fortunately, the situation at Harvard is improving. As Harvard junior Laura Openshaw writes: "Harvard Right to Life has had major issues with our posters getting torn down across the campus. Even though Harvard may not respect our message, people do respect free speech: the student government passed a bill that officially condemned such censorship and provided funds to compensate groups whose posters had been defaced. Our very liberal campus newspaper even supported this bill. It was an important victory."
4. See also Brian Caulfield, "Boston College Honors Abortion Supporters," *National Catholic Register* web edition, May 26-June 1, 2002. The Cardinal Newman Society recently identified 16 Catholic colleges that have, at commencement ceremonies and otherwise, honored individuals who actively support abortion rights and/or publicly dissent from Catholic Church teaching.
5. "Stanford University Announces Human Embryonic Stem Cell Project," *The Economic Times*, December 11, 2002.
6. University of California at San Francisco *Campaign Insider*, October, 2002. See also SFGate.com, August 8, 2002 and TheMiamiHerald.com, August 8, 2002.
7. Email from Elliott M. Friedman to Jordan Siverd, September 10, 2002.
8. Shane Intihar, "Washington University in St. Louis, Law Students Pro-Life," www.aclife.org, *Featured Group* profile.
9. Letter of Thor L. Halvorssen to Mark Stephen Wrighton, September 30, 2002.
10. Joyce Howard Price, "Student Bar Group OK's Pro-lifers," *Washington Times*, October 17, 2002.

LORI BRANNIGAN KELLY

11. Feminists for Life's Serrin Foster: "Abortion clinics set up shop right across from campus. Planned Parenthood puts up an enormous banner welcoming students back to school. They know how to market to students. So Feminists for Life created a striking ad campaign that students could download and post on campus. One donor helped us put ads on top campuses across the country, reaching campuses with 3.7 million students during a two-year campaign."
12. Another legal point should be made here. When colleges and universities offer abortion coverage in their student health insurance plans, they are in effect forcing students who are philosophically opposed to abortion to subsidize it. Pro-life college groups that have not already taken steps to lobby for changes in pro-abortion student health policies should do so.
13. Elizabeth Hayt, "Surprise, Mom: I'm Against Abortion," *New York Times*, March 30, 2003.
14. Rachel K. Jones, Jacqueline E. Darroch and Stanley K. Henshaw, "Patterns in the Socioeconomic Characteristics of Women Obtaining Abortions in 2000-2001," *Perspectives on Sexual and Reproductive Health*, Volume 34, Number 5. September/October 2002.
15. Irving Weissman, M.D., with Amy Adams, "Understanding the Institute for Cancer/Stem Cell Biology and Medicine," *Stanford Report*, January 22, 2003.



Pro-Life, Pro-Choice, Pronouns

Randy Boyagoda

Trying to teach the humanities from a pro-life perspective in today's secular university is an undeniably difficult proposition. Indeed, trying even to discuss abortion is next-to-impossible, because it continues to elude the academy's penchant for technical euphemisms. The present terms of the debate—pro-life, anti-life, pro-choice, anti-choice—are too politically charged to allow the neutral setting expected for discussions of the human experience in the contemporary university. And with such a jagged chasm between the camps on abortion, it would seem a pointless exercise even to broach the subject. One assumes that upon hearing the A-word, students would automatically revert to their respective positions on the debate; ideological blinders would be donned quickly; little insight could be gained from in-class discussion. That having been said, it is a fine pleasure for a teacher to admit he has underestimated his students. It is a finer pleasure for a teacher to watch a class naturally transform itself into a quiet outpost for the culture of life.

I came upon these happy revelations as the result of a double backfire when teaching Ernest Hemingway's 1927 short story, "Hills Like White Elephants." I chose the story to illustrate two interrelated points on grammar and literary theory in an American literature class. One particularly pernicious tendency in college writing is an over-reliance on indeterminate pronouns, by which students are able to gesture towards meanings without clarifying them. For example: "It prevents Hamlet from action." This sentence falters because the student used "It" as a stand-alone pronoun, which produced a self-evident contention whose validity, clearly, is far from self-evident. "It" must follow or precede the noun it refers to and/or replaces, usually aided by the addition of a relative pronoun. Thus a more successful sentence reads, "While it prevents Hamlet from action, doubt also provides him with insight."

"Hills Like White Elephants" seemed a perfect choice for a lesson on the indeterminate pronoun "it," as the entire drama of the story depends upon the characters' use of the word to delay and to avoid revealing the pronoun's identity. Moreover, the story allowed me to teach a theoretical point on Hemingway's method of writing. The short declarative sentences for which Hemingway is famous were his way of concealing deeper truths, and of conveying the suppressed emotions symptomatic of the modern, alienated condition. Hemingway himself provided the theory I wanted to teach my

Randy Boyagoda is a Ph.D. candidate in the English department at Boston University.

students in a brief but now famous aside in his 1932 memoir of Spanish bullfighting, *Death in the Afternoon*. "If a writer of prose knows enough about what he is writing about he may omit things that he knows and the reader, if the writer is writing truly enough, will have a feeling of those things as strongly as though the writer had stated them. The dignity of movement of an iceberg is due to only one-eighth of it being above water."

I wanted to see if my students could feel as strongly as Hemingway hoped his readers would, to see if he had written his story "truly enough." This would be possible only if they could identify what lay beneath the roiling emotions experienced by the story's two protagonists as they engage in a tense conversation—if they could grasp what was literally embodied by the smallest, the seemingly most indeterminate of words.

"Hills Like White Elephants" is, at first glance, a typical Hemingway story. It takes place in a dusty bar beside an empty train-station. A man and a young woman are sipping drinks. They are together but at odds. Everything is dry and scorched: "The hills across the valley of the Ebro were long and white. On this side there was no shade and no trees and the station was between two lines of rails in the sun. . . . The American and the girl with him sat at a table in the shade, outside the building. It was very hot." This story differs, however, from Hemingway's other romanticized evocations of disillusioned, empty living; its sterile, indeed infertile backdrop—a "country brown and dry"—proves to be a correlative for the story's dramatic crux: whether the woman should have an abortion.

Of course, because it is Hemingway, we are never explicitly told that abortion is the issue. Only halfway through the pressure-filled conversation over anisette and beer does the man abruptly address the matter: "'It's really an awfully simple operation, Jig,' the man said. 'It's not really an operation at all.'" I cited these lines in class as a good double example. First, I observed, Hemingway uses the "It" successfully from a grammatical perspective, by introducing and then clarifying a notion; "It" is the antecedent of the noun "operation." Then, to see who had understood the "iceberg principle," I asked a question, worried that I would have to supply the answer in a delicately objective fashion. What operation?

I was wrong.

The class knew precisely what type of operation the man meant; no deeper knowledge was submerged by the constant use of "It" throughout his conversation with the young woman. It was clearly an abortion. Moreover, the students were not only unimpressed by the principle—"It's soooo obvious" one remarked—they were offended by how callous the man was, specifically his repeated reference to the operation as "It." Soon, students

were pointing out other moments of grammatical significance, such as the indeterminate pronoun the man relies upon in his description of the procedure: "It's just to let the air in." Female students were up in arms at his calculating choice of such a casual sounding euphemism. On they went, tracking Hemingway's various uses of "It" and their implications.

As the story progresses, "It" shifts from referring to the abortion procedure to the pregnancy itself and then takes on a third, more striking referent as the conversation nears its emotional climax. The man shrugs off the entire matter: "I don't want you to do it if you don't want to. I'm perfectly willing to go through with it if it means anything to you." After waiting for various snorts and sneers to clear, I read aloud the next sentence, the young woman's response to this hollow proposal: "Doesn't it mean anything to you?" Suddenly, Hemingway gives us a third possibility: while the man was referring to having an abortion or going through pregnancy, the young woman was speaking of the baby itself.

Accepting that the iceberg principle had been melted away by my students' heated responses to the story, I turned again to grammar, to propose that grammatical choices can create meaning, can indeed be ethical choices. Canvassing the classroom, I realised that students were frustrated, even angry at the constant use of "It": first as a lead-in to a euphemism for abortion, then as a cold reference to pregnancy, and finally, as a depersonalizing way of referring to an unborn baby. Their responses resulted, I explained, from the indeterminacy inherent in "It," an indeterminacy that also allows for the man's perfectly ambiguous final statement on the dilemma: "I don't care anything about it." My students refused to accept that this last indeterminate pronoun had multiple meanings. It was clear to them that the man cared little about the baby, the actual referent in this case.

A student then recalled from an earlier class a moment from Martin Luther King's "Letter from Birmingham Jail." To illustrate a point regarding the dehumanizing effects of American racism, King wrote: "Segregation, to use the terminology of the Jewish philosopher Martin Buber, substitutes an 'I-it' relationship for an 'I-thou' relationship and ends up relegating persons to the status of things." I was happy to see a student making connections across genres and contexts, and happier still to see many of her classmates nodding in agreement with the application. I avoided the nettle of comparing racism to abortion—too far afield from the present discussion—and focused instead on the potential relevance of Buber's concept to Hemingway's story. Students immediately decided that the man takes an "I-it" relationship to both the woman and to their unborn child. Together, we reached a conclusion that ordered

literary analysis and grammatical principles to an ethical concern: The man strives to ensure his companion sees the life within her as a thing, and avoids any admission of the latter himself, through his choice of language, through his grammatical attitude.

Having read a great writer on a difficult topic, my students now could sense that grammar and literary theory are not the plague of English classes but, in fact, markers of the ethical power inherent in language and literature. When discussing the abortion question in their dorms and campus coffeehouses, I doubt many would be so willing to accord personhood so naturally to the “it” living within a pregnant woman’s womb. As our choice-laden culture instructs them, “its” value and identity depends upon a personal decision. Nevertheless, for eighty minutes at least, my students were committed to defending—by literary proxy—the inherent dignity of an unborn life.

Had I announced a class on “Hemingway, Abortion and Grammar,” it would have been an unqualified failure. Students would have entered with their minds already made up about the issue, and would have presumed their teacher had ulterior motives. By approaching the subject from a commitment to teaching sound principles of writing and reading, however, I enjoyed one of my most successful classroom experiences. This was as much for the pedagogical satisfaction of watching young minds engaging a complex issue with passion and intelligence as it was for the hopeful conviction it instilled in me about young peoples’ natural respect for life. This becomes evident when they have a chance to respond to representations of the human condition from an artist of the first order, in an atmosphere free of pre-emptive ideological qualifications.

Young people are very wary of designs on their hearts and minds; the great challenge for committed pro-life educators is to have faith in their students, in their ability to apply their ingrained suspicion for good, and to avoid the temptation to attempt clumsy indoctrination. T.S. Eliot once remarked that he was against “religious literature,” and wanted instead a literature that was “actively religious.” Hemingway’s short story is not “pro-life literature” but is instead “actively pro-life.” There is a difference—achieved through the writer engaging intensely with a matter of the human heart as opposed to programming a moral lesson into a story—which is subtle, quiet, as palpable as a baby’s first breaths.

Democrats for Life

Mary Meehan

Part I. What They Face

On June 25th, at a festive dinner in Washington, D.C., the Democratic National Committee raised \$1.7 million for next year's presidential campaign. The Grand Ballroom of the Mayflower Hotel was decorated to look like a political-convention hall, and the Democratic presidential candidates were out in force. One of them, Representative Richard Gephardt of Missouri, revved up the 700 diners against Republicans: "Let's go! We're going to beat them!"¹

That same night, at a much smaller dinner in a modest hotel at the foot of Capitol Hill, the Democrats for Life of America held their own fundraiser. Their reception and dinner had much less pizzazz, but the roughly 50 attendees had a great time. Towards the end of the evening, Rev. Caesar LeFlore of Chicago told them he'd almost wished he could skip the closing prayer, because "I just wanted us to keep on enjoying one another." But he did pray mightily on behalf of those present, asking for strength and boldness so that they could "champion the cause of life."² Earlier Senator Benjamin Nelson of Nebraska, former two-term governor of his state, had told the group that his pro-life convictions represented "my belief, my feelings, my commitment for a lifetime before I ever decided to seek political office." His pro-life commitment was, he said in his address, "as natural to me as sunlight is in the morning . . ."³

The Democrats for Life are looking for more candidates like Senator Nelson. Started several years ago, they have experienced slow growth on a shoestring budget. They now claim nearly 20 state chapters but, like many small groups, prefer not to say how many individual members they have nationwide. But the Texas chapter, which appears to be the largest, has nearly 400 people on its mailing list. Michigan's Choose Life Caucus, which plans to affiliate with Democrats for Life, has around 70 members. Last March the Colorado chapter had only 10-15 members, but hoped to have 40-50 by the end of this year.⁴

In the past, pro-life Democrats started with high hopes but gave up in the face of party intransigence. Michael Schwartz, a leading pro-life activist and a Democrat, believes this effort is different. "The main difference," he

Mary Meehan, a Maryland writer and longtime *Review* contributor, is a political independent.

said, “is Kristen Day.” Day, a former congressional staffer in her early 30s, is the executive director of Democrats for Life. “Kristen knows what she’s doing,” Schwartz said. “She has pretty good connections. She works hard. . . . She’s taken things one step at a time. She’s built solidly and then picked up the next brick.”⁵

Schwartz and others hope the group will soon sponsor a political action committee (PAC) to raise serious money for pro-life Democratic candidates. Such candidates are financially strapped because many Democratic-leaning PACs refuse to support candidates who oppose abortion. And pro-life Democrats who have liberal records on labor and budget issues cannot expect the heavy support from business PACs that pro-life Republicans receive. Lois Kerschen, a Texan and former Democrats for Life president, said in an interview that the first thing a candidate says is “I need money.” She added, “Moral support is wonderful, but they need the money, too.” Karen Wheeler, a California attorney and Democrats for Life activist, stressed the same point. “If pro-lifers really want to make a difference,” she said, “they had better open their wallets, because Lord knows the folks on the other side open their wallets regularly and write fat checks.”⁶

What They Are Up Against

The Democrats for Life clearly need all the help they can get—financial and otherwise. At this writing, all of the 2004 Democratic presidential candidates support abortion down the line. Six of them, speaking at a fundraiser for NARAL Pro-Choice America last January, proclaimed their loyalty to the abortion cause. Senator Joseph Lieberman of Connecticut said the candidates probably would disagree on many issues, “but not this one.” Howard Dean, former governor of Vermont, declared that “I’m running because I don’t like extremism, and I think extremism is taking over this country.” (He apparently didn’t think *he* was being extreme when he said of partial-birth abortion: “This is an issue about nothing.”) Senator John Kerry of Massachusetts summed up his own position with the following litany: “No overturning *Roe v. Wade*. No packing of the courts with judges hostile to choice. No denial of choice to poor women . . . No more cutbacks on population-control efforts around the world.”⁷

In the weeks following the NARAL event, more candidates entered the race. Democrats for Life president Carol Crossed and her colleagues had hoped that one of them, the strongly anti-war Representative Dennis Kucinich of Ohio, would herald his pro-life convictions. Crossed, long active in anti-war as well as anti-abortion efforts, had planned to dedicate all her time to working in a Kucinich campaign. But she “was literally ill” when she

discovered that Kucinich—like Jesse Jackson, Richard Gephardt, and others before him—had abandoned his pro-life position as he prepared to run for his party's presidential nomination. Political commentator Larry Sabato suggested that the Kucinich switch should worry people on both sides of the debate. Referring to a report about another congressman who, before running for president, allegedly asked a colleague what position he should take on abortion, Sabato remarked: "If you don't know the answer to that question in the depths of your soul, without political manipulations, you probably shouldn't be president."⁸

Kucinich was wrong to switch sides even from a political point of view. With all the other candidates' competing for the votes of abortion supporters, he could have made a strong appeal to anti-abortion Democrats, even picking up many who might not agree with him on other issues. And it would have won him points for character and courage—qualities people really do care about.

The Democrats for Life also face a discouraging situation in Congress. They can count on only four or five Democratic votes in the Senate, and around 30 in the House (although they pick up more Democrats on issues such as partial-birth abortion and human cloning).⁹ Democratic leaders in Congress defend abortion with great vigor—and always, of course, under the banner of women's rights. Now they are working overtime to keep an abortion lock on the third branch of government, the courts.

What Difference Does It Make?

For some 20 years, many right-to-lifers considered it useless to challenge the Democratic Party's support of abortion. Their failure to do so helped guarantee that the party would embrace ever more extreme positions over the years. Consequently, the situation today is far worse than it might have been had a large contingent of pro-lifers decided to stay in the party and fight.

Some Republican pro-lifers, believing their party will control both the White House and Congress for decades to come, may think Democratic intransigence unimportant. They may be right. But then again, they may be dead wrong. The country could turn against President George W. Bush, as it turned against Johnson, Nixon, Ford, and Carter—the four presidents defeated or driven from office between 1968 and 1980—and as it turned against Bush's father in 1992. There are no guarantees in politics, and it is a great mistake to entrust a movement's future to one political party. As an ancient philosopher said, "A ship should not ride on a single anchor, nor life on a single hope."¹⁰

Small though their numbers may be, the pro-life Democrats in Congress are crucial to legislative victories. Without them, Democratic Representative Bart Stupak of Michigan said recently, the National Right to Life Committee “cannot pass one piece of legislation in the U.S. Congress.” Prolifers must retain what little strength they still have in the Democratic Party and build on it until they have a real opportunity to change party policy. An interim goal might be a party platform that is neutral on abortion. The ultimate goal, as Lois Kerschen has said, should be “two pro-life parties.”¹¹

Looking back at a time when the situation was more promising, and understanding why it deteriorated so much over the years, may suggest strategies for retaking lost ground. The record shows that abortion opponents missed many opportunities to influence policy. It also shows that some Democratic leaders are more ambivalent about abortion than most people realize.

When Pro-Lifers Had Strength within the Party

In the 1970s, there was major opposition to abortion within the Democratic party—even after the 1973 *Roe v. Wade* decision. In 1977, for example, the right-to-life movement could count on 10-20 Democratic votes in the Senate and over 100 in the House.¹² Pro-life Democratic senators included both moderates, and prominent liberals such as Thomas Eagleton of Missouri, Jennings Randolph of West Virginia, and William Proxmire of Wisconsin. Thea Rossi Barron, a Democrats for Life board member who was the National Right to Life Committee’s first lobbyist, especially remembers “that wonderful senator, Tom Eagleton, who was always pro-life” and who was “the real leader, the floor leader” for the cause in the Senate. In the House, she could rely on Democrats James Oberstar of Minnesota and Romano Mazzoli of Kentucky as floor leaders; Democrat Daniel Flood of Pennsylvania, who championed pro-life riders on appropriations bills; and many others. All of this added up to real strength in a Congress then controlled by the Democrats.¹³

Many liberal Democrats in Congress strongly supported legal abortion, however. Believing that poor women shouldn’t be denied a medical procedure their middle-class and wealthy sisters could easily afford, they sought to guarantee taxpayer-funded abortions. While liberal Democrats and their allies lost most funding battles at the national level, they were successful in New York, California and 15 other states (usually winning through the courts rather than in the legislatures).¹⁴ It is a great irony that Democrats supported the killing of scores of unborn children who would have grown up to be Democrats. This may explain some of the difficulty Democrats are having in winning elections today.

McGovern's Dilemma

There were major storm warnings for unborn children in the Democratic presidential race of 1972, the year before the *Roe v. Wade* decision. Senator George McGovern of South Dakota, running against the Vietnam War, upset several more conservative candidates and captured the presidential nomination. McGovern said he personally thought abortion should be a decision between a woman and her doctor, but that he didn't believe the federal government should be involved in the issue one way or the other. (Several years earlier, one of McGovern's daughters, pregnant by an unstable boyfriend, had had an abortion.¹⁵ His complicity in that event undoubtedly affected his views but at the time he was running the abortion was a family secret.)

After attacks on his personal abortion position, McGovern stressed his no-federal-involvement objection.¹⁶ But many of his convention delegates adamantly favored legalized abortion. Their strength at the 1972 Democratic national convention was largely McGovern's own doing, since he had chaired the party reform commission that devised a quota system to ensure greater participation of women, youth and minorities. Early American feminists opposed abortion, but the feminists who won many of the '72 delegate seats viewed it as a woman's right. Against McGovern's will, they forced a floor fight on a "freedom of choice" minority plank.

McGovern and his staff realized that this and other radical planks could hurt them badly in their coming campaign against President Richard Nixon. So, as one McGovern aide later wrote, "The entire McGovern floor operation . . . was devoted to defeating our supporters. McGovern's sole telephone call to us was to admonish us to do just that." They managed to defeat the abortion plank and most other minority reports.¹⁷ Still, the televised platform debates hurt the candidate a great deal.

Jimmy Carter and Ellen McCormack

McGovern's loss in the '72 general election was so overwhelming that in 1976 Democrats were willing to accept a more moderate candidate, former Georgia governor James Earl (Jimmy) Carter. Carter didn't support a constitutional amendment to overturn *Roe v. Wade*; but he did oppose public funding of abortion, which by then was a major issue in Congress.

Ellen McCormack, a pro-life activist and mother of four from New York, ran in the 1976 Democratic presidential primaries "in defense of unborn babies." While abortion was McCormack's main concern, her positions on other issues suggested what is now called the consistent ethic of life. She opposed the death penalty and was critical of war. Then-Secretary of State

Henry Kissinger, she charged, “sends military aid to both Israel and Egypt and then says ‘don’t shoot each other’. . . . I really think we can do better than that.” Her comment on abortion for the poor was particularly effective: “Abortion is put forth as a solution for the poor, but I think the poor want better housing, more jobs and food on their tables. I don’t think aborting their babies makes them any happier. I think it probably contributes to their misery.”¹⁸

McCormack received enough small donations to qualify for federal matching funds, enabling her to run television advertising that reached millions of people. Her supporters, noting it was the largest pro-life educational program ever mounted, claimed some women had “chose[n] life for their babies rather than abortion” because of the ads. McCormack received 238,027 votes in the primaries, but only 22 delegate votes at the national convention. In his speech nominating McCormack, James Killilea of Massachusetts made a scorching attack on Carter, blaming the Georgian for the first-ever abortion plank in the party platform. The plank declared it was “undesirable to attempt to amend the U.S. Constitution to overturn the Supreme Court decision,” but was silent on the issue of public funding.¹⁹

Carter defeated Gerald Ford, who had supported a states’ rights constitutional amendment on abortion. As president, Carter opposed public funding except in cases of rape, incest or when the mother’s life was threatened by the pregnancy. “I do think that abortions are the taking of a human life,” he said at one point, “and I have done and will do all I can to minimize the need for abortions.”²⁰ He could have done a great deal more, though, and his rhetoric could have been far more persuasive. It’s hard to imagine his claiming, for example, that he opposed suicide and was working to “minimize the need” for it. By expressing support for *Roe v. Wade*, Carter radically weakened his stated opposition to abortion. And he rarely if ever personalized the issue by speaking of unborn children, or by describing the misery of poor parents as Ellen McCormack had done.

Major Trouble from Massachusetts

During the Carter years, Congress battled fiercely over abortion, approving funding restrictions that ultimately would be upheld by the courts, but failing to pass a pro-life constitutional amendment. Two Massachusetts Democrats made life very difficult for pro-life activists at the time. Senator Edward Kennedy, head of a family still idolized by Democrats, had made pro-life statements in the early 1970s, but later became a major (and shrill) defender of abortion. His enormous influence within the Democratic Party and the Senate helped sell the “pro-choice” position to liberals, especially Catholic liberals.

Also helping to make it easier for Catholics to toe the pro-abortion line was Representative Robert Drinan, a Jesuit priest who wore his Roman collar while voting for abortion funding. Drinan's activism started well before the Carter presidency and had tremendous impact on other Democratic politicians. His papers at Boston College reveal how Drinan would tell pro-life constituents that he was morally opposed to abortion while he told people on the other side that he was using his influence to block pro-life initiatives—as indeed he was. In June, 1974, Drinan wrote to an abortion foe saying he hoped “everything that is feasible can be done to protect the sanctity and inviolability of unborn life.” But in July he assured an abortion supporter that “I have voted the correct way on all of the foolish proposals” made by two pro-life House members. Drinan once told a fellow congressman that he “found those in the so-called right to life movement to be very doctrinaire, adamant and unyielding people who have never had any experience with political issues before.” And in a letter to a Harvard University professor, he wrote: “I met recently with the so-called ‘Right-to-Lifers’ in a part of my congressional district. I commended the articles which you have written to them. At least one of these individuals will in all probability be able to read them.”²¹

On another occasion, an intern in Drinan's office reported that a woman, thinking “Congress could learn from her experience,” had stopped by to describe her devastating experience with abortion 20 years earlier. Drinan's handwritten note to the intern was hardly pastoral: “I hope that you heard her confession,” he joked. Regarding the intern's comment that the woman “wanted you to know her personal history,” the priest responded, “Any more interesting details?” But when Drinan later wrote to the woman, he said he regretted he “was unable to meet with you personally,” that he shared her “deep concern with this matter,” and that he commended her “for your activities on behalf of the inviolability of all human life.”²²

“The Single Issue that Our Politicians Have Feared and Scorned”

Badly bruised by Senator Kennedy in the 1980 Democratic presidential primaries, Carter was unable to fully control the 1980 convention. While he won the nomination again, he couldn't stop—and apparently didn't even try very hard to stop—the delegates from adopting a platform plank that supported public funding of abortion.

Meanwhile, abortion foes were flocking to the standard of Ronald Reagan, the former California governor and Republican presidential candidate. Ellen McCormack ran again—this time as an independent—and was overwhelmed by the Reagan tide.²³ There were few pro-lifers at the Democratic convention, while abortion supporters were out in great strength. The National Organization

for Women had its own whip system for floor votes, and leading feminists such as Eleanor Smeal, Betty Friedan and Bella Abzug were deeply involved in the platform fight.²⁴

Abortion supporters were so bold as to have Dr. Kenneth Edelin of Boston—best known for his manslaughter conviction (later overturned) for an abortion he had done on a five or six-month-old unborn child—speak in favor of the abortion-funding plank. Edelin portrayed public funding as an urgent need of poor and minority women, appealing to the Democrats' traditional concern "for the poor and the downtrodden in our society." But he had nothing to say about the poor and minority children killed by abortion; nor did he suggest any nonviolent alternatives.²⁵

Speaking out against the plank was Carol Wold, Democratic national committeewoman from Minnesota. "I am a Democrat," she told the audience. "I am pro-life. Today my party is telling me that I cannot be both." Wold passionately pointed out that even as she spoke, "ten children are dying from abortion. They are human and alive, tiny and unborn, just as you and I were. And those ten children are the single issue that our politicians have feared and scorned but our nation cannot avoid. For without the right to have one's life protected, all other rights are meaningless and all other promises made by this party are cruel and hollow."

Wold also reminded delegates that "in many states there are Democratic senators in deep trouble this year because of their pro-abortion record."²⁶ The election returns proved her right. Their pro-abortion records, plus Carter's loss to Reagan, helped defeat a number of senior Democrats in the Senate.

Mondale and Ferraro Go Down

While abortion was not at the top of President Reagan's priority list, he did give pro-lifers many victories at the administrative level and certainly bolstered presidential rhetoric on the issue. Abortion opponents continued to support him, and many gave up on the Democratic Party altogether. This left abortion supporters a clear field in 1984 to pass a Democratic platform plank that not only supported public funding but also championed *Roe v. Wade* as "the law of the land," and proclaimed reproductive freedom to be "a fundamental human right."

Two Washington *Post*-ABC News polls, however, were showing that, while only nine percent of the 1984 Democratic convention delegates supported a constitutional amendment outlawing abortion, 46 percent of Democrats nationwide did support one. The radical difference may have been due to the fact that the delegates were far wealthier than average Democrats. Forty-two percent of the Democratic delegates had pretax household income

of \$50,000 or more per year; but only five percent of Democrats nationwide had such high income levels.²⁷ (The double-whammy for pro-lifers is that the wealthy have far more political influence than others, and they tend to be more supportive of abortion than others.)

The 1984 Democratic convention nominated Senator Walter Mondale of Minnesota for president and Representative Geraldine Ferraro of New York for vice president. Both were strong supporters of legal abortion and public funding. Ferraro, a Catholic, encountered many hostile demonstrations by pro-lifers as she campaigned around the country. She also faced a public controversy with Archbishop (later Cardinal) John O'Connor of New York and other Catholic bishops over her abortion stance.

Ferraro and many of her supporters complained that the bishops were more outspoken against her than they'd been against male Catholic politicians with similar positions. They were right about that, especially with respect to Senator Kennedy. On the other hand, two years earlier Ferraro had signed a statement promoting a Congressional briefing sponsored by Catholics for a Free Choice, the pro-abortion, foundation-funded thorn in the side of the Catholic bishops.²⁸

Mondale and Ferraro had many other political problems besides abortion. They suffered a crushing defeat in November, carrying only Minnesota and the District of Columbia in the face of a huge Reagan landslide.

Emily's List Enters the Fray

Although there was evidence that the Democratic Party's support for abortion had driven many of its constituents into the arms of Ronald Reagan, it didn't budge from its position. In 1985, wealthy activist Ellen Malcolm started a new political action committee (PAC) called Emily's List that would help keep the party in line. "Emily" is an acronym for "Early Money Is Like Yeast"; as Malcolm said, it "makes the dough rise." She established Emily's List to provide early money—and lots of it—to female candidates in the Democratic Party who supported both a "pro-choice" position on abortion and the Equal Rights Amendment. (When feminists later gave up on the ERA, so did Emily's List.)

Malcolm soon proved she could raise large sums from both women (especially professional and business women) and men. "We love men!" she once exclaimed. "They have a lot of money to donate." And she knew how to distribute it for greatest political effect. Malcolm had her donors write their checks out to her favored candidates, and then forward them to Emily's List. The checks were then "bundled" together and sent to each candidate by Emily's List, which got credit for large infusions of campaign money—

money that could make the difference between winning and losing.

In its first great victory in 1986, Emily's List helped elect Barbara Mikulski of Maryland to the U.S. Senate by raising \$150,000 for her campaign. Since then it has helped elect many other women to the House and Senate—all of them reliable votes, and often leaders, for the abortion cause. Emily's List is now the largest PAC in the country. In the 2001-2002 election cycle, it raised \$9.7 million for federal and state candidates through bundled contributions alone.²⁹

Several other key groups, while not restricting their donations to Democrats, do restrict them to candidates who support abortion. These include the National Organization for Women's PACs, the National Women's Political Caucus, the Women's Campaign Fund,³⁰ the NARAL Pro-Choice America PAC, and the Planned Parenthood Action Fund PAC.

Abortion Foes' Scorched-Earth Policy

Increasingly, Democrats in Congress faced party pressures to support abortion, and some may have felt they could never please abortion foes in any case. Many of the latter were too quick to condemn Democratic members of Congress who voted with them some, but not all, of the time. Former Right-to-Life Committee lobbyist Thea Rossi Barron recalls Representative Paul Simon of Illinois—who generally voted against abortion in his early years in the House—complaining that his pro-life constituents “would really crucify him if he missed a vote” or voted the wrong way. Simon, she laments, “was courted by the pro-abortion people and then, later as a senator, became very vocal for pro-choice . . . that's what we lost.”³¹

Representative Richard Gephardt of Missouri was a fairly reliable vote for right-to-lifers during his first years in the House. But in 1986, when he backed away from his prior support of an anti-abortion constitutional amendment (claiming that approach wasn't working and that it was time to try something else), both local and national pro-life leaders turned on him with a vengeance. They probably were right to suspect his motives, since he was planning his first Democratic presidential campaign. Yet Gephardt had said he would continue to oppose public funding of abortion, which was then the main abortion-related debate in Congress. A Democratic presidential candidate who opposed abortion funding would have been a substantial improvement over Michael Dukakis, the Massachusetts governor who won the 1988 nomination. But after being publicly blasted by right-to-lifers for having made “a political capitulation to pro-abortion activists” and having sold “himself out for personal political ambitions,” Gephardt *did* more or less surrender to abortion supporters.³² They must have been delighted to have him pushed into their arms.

Party Ambivalence and Protest

By the fall of 1987, some leading Democrats were beginning to have serious second thoughts about their official position on abortion. Although a reliable vote for the abortion forces, Senator Daniel Patrick Moynihan complained to some women who were lobbying him on the issue: "You women are ruining the Democratic Party with your insistence on abortion." And Paul G. Kirk, Jr., then-chairman of the Democratic National Committee, suggested that it might be well for the next platform to avoid abortion and other hot-button issues. He didn't want Democratic candidates to campaign against their own party platform.³³

In the end, though, the Democrats simply avoided using the word "abortion" in their 1988 platform, declaring that "the fundamental right of reproductive choice should be guaranteed regardless of ability to pay."³⁴ They nominated Dukakis, a down-the-line abortion supporter who went on to lose to the Republican candidate, Vice President George H. W. Bush. Bush had adopted a pro-life position after earlier ambivalence on the issue.

Several months after the election, 50 Democratic pro-life House members declared that the platform plank on abortion was "bad public policy" and that they, "as good Democrats, simply cannot accept that plank as part of our Democratic heritage and philosophy." Led by Representative John LaFalce of New York, they insisted to Democratic National Committee chairman Ronald Brown that the plank was "also poor politics." The Democratic Party, they warned, "is seen more and more as the party of abortion," and this was "a sure recipe for losing irretrievably a significant segment of our traditional base of support."

Brown replied that he couldn't change the platform, and anyway the party "is large enough to tolerate serious disagreement within our ranks." Party concerns, he said, "go beyond the deeply troubling issues of choice."³⁵ He should have told that to party leaders out in the states. The following year, for example, Stephen Settle, a county vice chairman, was considering a campaign for the Wisconsin state assembly. Some local Democrats had asked him to run, but Settle declined, noting that his "prolife advocacy made me unacceptable to the power brokers who run the show." He added: "The party's pro-choice politburo tolerates the proliferators it's stuck with, but no others need apply."³⁶

Bill Clinton and Bob Casey in 1992

Complaints from above and below were unavailing. In early 1992, as one observer wrote, the National Abortion Rights Action League (NARAL) held a banquet to which "five Democratic Presidential candidates piously trooped

to renew their vows of abortion-rights obedience.” Senator Thomas Harkin of Iowa boasted that during his 1990 re-election campaign, “They came at me with everything they had on that abortion issue—and we stuffed it right down their throats!” If Harkin sounded like a barroom bouncer, Governor William (Bill) Clinton of Arkansas managed to sound like a preacher in a great cathedral as he intoned: “. . . in the hallowed, quiet, private rooms of people making their painful, personal decisions, the government should stay home and *Roe v. Wade* should live.”³⁷

The late Governor Robert Casey of Pennsylvania was one of many Democrats who were appalled by the candidates’ performance at the NARAL banquet. Casey had signed a law restricting abortion that would soon be upheld by the U.S. Supreme Court. He thought his party’s stance on abortion was wrong in principle—and also politically suicidal. He accused the “special interests” who controlled the party of insisting on “a litmus test on abortion. . . . And every four years, those same special interests lead the misguided Democratic Party right off the same cliff.”³⁸

Casey felt so strongly about the issue that he requested time to present a pro-life case to the 1992 convention. Party leaders demonstrated the same determination to squelch dissent as they had shown in the past. In 1976, Ellen McCormack’s campaign was denied even a small space on the convention floor to distribute literature. In 1984, the National Right to Life Committee PAC had tried to place an ad in the Democrats’ convention guide, claiming the pro-life vote “can be your margin of victory.” The ad was rejected because, an official pointed out, it conflicted with the party platform.³⁹

Party officials didn’t even have the courtesy to respond directly to Casey’s request. He learned he wouldn’t be allowed to speak when he received a copy of a letter addressed to someone else. Casey thought this “a strange way to treat the Democratic governor of Pennsylvania.” He also felt there was an element of weirdness in the convention. At one point, for example, participants were supposed to hold hands, sway back and forth and sing, “Let’s build a circle of friends.” Declining to join that performance, Casey and his family watched it “with utter bewilderment.”⁴⁰

Washington *Post*-ABC News polls released just before the convention showed the number of pro-lifers in the party had sharply declined since 1984. Only 24 percent of Democrats nationwide still supported a constitutional amendment to outlaw abortion. Perhaps party leaders believed they’d already lost all the Democrats they were going to lose over abortion. One would think, however, they’d still be concerned about nearly a quarter of their members, but apparently not. The convention passed a long-winded abortion plank that supported “the right to a safe, legal abortion . . . the right

of every woman to choose, consistent with *Roe v. Wade*, regardless of ability to pay” and “a national law to protect that right.”⁴¹ And it nominated Bill Clinton for president and Senator Albert Gore of Tennessee as his running mate.

In an election that turned largely on economic issues, Clinton won in a three-way race with George Bush and Ross Perot. In his acceptance speech at the Democratic convention, Clinton had declared: “Hear me now; I am not pro-abortion. I am pro-choice.” It was hard to tell the difference, though, when on January 22, 1993—the twentieth anniversary of *Roe v. Wade*—the newly inaugurated president issued five executive orders to make the country (and the world) safer for abortion.⁴²

Party Leaders Adjust Tactics

While the Clinton-Gore administration continued to promote abortion, Bob Casey continued to protest. In early 1995, after completing his second and last term as governor, he took steps to challenge Clinton in the 1996 presidential primaries. But Casey had undergone a heart-liver transplant two years earlier, and soon concluded that he didn’t have the “extraordinary energy level required by a national campaign.”⁴³ That was a great loss for the pro-life cause, since Casey had an excellent record as governor and could have been a formidable candidate.

As the 1996 convention approached, pro-life Democrats in the House quietly lobbied party leaders to include in the platform some recognition of minority views. By now the leaders were willing to listen, perhaps because they had lost the House of Representatives in 1994—and were hungry to get it back. They agreed to include the following statement in the platform: “We respect the individual conscience of each American on this difficult issue, and we welcome all our members to participate at every level of our party.” But the platform also boasted of actions Clinton had taken to support “the right of every woman to choose,” and NARAL president Kate Michelman gave the first speech for the abortion plank at the convention. She was followed by Representative Cynthia McKinney of Georgia. “You make your moral decisions, I’ll make mine,” McKinney declared, “and let’s just leave Newt Gingrich out of it.” But pro-life Representative Tony Hall of Ohio was permitted by leaders to say a word about the “conscience clause.”⁴⁴ Renominated by the convention, Clinton went on to win a solid victory over the Republican candidate, former Senator Robert Dole of Kansas, who had missed many opportunities to galvanize pro-life voters on his behalf.

In 1998 and 2000, still eager to win back the House, the Democratic Congressional Campaign Committee went out of its way to back conservative and/or pro-life Democratic candidates in some conservative districts. Democratic

pollster Alan Secrest remarked, "You wander in the wilderness a few years, and suddenly your pro-life brethren don't seem nearly as threatening."⁴⁵ A few of their candidates won, but Republicans maintained their hold on the House.

The 2000 Democratic convention nominated Al Gore and Connecticut Senator Joe Lieberman. It also passed another strongly pro-abortion plank. However, the plank did keep the 1996 language about welcoming the participation of all, and added that diversity of views was "a source of strength."⁴⁶

Gore, though, repeatedly proclaimed his determination to "protect and defend a woman's right to choose"—a "right" which now included partial-birth abortion. While he won the popular vote by a narrow margin, he lost the electoral college vote to pro-life Republican George W. Bush. There is evidence that Gore's position on abortion hurt him overall. A Los Angeles *Times* national exit poll, for example, found that 14 percent of all voters cited abortion as one of the issues most important to them. But only 12 percent of Gore voters cited it, while 17 percent of Bush voters did. Democratic leaders and pundits, however, generally ignored this aspect of Gore's loss.⁴⁷

Salvaging Something from the Wreckage

There are many lessons to be learned from the history of the Democratic Party and abortion. The most important is that pro-lifers can't win a battle if they fail to show up for it. But it is possible to salvage something from the wreckage of Democrats' deep ambivalence and lost ideals. Many old statements by leading Democratic politicians (and their key allies) can be quoted today with great effect. Their on-the-record remarks, which follow, suggest that the Democratic abortion citadel is less formidable than most people believe it to be. They also suggest good lines of argument and persuasion for pro-life educational campaigns:

Senator Joseph Biden of Delaware (former Democratic presidential candidate): "Biden said he supports the right to abortion but votes against federal funding to pay for it. 'It's the only consistent position intellectually, which is that if you say government should be out, then government should be out,' he said." (1986)⁴⁸

Former Senator (and current Democratic presidential candidate) Carol Moseley Braun of Illinois: "'Born-again Christian—that would fit,' she said when asked about her religious beliefs. . . . She was raised a Roman Catholic, and despite her impeccable credentials as an abortion rights advocate, she said she agrees with the church's position that abortion is wrong. Her disagreement is over whether the government should decide such issues. When a horrified feminist friend informed her of renewed efforts to mobilize anti-abortion sentiment by Cardinal Joseph Bernardin, the Catholic archbishop

of Chicago, Braun said she replied, 'Good. That's his job.'" (1992)⁴⁹

Former President Jimmy Carter: "I think any abortions are too much." (1977)⁵⁰

Former President (and former Governor of Arkansas) Bill Clinton: "I am opposed to abortion and to government funding of abortions. We should not spend state funds on abortions because so many people believe abortion is wrong." (1986)

"There's a big difference between being pro-choice and being for spending tax dollars for any kind of abortion. I don't think that's appropriate." (1991)⁵¹

Senator Hillary Rodham Clinton of New York: "She thinks abortion is 'wrong,' but, like her husband, she says, 'I don't think it should be criminalized.'" (1994)

"While we never agreed about abortion and birth control, Mother Teresa and I found much common ground in many other areas including the importance of adoption. We shared the conviction that adoption was a vastly better choice than abortion for unplanned or unwanted babies. . . ." (2003)⁵²

Senator Thomas Daschle of South Dakota (Minority Leader of the Senate and a former House member): "I appreciate your contacting me to inquire about my position on abortion. I can answer your question very simply—I am against it. Period! . . . I do not believe a law can stop it. I therefore vote against federal funding for elective abortion because I view this as illegitimate promotion of abortion by the government. And I teach always, in my home and in public, that abortion is wrong." (1986)⁵³

Representative Richard Gephardt of Missouri (former House Minority Leader and current Democratic presidential candidate): "The Declaration of Independence asserts 'all men are created equal.' It follows that a person becomes such when he is created and that, in my opinion, is the factual point when life begins. . . . [On *Roe v. Wade* and a proposed constitutional amendment to overturn it:] The ruling was unjust, and it is incumbent on the Congress to correct the injustice. The amendment my colleague and I introduce today will do that." (1977)

"I continue to be deeply opposed to abortion. Abortion is wrong. It should be stopped or reduced as much as possible. I believe that with all my heart and all my mind." (1986)⁵⁴

Former Vice President (and former Democratic presidential candidate) Albert Gore: "During my 11 years in Congress, I have consistently opposed federal funding of abortions. In my opinion, it is wrong to spend federal funds for what is arguably the taking of a human life . . . I share your belief that innocent human life must be protected, and I am committed to furthering this goal." (1987)⁵⁵

Rev. Jesse Jackson (former Democratic presidential candidate): “. . . as a matter of conscience I must oppose the use of federal funds for a policy of killing infants. . . . I am therefore urging that the Hyde amendment be supported in the interest of a more humane policy and some new directions on issues of caring for the most precious resource we have—our children.” (1977)

“What happens to the mind of a person and the moral fabric of a nation that accepts the aborting of the life of a baby without a pang of conscience? What kind of a person and what kind of a society will we have twenty years hence if life can be taken so casually?” (1979?)⁵⁶

Senator Edward Kennedy of Massachusetts (former Democratic presidential candidate): “Wanted or unwanted, I believe that human life, even at its earliest stages, has certain rights which must be recognized—the right to be born, the right to love, the right to grow old. . . . When history looks back to this era it should recognize this generation as one which cared about human beings enough to halt the practice of war, to provide a decent living for every family, and to fulfill its responsibility to its children from the very moment of conception.” (1971)

Although acknowledging that he had voted for federal funding of abortion in some cases, Senator Kennedy suggested efforts to “reduce the incidence of abortion” and said that the “focus of the health care system should be on supporting a woman through her pregnancy, not on providing abortions.” (1982)⁵⁷

Representative (and Democratic presidential candidate) Dennis Kucinich of Ohio [on President George W. Bush’s decision concerning embryonic stem-cell research]: “‘I think the president did the best he could at the moment,’ Kucinich said. ‘But his decision was flawed in the sense that it allows the use of cells that were obtained from destroyed human embryos. You can’t have it both ways,’ he added. ‘You can’t on one hand encourage the destruction of life and on the other hand say you’re doing it to save lives. Science should help sustain life without taking life.’” (2001)⁵⁸

Kate Michelman, president of NARAL Pro-Choice America: “We think abortion is a bad thing. No woman wants to have an abortion.” (1993)⁵⁹

These remarks could be incorporated into a strikingly effective brochure. They could also be displayed on billboards to greet delegates as they sweep into Boston next July for the 2004 Democratic National Convention. This would give the delegates—amidst all the parties and glitz and self-congratulation—something to think about.

The second and final part of this series will consider suggestions from politicians, activists and others on what Democrats for Life should do to change the Democratic Party.

THE HUMAN LIFE REVIEW

NOTES

1. Mike Allen, "Politics," *Washington Post*, 26 June 2003, A-8; and Linton Weeks, "Democratic Candidates Chew Over Their Chances," *ibid.*, C-1 & C-10.
2. Caesar LeFlore, Remarks and Closing Prayer, Second Annual Pro-Life Democrat Hall of Fame Dinner, Washington, D.C., 25 June 2003, tape recording, author's files.
3. Benjamin Nelson, Remarks at Second Annual Pro-Life Democrat Hall of Fame Dinner, Washington, D.C., 25 June 2003, transcript, *ibid.*
4. Lois Kerschen, interview by author, 14 July 2003; William O'Neil, interview by author, 2 May 2003, transcript; and Timothy Dore, interview by author, 25 March 2003, transcript. See, also, www.democratsforlife.org on the Internet. The Democrats for Life headquarters is at 1667 K St., NW, #520, Washington, D.C. 20006; telephone: (703) 281-3781.
5. Michael Schwartz, interview by author, 21 Jan. 2003, transcript.
6. Lois Kerschen, interview by author, 21 Jan. 2003, transcript; and Karen Wheeler, interview by author, 25 March 2003, transcript.
7. Roxanne Roberts, "In Abortion Rights Fight, a Pause for Celebration," *Washington Post*, 22 Jan. 2003, C-1 & C-7; and Ryan Lizza, "Stage Left," *The New Republic*, 3 Feb. 2003, 12-13.
8. Carol Crossed, interview by author, 9 April 2003, transcript; Tom Diemer, "Kucinich Opens Campaign with Change on Abortion," *Cleveland Plain Dealer*, 17 Feb. 2003, A-9; Elizabeth Auster, "Kucinich's Thoughts Shift on Right to an Abortion," *ibid.*, 23 Feb. 2003, A-20; and Joshua Mercer, "Ohio Congressman Abandons Pro-Life Position for Presidential Run," *National Catholic Register*, 23-29 March 2003, 2.
9. Based primarily on National Right to Life Committee voting record scorecards for the 108th Congress, <http://capwiz.com/nrlc> on the Internet, 2 July 2003.
10. Attributed to Epictetus, *Fragments* (abridged version), in Charles W. Eliot, ed., *The Harvard Classics* (New York: P. F. Collier, 1937), vol. 2, 184.
11. Bart Stupak, interview by author, 7 May 2003, transcript; and Kerschen interview (n. 6).
12. Based on voting-record supplements in *National Right to Life News*, 15 Sept. 1980 & 13 Oct. 1980.
13. Thea Rossi Barron, interview by author, 23 May 2003, transcript.
14. Mary Meehan, "The Road to Abortion," *Human Life Review* 24, no. 4 (Fall 1998), 76-89, & *ibid.*, 25, no. 1 (Winter 1999), 68-82; and Alan Guttmacher Institute, "State Policies in Brief: State Funding of Abortion Under Medicaid," 1 June 2003 (from www.agi-usa.org).
15. George McGovern, *Terry: My Daughter's Life-and-Death Struggle with Alcoholism* (New York: Villard/Random House, 1996), x, 64-68, 111, 118, 129.
16. Gordon L. Weil, *The Long Shot: George McGovern Runs for President* (New York: Norton, 1973), 96-98.
17. *Ibid.*, 124-127; and Myra McPherson, "Sisters vs. Sisters," *Washington Post*, 13 July 1972, A-1 & A-20.
18. Janis Johnson, "Anti-Abortion Candidate Wins Notice in Presidential Effort," *Washington Post*, 28 Jan. 1976, A-6; Jane Ely, "McCormack Campaigns for 'Unborn,'" *Houston Post*, 27 April 1976, 1-A & 21-A; and "She's Running 'To Defend the Unborn,'" *San Francisco Sunday Examiner & Chronicle*, 29 Feb. 1976, A-13.
19. "Right to Life Presidential Campaign for 1980—Ellen McCormack," 4 pp., n.p., n.d. [received by author on 22 June 1979]; Richard M. Scammon and Alice V. McGillivray, comp. & ed., *America Votes 12*, (Washington: Congressional Quarterly, 1977), 28; "The Vote by Delegations," *New York Times*, 15 July 1976, 24; Democratic National Convention, *The Official Proceedings of the Democratic National Convention . . . 1976* [Washington: Democratic National Committee, 1976], 303-305; and Democratic National Committee, Office of Party Affairs (hereafter DNC/OPA), "Pro-Choice Language in Democratic Platforms," 27 Oct. 2000.
20. *Public Papers of the Presidents of the United States: Jimmy Carter 1977* (Washington: U.S. Government Printing Office), book 2, 1236-1237; and *ibid.*, *Jimmy Carter, 1978*, book 1, 362.
21. Robert F. Drinan (RFD) to resident of Needham, Mass., 19 June 1974; RFD to Carolyn Schneider, 8 July 1974; RFD to Hon. David Obey, 21 Nov. 1975; and RFD to Arthur J. Dyck, 19 June 1974. Drinan Papers, Legislative Correspondence, 1974-1975 (Abortion), John J. Burns Library, Boston College, Chestnut Hill, Mass. For examples of Rep. Drinan's influence on other politicians, see "The Lobbyists View Drinan," *National Right to Life News*, Sept. 1977, "De-

MARY MEEHAN

- bate" insert [2 & 3]. Drinan was not alone in misleading people about his real views on abortion. See Mark Feldstein, "Mail Fraud on Capitol Hill," *Washington Monthly*, Oct. 1979, 41-48.
22. "Dawn" to RFD, 6 June 1974 [with handwritten notations by "Abbot Robert" (RFD)]; and RFD to unidentified woman [name & address blocked out for privacy protection], 7 June 1974. Drinan Papers, (n. 21).
23. Frank Lynn, "Right to Life Party Won't Slate Reagan," *New York Times*, 27 Aug. 1980, A-17; and Richard M. Scammon and Alice McGillivray, comp. & ed., *America Votes 14* (Washington: Congressional Quarterly, 1981), 18.
24. Ellen Goodman, "Sisterhood at the Garden," *Washington Post*, 16 Aug. 1980, A-21; and Michael J. Malbin, "The Conventions, Platforms, and Issue Activists," in Austin Ranney, ed., *The American Elections of 1980* (Washington: American Enterprise Institute for Public Policy Research, 1981), 127-138.
25. Democratic National Convention, Official Report of the Proceedings of the Democratic National Convention . . . 1980 (Washington: Democratic National Committee, 1980), 304-305. On Dr. Edelin, see William A. Nolen, *The Baby in the Bottle* (New York: Coward, McCann & Geoghegan, 1978).
26. Democratic National Convention, (n. 25), 309; and "1980 Democratic Platform Text," *Congressional Quarterly Almanac . . . 1980*, vol. 36, 97-B & 106-B.
27. DNC/OPA, (n. 19); and "Washington Post/ABC News Poll" & "Democratic Delegates and the Rank-and-File: A Profile," *Washington Post*, 15 July 1984, A-16.
28. Geraldine A. Ferraro with Linda Bird Francke, *Ferraro: My Story* (Toronto & New York: Bantam Books, 1985), 211-239.
29. Amanda Spake, "Women Can Be Power Brokers, Too," *Washington Post Magazine*, 5 June 1988, 32 ff; Jon Friedman, "The Founding Mother," *New York Times Magazine*, 2 May 1993, 50 ff.; and Melissa Schiffman (Emily's List press coordinator), interview by author, 10 July 2003.
30. "Issue Report: NOW PACs," www.nowpacs.org, 19 May 2003; "About NWPC," www.nwpc.org, 19 May 2003; and "WCF In Brief," www.wcfonline.org, 18 May 2003.
31. Barron interview (n. 13).
32. "National Right to Life Committee Slams Gephardt for Flip-Flopping on Pro-Life Amendment," press release with attachments, Washington, D.C., 2 May 1986; Jo Mannies, "Gephardt Still Anti-Abortion, Staffer Says," *St. Louis Post-Dispatch*, 4 May 1986, D-1 & D-6; Ann Scales Cobbs, "Abortion Foes Drop Gephardt," *St. Louis Globe-Democrat*, 10 May 1986, 1-A & 4-A; and NARAL & National Right to Life Committee voting records, various years.
33. Irvin Molotsky, "Anti-Abortion Move Creates Chaos," *New York Times*, 10 Feb. 1988, A-28; and David S. Broder, "Kirk Wants '88 Platform To Be Brief," *Washington Post*, 5 Dec. 1987, A-19.
34. DNC/OPA (n. 19).
35. Office of Rep. John J. LaFalce, "Fifty House Democrats Call for Platform Change on Abortion," press release with attached text of letter, Washington, D.C., 6 April 1989, author's files; and Ronald H. Brown to John J. LaFalce, 24 May 1989, *ibid*.
36. Stephen Settle, "Dems to Prolifers: Take a Hike," *National Catholic Register*, 22 July 1990, 5.
37. Colman McCarthy, "No Choice for Antiabortion Democrats," *Washington Post*, 11 Feb. 1992, D-22; and "Transcript of Remarks of the Democratic Presidential Candidates at NARAL's Roe Anniversary Gala Dinner, Washington, D.C., Jan. 22, 1992," author's files. NARAL, which has changed its name twice since 1992, is now called NARAL Pro-Choice America.
38. Robert P. Casey, Remarks at National Press Club, Washington, D.C., 27 Jan. 1992, 7, author's files; and Robert P. Casey, "The Democratic Party and the Politics of Abortion," Address at Notre Dame Law School [Notre Dame, Ind.], 2 April 1992, 10 & 13, *ibid*.
39. Democratic National Convention (n. 19), 305; and "Political Notes . . . Ad Ban," *Washington Post*, 8 June 1984, A-7.
40. Robert P. Casey, *Fighting for Life* (Dallas: Word Publishing, 1996), 177-192, 186 & 185. For a different view, see Michael Crowley, "Casey Closed," *The New Republic*, 16 & 23 Sept. 1996, 12 & 14.
41. "Who Are the Democrats?" *Washington Post*, 12 July 1992, A-12; and DNC/OPA (n. 19).
42. Bill Clinton, "We Offer Our People a New Choice Based on Old Values," *Washington Post*, 17 July 1992, A-26; and Robin Toner, "Clinton Orders Reversal of Abortion Restrictions Left By Reagan and Bush," *New York Times*, 23 Jan. 1993, 1 & 10.

THE HUMAN LIFE REVIEW

43. Jack Torry, "Health Concern Ends Casey Run for Presidency," *Pittsburgh Post-Gazette*, 19 April 1995, A-1 & A-10.
44. Donald Lambro, "Pro-Life Democrats Seek Platform Change," *Washington Times*, 14 May 1996, A-1 & A-6; David E. Rosenbaum, "Democrats Drafting a Platform with a Corner for Dissent," *New York Times*, 12 July 1996, A-20; DNC/OPA (n. 19); and Democratic National Convention, *Official Proceedings of the 1996 Democratic National Convention* (Washington: Democratic National Committee, 1996), 155-157 & 163-164.
45. Dana Milbank, "Party Crashers," *The New Republic*, 15 June 1998, 21-25, 24; and Juliet Eilperin, "Democrats Diversify in Bid for House," *Washington Post*, 16 Oct. 2000, A-1 & A-8.
46. DNC/OPA (n. 19).
47. Albert Gore, "'Our Whole Future Is at Stake,'" *Washington Post*, 18 August 2000, A-31; and Los Angeles Times Exit Poll [conducted 7 November, 2000], www.pollingreport.com/2000.
48. Howard Kurtz, "Sen. Biden May Try to Talk His Way into the White House," *Washington Post*, 28 July 1986, A-1 & A-8.
49. Edward Walsh, "Carol Braun's Rocky Road to History," *Washington Post*, 28 April 1992, C-1 & C-4.
50. *Public Papers of the Presidents* (n. 20), *Jimmy Carter, 1977*, Book 1, 899.
51. Bill Clinton to Earlene Windsor (of Arkansas Right to Life), 26 Sept. 1986, author's files; and Rowland Evans and Robert Novak, "Clinton's Abortion Express," *Washington Post*, 3 Aug. 1992, A-19.
52. Kenneth L. Woodward, "Soulful Matters," *Newsweek*, 31 Oct. 1994, 25; and Hillary Rodham Clinton, *Living History* (New York: Simon & Schuster, 2003), 418.
53. Tom Daschle to Mary Meehan, 22 Sept. 1986, author's files.
54. *Congressional Record* (27 Jan. 1977), vol. 123, pt. 2, 2462; and Bill Smith, "Gephardt Changes Tactic on Abortion," *St. Louis Post-Dispatch*, 10 May 1986, 1 & 8.
55. Albert Gore, Jr., to resident of Dayton, Tenn., 26 May 1987, author's files.
56. Jesse L. Jackson to Thea Barron, 6 Sept. 1977, a telegram printed in the *Congressional Record* (27 Sept. 1977), vol. 123, pt. 24, 31038; and Jesse L. Jackson, "How Shall We Regard Life?" n.p., n.d. [received by author 13 Jan. 1979], 8, author's files.
57. Edward M. Kennedy to Mrs. Edward J. Barshak, 3 Aug. 1971, *ibid.*; and Edward M. Kennedy to Massachusetts resident, 3 Feb. 1982, *ibid.*
58. Paul Workman, "Kucinich Finds Himself Rooted in Church's Teachings on the Sacredness of All Life," *Catholic Universe Bulletin* (Cleveland), 28 Sept. 2001, 1 & 16.
59. Jodi Enda, "Abortion-Rights Leaders Changing Both Message and Methods," *Philadelphia Inquirer*, 11 Dec. 1993, A-1 & A-4. Michelman could not believe she had said this, but the reporter had tape-recorded the interview. See Howard Kurtz, "Poor Choice of Words from Abortion Rights Advocate?" *Washington Post*, 7 Feb. 1994, C-1 & C-2. In a clarification letter, Michelman said that it "is not abortion itself that is a bad thing," but acknowledged that NARAL "would like to see fewer women have to face the difficult decision about abortion..." Kate Michelman, "Valuing Women's Choices," letter to the editor, *Philadelphia Inquirer*, 25 Dec. 1993, A-12.

APPENDIX A

[Hadley Arkes is the Vaughan Fellow in the Madison Program at Princeton University. His most recent book is *Natural Rights and the Right to Choose*. This essay appeared July 2 on *National Review Online* (nationalreview.com) and is reprinted with permission.]

Sodomy & the Law

The forgotten case for laws left unenforced

Hadley Arkes

Why is it that even the more conservative commentators could not quite give an accurate account of the law on sodomy in Texas that the Supreme Court struck down last week in *Lawrence v. Texas*? Bill O'Reilly, shooting from the hip, or the lip, branded the law as a measure bringing forth the "Sex Police." He could make a grand, liberal gesture in condemning any law that would bring under surveillance sexual acts done in a setting of privacy.

O'Reilly's reaction was rather typical, and yet as anyone should know, there are no Sex Police, and no such policy in which police actively seek out cases of sodomy behind closed doors. Both in *Lawrence v. Texas* and *Bowers v. Hardwick* (1986), the police had entered private premises in search of evidence of other crimes. In the *Lawrence* case, the police in Houston came in response to "a reported weapons disturbance." In both cases the police happened upon evidence of sodomy that was officially proscribed in the law—mainly because the participants were remarkably casual or careless about sheltering their acts from the sight of passersby, in a domain of intimacy. The police, encountering the act open to view, responded to the cavalier disregard of convention by making a show themselves of taking the law seriously. And yet, in *Hardwick*, the district attorney, faced with the report of the police, actually decided *not* to prosecute. It was Hardwick who forced the case by moving immediately into a federal district court, in an effort to have the law declared unconstitutional.

It should be plain that the police have not been encouraged to make this kind of offense a matter of high rank in claiming their time or attention. Justice Kennedy admitted as much in his opinion for the Court, in a passage apparently unread by many commentators. Kennedy noted that, in the states where sodomy was still proscribed, "there is a pattern of nonenforcement with respect to consenting adults acting in private. The state of Texas admitted in 1994 that as of that date it had not prosecuted anyone under these circumstances." In the most curious way, Kennedy managed to build this point into his condemnation of the law: The want of enforcement suggested that the law was not taken all that seriously as a law; and in that case its rare enforcement could be a mark of arbitrariness. Unless, of course, there is a rationale for having a law on the books, preserving premises in the law, even when that law is not enforced with unseemly vigor.

The police might have been instructed in this vein by their superiors, to hold back with prudence. But those superiors might not have been clear themselves on the reasons for holding back. They might have been in the same haze as the com-

mentators, who serenely missed the same point: that these laws serve a function, and a deeper purpose, which runs well beyond anything that could be gained by enforcing the laws against the hapless characters who are careless enough to run afoul of them. The very fact that these measures find a place within the laws and public policy of the state serve many interests, touching on the family, divorce, and the grounds for assigning the custody of children. And those interests run beyond any concern to generate embarrassment for the people observed in sexual encounters.

The point was suggested, in a simple example, several years back. A Florida prostitute brought an action in a court of small claims complaining about a bad check she had received from one of her clients. The judge sympathized in a way with a person defrauded, but he had to remind her that prostitution was, after all, against the law. That law was not typically enforced in a rigorous way, or with any serious expectation of purging from the public the vice of prostitution. But the practice was made slightly more hazardous by the fact that judges could not be called upon to enforce a contract for a purpose regarded as immoral or wrong in the law.

The case of same-sex marriage looms large as a prospect hovering over these cases on sodomy and gay rights. The courts in Canada have now established same-sex marriage in that country, and the supreme court in Massachusetts seems about to ease the way for that arrangement here, and so the question must arise as to whether other states would be obliged to honor the marriages brought about in these jurisdictions. The understanding firmly established in the laws is that a state need not honor certain kinds of marriages—say, incestuous marriages—if the state has, in its own public policy, a moral rejection of those kinds of marriages.

But that is precisely the prop that is knocked out when the Supreme Court declares, with Justice Kennedy, that it is no longer tenable for a state to regard gay sex as any less legitimate than the sexuality “imprinted in our natures”—the sexuality marked in the presence of gender, and the purpose of begetting. The question is whether the state is on tenable ground when it refuses to recognize any brand of homosexuality as standing on the same plane as sexuality in the literal sense, or as having a claim to nothing less than a “way of life.” The eyes of the law may simply be diverted, in a policy of tolerance or indifference, as people do all kinds of things in the privacy of their bedrooms. But if every brand of sexuality is to be regarded on the same plane, equally plausible and legitimate, then it may be untenable for the state to deny that a homosexual union should have any less standing, in the law, than a marriage composed of a man and a woman. And if marriage is detached from the function of begetting, it is hard to see any ground of principle for confining marriage to a “coupling.” Indeed, we have now seen the advent of the “polyamorous,” a group of people who contend that their loves are not confined to a coupling, but woven together in a larger ensemble of three and four or more. On what ground of principle then would the law refuse to be open to these other, novel forms of marriage?

And yet it is not merely marriage engaged here, but all of the things that flow from marriage, including the custody of children. Justice Kennedy invoked in his

APPENDIX A

opinion a notion of liberty anchored in the “autonomy of self.” With that sense of autonomy, he thought that all persons could claim, at least in the domain of sex, a “respect for their private lives.” But is that even faintly plausible? If people practice sadomasochistic sex or bestiality, if they have sex with animals in forms familiar and novel, would Kennedy truly contend that the rest of us are obliged to respect virtually everything that is done? Or that the law should be barred from drawing adverse inferences? After all, decisions must be made in the law in assigning the custody of children, or in deciding whether a couple, unrelated to a child, is fit to act as adoptive parents. Might we not indeed question the maturity or judgment of people who find their pleasure in whips or bestiality?

In the aftermath of the decision in *Lawrence v. Texas*, legislators in Virginia and other places have begun to weigh proposals designed to shore up the defense of marriage.

All of that is to be welcomed, but they might employ their arts with a fuller leverage if they challenged Justice Kennedy’s claim that his ruling will not be flowing over to compel a “formal recognition” of same-sex marriage or “any relationship that homosexual persons seek to enter.” Kennedy had claimed that his concern here was with the branding of people as wrongdoers in the “criminal law.” Conservatives, for their part, have shown no inclination to make sodomy or masturbation into subjects dealt with by the criminal law. Bill Buckley, Clarence Thomas, the editors of the *Wall Street Journal* have all expressed their willingness to see those criminal laws on sodomy repealed. But if those ancient laws on sodomy disappear now, something else should be put in their place to anchor those moral understandings in the law.

The legislators could indeed take marriage as the center of their concerns. They could affirm again that a legal marriage is the union of a man and woman known as husband and wife; that no plural marriage will be sanctioned in the state, and no more will the state treat couplings of the same sex, under any name or title, as couplings to be accorded the standing and privileges that attach to marriage. They might also stipulate the incontestable point that in sexuality, as in every other domain of life, people may manifest their character, bad as well as good, and that the character revealed in sexual lives may be aptly considered by the courts, and official agencies of the state, as they need to reach judgments on divorce, adoption, and the custody of children. But that is to say, the character revealed, even in these private encounters, may bear with a direct relevance on the earnestness of people to preserve a faithful commitment to one partner, a spouse, and to children, in a framework of marriage.

Justice Kennedy and his colleagues offered rhetoric soaring well beyond any judgment they had been obliged to reach, or anything they could seriously believe themselves. Only an amendment to the Constitution will avert the wider damage that their decision portends. But in the meantime, some timely, focused measures by legislators may delimit this new ruling, and rescue Justice Kennedy from a jurisprudence that ultimately cannot explain itself.

APPENDIX B

[Maggie Gallagher is the editor of *MarriageDebate.com*, which debuted on the Internet July 21. Her latest book (with Linda J. Waite) is *The Case for Marriage: Why Married People Are Happier, Healthier, and Better Off Financially*. The following appeared July 14 on *National Review Online* (nationalreview.com) and is reprinted with permission.]

The Stakes: Why We Need Marriage

Maggie Gallagher

Ramesh Ponnuru (writing in the July 28, 2003 issue of *National Review*) is right about several things: We are poised to lose the gay-marriage battle badly. Arguments about a slippery slope to polygamy are not untrue, but ineffectual, signs of a profound weakness in our culture of marriage. Polygamy is not worse than gay marriage, it is better. At least polygamy, for all its ugly defects, is an attempt to secure stable mother-father families for children.

What is missing from this and many other analyses on this issue is a declaration of the stakes. Gay marriage is not some sideline issue, it *is* the marriage debate. Losing it (as John O'Sullivan makes abundantly clear in "Marriage—American Style," NRO, July 10) means losing marriage as a social institution, a shared public norm. Marriage will become (as it is in Sweden) a religious rite, with little public or social significance. As a legal institution, marriage will lose its coherence. By embracing gay marriage the legal establishment will have declared that the public purposes of marriage no longer include anything to do with making babies, or giving children mothers and fathers. Legitimizing same-sex marriage amounts to an official declaration that, as Evan Wolfson put it in a debate with me in a just-released book *Marriage and Same-Sex Unions: A Debate*: "What counts is not family structure, but the quality of dedication, commitment, self-sacrifice, and love in the household." *Family structure does not count*. Marriage in this view is merely expressive personal conduct, a declaration of love between two adults. As such there is no reason for the state to be involved in preferring marriage as a family form.

The question is not whether this is a battle we can win, but whether it is a battle we can afford to lose.

The fantasy of certain (not all) libertarians is that we can privatize marriage and the result will be a utopia of religiously created social order. But if marriage is just a religious rite, then it cannot also be a key social institution in a secular, pluralist nation. We do not depend on faith communities to ensure the education of children or the maintenance of private property because we understand that society needs educated citizens and a stable realm of property in order to prosper. The question is: Do we also need marriage?

The answer to this question is, I think, abundantly clear from 40 years of experimentation both here and in Europe. The consequence of our current retreat from marriage is not a flourishing libertarian social order, but a gigantic expansion of state power and a vast increase in social disorder and human suffering. The results

APPENDIX B

of the marriage retreat are not merely personal or religious. When men and women fail to form stable marriages, the first result is a vast expansion of government attempts to cope with the terrible social needs that result. There is scarcely a dollar that state and federal governments spend on social programs that is not driven in large part by family fragmentation: crime, poverty, drug abuse, teen pregnancy, school failure, mental and physical health problems. Even Medicare spending is inflated, as elderly singles spend more of their years in nursing homes.

The conservative project of limited government depends on recovering marriage as the normal, usual, and generally reliable way to raise children. The good news is that a marriage recovery appears to be on its way: Rates of divorce have dropped, illegitimacy is leveling off, marital fertility is on the rise, adult commitment to marital permanence is increasing, and the next generation's dislike of divorce is rising; the consensus that children do better when parents get and stay married is now broad, if shallow.

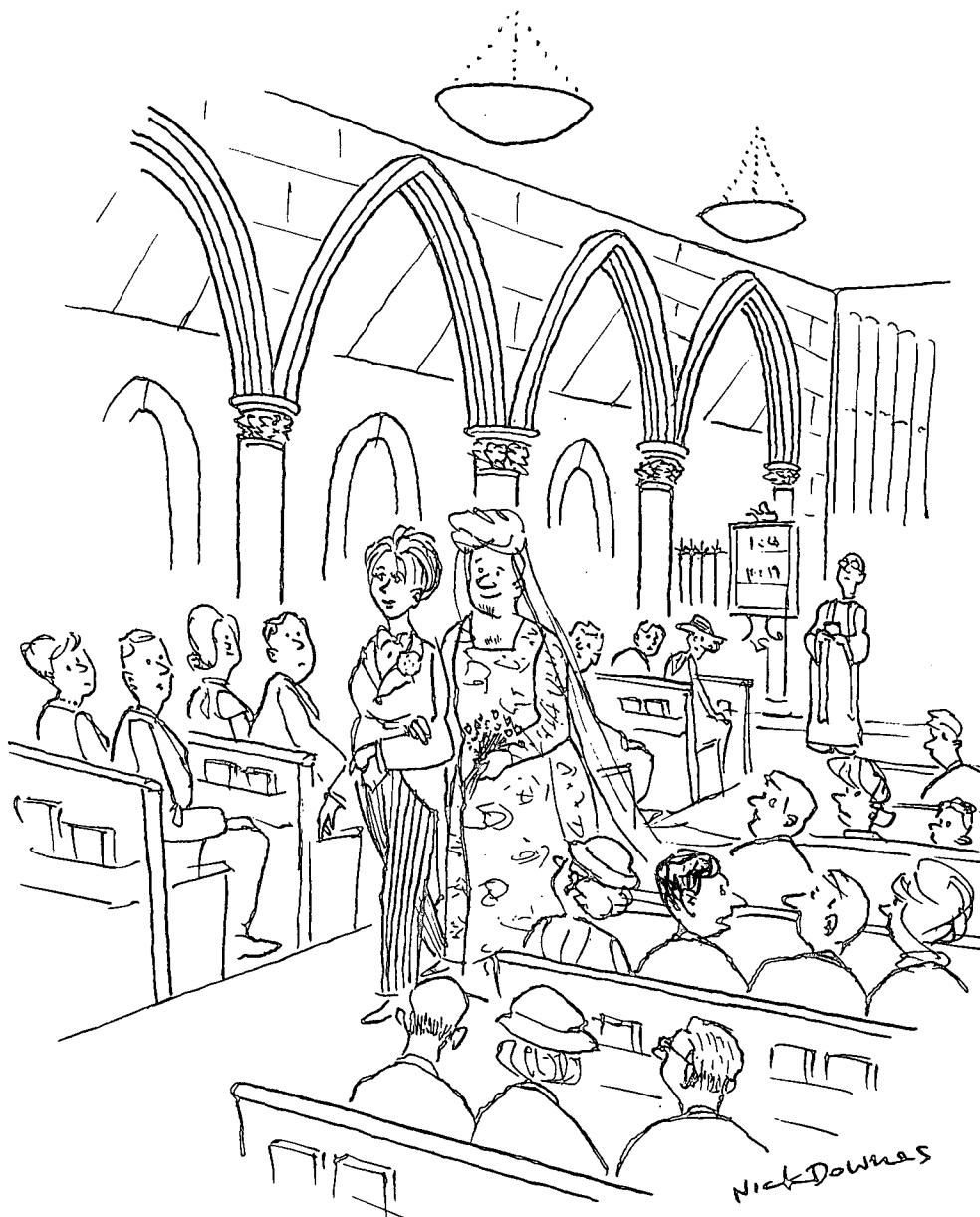
The bad news is that gay marriage will gut this marriage movement, and reverse these gains. Marriage will no longer be a carrier of the message that children need mothers and fathers. Instead the law will legitimate the principle of family diversity: that adults get to form the families they choose and children will resiliently adjust. Or not, but who cares? If the law embraces this message, government will become its carrier and promoter. School textbooks, teen-pregnancy programs, and abstinence education (to mention just a few venues) will all be forced to carry this new unisex marriage vision. Religious people and social conservatives (not to mention marriage advocates in general) unwilling to champion this message, will retreat from the public square. Will a society that is unwilling to abandon unilateral divorce legally enforce Catholic marriage contracts, as John O'Sullivan suggests? Dream on. A nascent and promising movement for social recovery will be strangled at birth.

What will happen to American civilization then? Marriage is a universal human institution. We do not know of any culture that has survived without a reasonably functional marriage system. Perhaps stray reproduction by single moms plus immigration can sustain America over the long haul. A look at Europe, however, does not make one sanguine. The attempt to substitute the state for the family leads not only to gargantuan government, but to miniscule families: If marriage and children are just one of many private lifestyle choices, people stop getting married and they stop having children in numbers large enough to replace the population. (One child is enough to make you a mother. When marriage is unreliable, just how foolhardy do you expect women to be?). The U.N. is now issuing urgent warnings about European depopulation.

The future belongs to people who do the hard things necessary to reproduce not only themselves, but their civilization. Marriage is not an option, it is a precondition for social survival. Not everyone lives up to the marriage ideal in this or any civilization. But when a society abandons the marriage idea altogether as a shared

public norm, do not expect private individuals to be able to sustain marriage.

Winning the gay-marriage debate may be hard, but to those of us who witnessed the fall of Communism, despair is inexcusable and irresponsible. Losing this battle means losing the idea that children need mothers and fathers. It means losing the marriage debate. It means losing limited government. It means losing American civilization. It means losing, period.



"They do have the cross-dressing thing in common."

APPENDIX C

[The following column is reprinted by permission of Patrick J. Buchanan and Creators Syndicate, Inc. Mr. Buchanan's latest book is The Death of the West (St. Martin's Press).]

A Decision Built On Deceit?

Pat Buchanan

Roe vs. Wade, the 1973 Supreme Court decision that created a woman's right to an abortion, was the most controversial of the last century. It divides us yet.

Any nominee to a federal appellate court or the Supreme Court who does not swear allegiance to Roe is disqualified in the eyes of the Democratic Party. To Democrats, ensuring a woman's right to abort her child has become a tenet of their party, a reason for its existence, an article of their faith.

But what if Roe vs. Wade was based on fraud, deceit and lies?

Comes now a woman who knows as surely as anyone whether that explosive charge is true. That is Jane Roe herself, the Texas woman whose plight and plea persuaded the high court to strike down every state law restricting a woman's right to abort her child.

Who was, and is, Jane Roe? She is Norma McCorvey, and she has just filed a petition in a Dallas federal court, as the litigant in Roe vs. Wade, to have the 1973 ruling overturned.

McCorvey contends that when she was a 21-year-old street person, she was ignorant of what abortion meant, made up her story about being raped, and was deceived and used by her lawyers. Those lawyers, McCorvey says, told her that the baby inside her was "tissue."

After Roe vs. Wade came down, McCorvey became the Rosa Parks of the feminist movement. And because of her fame, she was regularly offered jobs at the abortion mills. What she witnessed inside them changed her heart.

Here is an excerpt from the affidavit McCorvey just filed, describing what it was like in the "clinics" where she held the hands of women being aborted, as they dug their nails into her palm:

"But the most distressing room in the facility was the 'parts room.' Aborted babies were stored there. There were dead babies and baby parts stacked like cordwood. Some of the babies made it into buckets and others did not, and because of its disgusting features, no one ever cleaned the room. The stench was horrible. Plastic bags full of baby parts that were swimming in blood were tied up, stored in the room and picked up once a week.

"At another clinic, the dead babies were kept in a big white freezer full of dozens of jars, all full of baby parts, little tiny hands and feet visible through the jars, frozen in blood. The abortion clinic's personnel always referred to these dismembered babies as 'tissue.'"

This is a scene straight out of hell. Recoiling from it, in 1995, McCorvey became a Christian and resolved to do what she could to overturn the decision that has permitted 40 million unborn to be butchered, their tiny torn bodies discarded in

the fashion described above.

Aiding McCorvey is human rights lawyer Allan Parker, founder of The Justice Foundation. Parker is constructing a case much like the one Thurgood Marshall built in *Brown vs. Board of Education*

Marshall argued that in the 57 years that had elapsed since *Plessy vs. Ferguson*, evidence had mounted to show that segregation did demonstrable harm to black children in public schools. Based on that evidence, and new advances in social science, Marshall argued, *Plessy* should be overturned.

Using the affidavit of McCorvey, Parker is calling for *Roe* to be reversed, whole and entire, on the following grounds.

First, *Roe* deprived women of all protection from the dangers of abortion. Parker provides affidavits from 1,000 women who testify to the physical, psychological and emotional damage they suffered as a result of their abortions—damage of which they were never made aware. The harm and horrors of abortion were not considered in 1973. Now they are known.

Second, tremendous strides have been made in medicine and science to enable the Rehnquist court, better than the Burger court of 1973, to decide with certitude when life begins.

Third, the issue of a woman's right to privacy and not to have to care for an unwanted child has been addressed by Texas. Under a 1999 law, Texas will provide an upbringing for every child, up to 18 years of age, no questions asked of the mother, whose privacy will be protected.

As the facts have changed, and the situation has changed, and the thinking has changed—and the original *Roe* decision was based on claims rooted in deceit and lies—*Roe* should be reconsidered.

That is Parker's case. It is a compelling one—as compelling as the story of Norma McCorvey, a brave women seeking to right a horrible wrong that was done, in some measure, because of her. On Friday, a Dallas federal judge threw out McCorvey's plea. But, undeterred, Allan Parker intends to take it the next step—and ultimately to the Supreme Court, where it belongs.

APPENDIX D

[Kathleen Parker is a syndicated columnist and director of the School of Written Expression at the Buckley School of Public Speaking and Persuasion in Camden, South Carolina. The following column was published on August 31. Copyright 2003 Tribune Media Services, Inc. All Rights Reserved. Reprinted with permission.]

Media, Darlings, Your Abortion Bias Is Showing Again

Kathleen Parker

What if the women who helped make abortion-on-demand the law of the land changed their minds? They did.

And what if no one cared? Apparently, no one does.

Or so one might surmise from the media's inattention to the latest motion filed in federal court seeking to set aside the U.S. Supreme Court's 1973 abortion ruling, a reversal of which would return abortion jurisdiction to states.

On Monday, Sandra Cano—"Mary Doe" in the U.S. Supreme Court *Doe vs. Bolton* abortion case, which was a companion case to the more-famous *Roe vs. Wade*—filed a motion in Georgia to vacate the court's ruling. Like Norma McCorvey of *Roe vs. Wade*, Cano says she regrets her role in helping legalize abortion and wants to "right a wrong."

McCorvey filed a similar motion in Texas in June. Her case, which included some 5,400 pages of evidence, was thrown out by the district court within 48 hours, but has been appealed to the 5th Circuit Federal Court. The judge must have been a fast reader.

Despite the enormous importance of Cano's motion, the mainstream media have largely ignored it. A Lexis-Nexis search turned up only one story about the filing, but it was a report by U.S. Newswire, a division of Medialink Worldwide Inc., which is essentially a vehicle for corporate communications.

In the Cano case, the relevant entity is The Justice Foundation, which is representing both Cano and McCorvey. The non-profit foundation historically has offered free legal assistance in cases of school choice, limited government, free market and recently in women's health.

The Justice Foundation concedes that "women's health" means "pro-life" issues and is now the exclusive focus of its work. Which, might we infer, explains why the media are ignoring this latest filing?

Let me be blunt: What we have here is a clear and present bias against the pro-life side of the abortion debate.

There are a couple of reasons for this. First, the majority of people in the media are pro-choice. And, giving the devil his due, reporters hate press conferences and press releases. They don't like being beckoned to appear and report on what feel like propaganda events.

Still. When it comes to one of the landmark cases that changed life in ways we're just beginning to understand, we might deign to note what amounts to a shift in the culture's tectonic plates. It *is* news.

The Justice Foundation's media director, Anne Newman, said Wednesday that she had received only three or four media phone calls and only six hits on the Web site since Cano announced her filing. Although network affiliates sent reporters and cameras to the press conference, which included testimonials by women who regretted their abortions, only one local station reported the event, according to Newman.

Here's what you didn't learn from the media. The ruling in Cano's case expanded abortion rights beyond Roe's trimester approach based on "health of the mother" considerations. Health has been loosely defined as mental anguish or even financial considerations, thus allowing women to get abortions at any time up to and including "partial-birth."

The gist of Cano's current motion is that, 30 years ago, the Supreme Court didn't consider the physical and emotional effects of abortion on women, primarily because there was no information available at the time. Now, plaintiffs contend, we have 30 years of evidence that abortion harms women. (<http://www.operationoutcry.org>)

Both McCorvey and Cano, neither of whom ever had an abortion, claim they were used by lawyers on fraudulent grounds. Cano says she never even sought an abortion. An impoverished mother of three whose husband was in jail at the time, she went to a legal-aid office for a divorce and wound up an unwitting and unwilling activist. McCorvey was a drug abuser living on the streets, easily manipulated by her ambitious lawyers, she says.

Whatever these women did or didn't do, they surely were used by savvier sorts for the purpose of securing reproductive control for women. Those of us who were around during those heady days of free love and narcissistic thrall were convinced that the Second Coming could bring no greater news.

The fact that many now think otherwise—based on experience and new evidence provided by advanced technology—is surely worthy of discussion. And of reporting.

The fact that the mainstream media have decided to ignore Cano's case suggests that the media, at least, have made up their collective mind. Once again, it seems, Cano and McCorvey are irrelevant to the larger social "goal" as determined by an elite few.

APPENDIX E

[Wesley J. Smith is a senior fellow with the Discovery Institute and an attorney and consultant for the International Task Force on Euthanasia and Assisted Suicide. His revised and updated *Forced Exit: The Slippery Slope from Assisted Suicide to Legalized Murder* was recently released by Spence Publishing. The following appeared July 23 on *National Review Online* (nationalreview.com) and is reprinted with permission.]

Taking Requests, Doing Harm

Wesley J. Smith

The “Hippocratic Oath,” sniffed Dr. Sherwin Nuland dismissively in the February 24, 2000 *New England Journal of Medicine*, “has been embraced over approximately the last 200 years far more as a symbol of professional cohesion than for its content . . . Ultimately, a physician’s conduct at the bedside is a matter of individual conscience.”

What a frightening thought. When I tell audiences that only about 13 percent of physicians take the Hippocratic Oath—if that—invariably they respond with loud, shocked gasps of alarm. Patients believe that if doctors want professional cohesion, they should join the Rotary Club. They believe that doctors have certain ironclad professional obligations to patients that cannot be violated regardless of a physician’s individual beliefs. Indeed, patients rightly view the Hippocratic Oath as one of their primary defenses against the overwhelming power over our vulnerable lives that we, of necessity, place in the hands of our doctors. This obligation is summarized by the Hippocratic principle that a doctor “do no harm” to a patient—even if the patient may wish otherwise.

Nuland wrote in the context of an editorial favoring a right for physicians to engage in euthanasia—an act explicitly prohibited by the Oath. That is disturbing enough. But to see just how radical a departure Nuland’s proposed “individual conscience” standard would be from thousands of years of professional wisdom and tradition, just read “Costing an Arm and a Leg” written by Carl Elliott for *Slate*.

Elliott writes about a bizarre new mental illness called “Body Integrity Identity Disorder,” or as it is commonly known, “amputee wannabe.” Yes, you read right, we are talking about disturbed people who want their arms or legs cut off. Worse, there appear to be at least a few doctors whose “individual consciences” allow them to amputate these patients’ *healthy limbs*—most notably Dr. Robert Smith of Scotland—who has admitted to acceding to the desires of amputation-obsessed patients. According to Elliott, there are even psychiatrists willing to prescribe amputation as the “only” available therapy to their patients’ obsessions even though, “no formal research studies on treatments for wannabes have ever been undertaken.”

While it remains exceedingly rare for physicians to be willing to amputate healthy arms or legs, the idea of facilitating patient suicides—once just as beyond the pale as unnecessary amputations—has gained steam in the mental-health professions

as well as among a minority of physicians. Indeed, there is a new theory being promoted in psychiatry, psychology, and social work known as “rational suicide.”

According to rational-suicide proponents, the mental-health professional’s duty to a suicidal patient is not necessarily to prevent death. Rather, if after exploring the reasons a patient wishes to commit suicide the mental-health professional believes that the decision “to suicide”—some advocates use the word as a verb—is “rational” and appropriate to the patient’s personal circumstances, then not only should the decision be accepted, but perhaps even facilitated. Indeed, once the professional decides that the reason for committing suicide is rational, his primary job is not to engage in prevention but to ensure that the patient goes through a proper decision-making process, such as ensuring that he has considered the impact of the planned suicide on loved ones, before doing the deed.

As far as I know, professional associations have not yet formally accepted rational suicide. Still, “model rules” for “permitted suicide” have already been published in the October 2001 *Journal of Mental Health Counseling*, in an article written by Elliot D. Cohen, Ph.D. According to Cohen, a “permitted suicide” exists when a “counselor validates the client’s decisions to commit [rational] suicide and obtains at least one independent qualified, confirmatory assessment.”

Providing the mental-health profession’s imprimatur to self-destruction does not end the duty of the permitted suicide practitioner, according to Cohen. Counselors are also required to become “knowledgeable about the various methods of self-administration, including types of drugs, lethality of dosages, and efficacy of methods” for suicide, so that the patient can be instructed on how to do the job right. Above all, mental-health professionals are urged not to be judgmental about suicide. Indeed, Cohen analogizes committing rational suicide to refusing life-sustaining medical treatment. Since the suicidal person can’t pull the plug in order to die, he asserts, the rational suicide “warrants the same legal protection afforded other groups of rational, competent persons against involuntary hospitalization, detainment, surveillance, and other forms of coercive practice.”

As if this anti-Hippocratic advocacy weren’t bad enough, the law seems to be drifting toward a libertarian view that would permit physicians to do almost anything that a willing patient desires. Indeed, in 1999 the supreme court of Montana, in striking down a law that would have required doctors to perform abortions, (*James H. Armstrong, M.D. v. The State of Montana*), ruled, “The Montana Constitution broadly guarantees each individual the right to make medical judgments affecting her or his bodily integrity and health in partnership with a chosen health care provider free from government interference.” Moreover, the majority decision ruled, only “a compelling interest . . . to preserve the safety, health and welfare of a particular class of patients or the general public from a medically acknowledged *bona fide* health risk,” warrants any state involvement in medical decision-making.

Think about the implications of this decision: Regardless of the individual or societal consequences, absent extraordinary exigencies such as preventing a plague,

APPENDIX E

virtually anything may be allowable medically in Montana if it can be construed to involve obtaining “medical care from a chosen health care provider.” Indeed, the decision was so radical that two justices dissented. They worried that the court had stripped the Montana legislature “of any role in matters relating to health care to be provided to the people of Montana” and that the rule of law enunciated in the case was so broad that it could “encompass and decide such issues as the right to physician-assisted suicide and other important health and medical-related issues.” If the dissenters were correct that almost anything goes medically in Montana so long as a patient wants it and a health-care professional is willing to do it—a reasonable interpretation considering the expansive language and philosophical thrust of the majority’s decision—then it could very well allow doctors to amputate healthy limbs upon request and permit psychiatrists to participate in the “rational suicides” of despairing patients. If medicine and mental-health counseling are to remain truly professional, “anything goes” cannot be their creed. Rather, health-care professionals need to energetically revive and defend the venerable Hippocratic principle that doctors are duty-bound not to harm any patient—even if that is what the patient desperately wants. To do otherwise is to abandon those who are least capable of protecting themselves to the horrors of self-abuse and destruction.



“We must pick through lunch, sometime.”

APPENDIX F

[Kathryn Jean Lopez is the editor of National Review Online (nationalreview.com). This column was published June 3, 2003 on NRO and is reprinted with permission.]

Worth the Fight

Kathryn Jean Lopez

On Friday, May 30th, Pennsylvania senator Rick Santorum (R.) and his wife, Karen Garver Santorum, received an award from the Sisters of Life, the order of religious sisters founded by the late John Cardinal O'Connor in 1991. The Sisters were established, according to the late cardinal archbishop of New York, to “restore to all society a sense of the sacredness of human life.”

The John Cardinal O'Connor Award was given to the Santorums in recognition of “the courage, nobility, and love with which they live their vocation to marriage and family life,” Mother Agnes Mary, the superior general (a former professor at the Teacher’s College at Columbia University) of the Sisters of Life said. “They have publicly witnessed to a private suffering shared by many families throughout the world.” In 1998, Mrs. Santorum published *Letters to Gabriel*, a memoir of her pregnancy and the 20-week life of their fourth child, Gabriel Michael Santorum. Gabriel was born prematurely and died two hours after being delivered.

After a few weeks under an extra-hot spotlight, following comments made to an Associated Press reporter (who just happened to be married to Democratic presidential candidate Sen. John Kerry’s campaign manager) about homosexuality and other lightening rods, the senator obviously appreciated the warm, familiar audience of mostly Northeast Corridor Catholics on Friday night. To the receptive audience, most, if not all, genuine pro-life advocates—especially the sisters, who as the senator noted with awe, are the face of love, a face the anti-abortion movement needs to be constantly and consistently and forthrightly dedicated to—the senator recounted the story of what was considered a legislative loss, but wound up a true win for human life.

It’s a story he has told a few times now—most recently at his commencement addresses this year at St. Joseph’s University and Christendom College—but that not enough people have heard. It’s a reminder that the fight is often worth the effort, even when you technically lose in the eyes of most of the world—and you may not always know the fruits of your work, either.

Here’s the story, as Santorum tells it; he was fortunate enough to find out how he won during what would have otherwise been considered a legislative defeat:

“In 1998, I was on the floor of the United States Senate debating the override of the president’s veto of the partial-birth-abortion bill. The next morning was to be the vote. We did not have the votes to override the president’s veto. The debate had ended that night, it was eight o’clock. The Senate was wrapping up, but there was something inside me that felt that I had to say more, even though there was no one left in the chamber besides the presiding officers. I went back in the cloakroom and called my wife. She picked up the phone and we have six little children and they

APPENDIX F

are all seemingly at once crying in the background, and I said, 'Karen, the vote's tomorrow. We are not going to win and everybody's gone. But something tells me I need to say more.' And through the din of the children crying, she said, 'well, of course, if that's what you need to do, do it.'

So I went to the presiding officer and said, 'I'll only be a few minutes, I don't want to keep you late.' Over an hour and a half later, I finished my talk. . . .

And we finished up the Senate and closed it down, and the next day the vote came, [and] not one vote changed. But five days later, I got an e-mail from a young man at Michigan State University. And this is what the e-mail said: 'Senator, on Thursday night I was watching television with my girlfriend. We were flipping through the channels and we saw you standing there on the floor of the United States Senate with a picture of a baby next to you. And so we listened for a while and the more we listened the more we got interested in what you were saying. After a while I looked down at my girlfriend, and she had tears running down her face. And I asked her what was wrong, and she looked up at me and said, "I'm pregnant, and tomorrow I was going to have an abortion, and I wasn't going to tell you, but I'm not going to have an abortion now."' "

In April of that year, a little girl was born and given up for adoption. She is four years old today. Now according to the world, when I spoke on the floor of the Senate that night, I had failed. I did not succeed. But God gave me a gift that many of you as you stand and fight the causes that you believe in may never get, He gave me the gift of knowing that faithfulness to what you believe in can lead to wonderful acts and wonderful miracles."

The Lord works in mysterious ways—even through C-SPAN.

SUBSCRIPTIONS AND BOUND VOLUMES

Subscriptions: the *Human Life Review* accepts regular subscriptions at the rate of \$25 for a full year (four issues). Canadian and all other foreign subscriptions please add \$5 (total: \$30 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—No. 3, Volume XXIX—is available while the supply lasts at \$7 per copy; 10 copies or more at \$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 now have available bound volumes of the years 1992 through 2000 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 some 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
www.humanlifereview.com

