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CARL R. TRUEMAN'S *THE RISE AND TRIUMPH OF THE MODERN SELF*

Julia Duin on
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BIG ABORTION V. DAVID DALEIDEN

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LIES THAT KEEP ABORTION LEGAL

Lyle R. Strathman on
WHAT ABOUT PRO-CHOICE?

Denise M. Leipold and Raymond J. Adamek on
**IGNORING SURGICAL ABORTION'S EFFECT ON INFANT
MORTALITY IN OHIO**

Jason Morgan on
THE STORY OF JANE REDUX

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Ellen Wilson Fielding on Andrea Grosso Ciponte's *Freiheit!: The White Rose Graphic Novel*
John Grondelski on Amy Ford's *Help Her to Be Brave* and Wayne Grudem's *What the Bible Says about Abortion, Euthanasia and End-of-Life Medical Decisions*

FROM THE HLR WEBSITE:

Diane Moriarty on Pepé Le Cuomo • Joe Bissonnette on Elon Musk

Appendices: "Envy in the Age of Social Media" by Anne Hendershott

"Don't Forget Andrew Cuomo's Other Coronavirus Victims" by Maria McFadden Maffucci

. . . Masks off? In the blooming of spring comes new hope that we can start inching back to some kind of normal living. Masks, which protect, also cover up, and in this issue our contributors do some *serious* unmasking. We welcome new contributor and veteran journalist Julia Duin, who asks “Is Joe Biden Only Quasi-Catholic—At Best?” (p. 11). Seems the photo of Pope Francis displayed in the presidential office can’t hide the fact that Joe’s abortion advocacy makes him a Catholic who brazenly flouts one of the Church’s most sacred beliefs. In “Big Abortion v. David Daleiden” (p. 19), Alexandra DeSanctis reveals the roles both Kamala Harris and Xavier Becerra—in their respective terms as California’s attorney general—played in the cover-up of Planned Parenthood’s criminal trade in fetal body parts and the persecution of Daleiden, whose undercover videos unveiled the horrors. Diane Moriarty (“Pepé le Cuomo,” p. 82) and I (“Don’t Forget Andrew Cuomo’s Other Coronavirus Victims” p. 94) expose the ugly mug behind the mask of New York’s governor, who pontificated about the value of each human life during his famous Covid press conferences while quietly implementing policies that sent thousands of the elderly and disabled to their deaths. (Our thanks to National Review Online for permission to reprint the latter.)

Both flagrant lying and manipulative distortions are necessary to promote the abortion culture, as Robert Marshall (“Lies That Keep Abortion Legal,” p. 30), Lyle R. Strathman (“What About Pro-Choice?,” p. 42), and Denise M. Leipold and Raymond J. Adamek (“Ignoring Surgical Abortion’s Effect on Infant Mortality in Ohio,” p. 52) deftly demonstrate.

Truth-telling is indeed our mission, and you will find a lot more of it on our website (www.humanlifereview.com), which we have recently expanded with two new features. In “Insisting on Life” I share commentary, news items, and reviews, and every Sunday we have “Pastoral Reflections”—Rev. W. Ross Blackburn, who originated the column, is now joined by a rotating, ecumenical roster of clergy and religious.

Finally, some sad news came this spring: Paul Greenberg, Pulitzer prize-winning journalist, long-time editorial page editor of the *Arkansas Democrat-Gazette*, *Review* contributor, and Great Defender of Life honoree, died on April 6 (see remembrance on p. 96). Greenberg once “welcomed” *Roe v. Wade*, but then he not only converted to the cause of life but became one of its most eloquent defenders. His words (in accepting his award, October, 2011) live on:

Maybe once in a generation a great issue arises—a watershed issue. One that can no longer be put off, compromised, blurred. One that will no longer be denied. But returns again and again. With the obdurate force of a moral conviction. Slavery was such an issue. Civil rights were such an issue, and it led to a Second Reconstruction. If the distinguished jurists of the U.S. Supreme Court thought they could end this discussion, they couldn’t. We have only begun to fight; to speak, to witness, and we will be heard.

MARIA MCFADDEN MAFFUCCI

EDITOR IN CHIEF



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INTRODUCTION

Carl R. Trueman's *The Rise and Triumph of the Modern Self: Cultural Amnesia, Expressive Individualism, and the Road to Sexual Revolution* was published last fall to wide conservative acclaim. *First Things* editor Rusty Reno called it a "profound and lucid book." Rod Dreher, who wrote the Foreword, said its "significance . . . is hard to overstate." Our senior editor William Murchison, whose review essay leads this issue, is also full of praise. Trueman's "justly celebrated study" of "our culture's contradictions and perplexities," he writes in "Calling Nonsense by Its Right Name," is "a searching account of the civilizational crisis before us," and one that "necessarily provokes the question: What's going on here, Lord? And what can we do?" On the subject of "what we can do," however, he detects a certain "pessimism" in the book, which is "much in tune with a current strain of commentary suggesting a great drawing inward among Christians as they perform good works and spread love until the arrival of more fruitful times." Murchison's faith in evangelization—as practiced by second-century Christians—should encourage a fruitful debate.

Startled observers are asking "What's going on here, Lord?" as a rosary-waving president casually consigns Church teaching to the ash heap of his-story. In "Is Joe Biden Only Quasi-Catholic—At Best?" veteran journalist Julia Duin looks at the early months of the new administration "through a Catholic lens," and most of what she sees isn't copacetic. Biden "had to have known," Duin writes, that his "surrender on the Hyde Act" and his proposal to "codify *Roe v. Wade* . . . in a form of a law that can't be fiddled with by the Supreme Court" would create discord. And then there's the Equality Act: "Biden backs it to the hilt." Which means he backs foisting a transgender curriculum (not just bathrooms) on Catholic schools. Does he think "plunking down a photo of Pope Francis in the Oval Office," will cancel outspoken clerics like Archbishop Joseph Naumann, who has "told EWTN the president's soul is 'in jeopardy'"? Duin, who is not Catholic, does have bracing advice for would-be wobbly prelates: "Speak truth to power," she tells them. "Being prophetic to the Biden administration may cost the Church . . . that's when the world will begin to listen."

Catholic bishops could take a lesson in speaking truth to power from David Daleiden, who, writes Alexandra DeSanctis in our next article, has "weathered a half decade of legal battles" for exposing Planned Parenthood's illegal profiteering in fetal body parts, while "not a single Planned Parenthood official or affiliate has been held legally responsible for any wrongdoing uncovered." In *Big Abortion v. David Daleiden*, DeSanctis—a staff writer at *National Review* and among the most assiduous reporters of her millennial generation—lays out the whole story: from the gruesomeness of Daleiden's secretly filmed videos, to the initial public outrage and calls for congressional investigations, to the deceitful (yet successful) campaign by Planned Parenthood and its media allies to discredit and censor the damning footage, to the raid on Daleiden's apartment ordered by then California District Attorney Kamala Harris and the subsequent legal proceedings brought against him. "At stake for the pro-life journalist," DeSanctis reports, "is more than \$14 million in

damages and fees, as well as the possibility of prison time in the state of California.”

The abortion industry is nothing if not audacious. Those horrific tapes you saw with your own eyes? “Deceptively edited,” its defenders cry, long and loud enough for their false messaging to convince an uninformed public susceptible to media bullying. Recently, as the Supreme Court added another conservative justice and several states passed “personhood” or “heartbeat” bills, abortionists have revived their decades-old lie that “reversing the 1973 *Roe* and *Doe* Supreme Court decisions would make women subject to prosecution for murder and/or homicide not only for undergoing an illegal abortion or self-aborting, but also for using the contraceptive pill or IUD or suffering a spontaneous miscarriage.” And “while nothing in the public record before the *Roe* decision supports such outlandish claims,” continues Robert G. Marshall in “Lies That Keep Abortion Legal,” it is necessary that “these contrived objections . . . be addressed.” Which the former longtime Virginia state legislator does here with the precision of one well-schooled in the reach of abortion law—and the limits of prosecutorial power.

“What About Pro-choice?” is Lyle Strathman’s second essay for us, and once again the retired engineer explores the foreign land of . . . logic. *Roe v. Wade*, he begins, transformed the “heretofore intelligibly ordained and unalienable social standards by which Americans lived” into a landscape where “the line between right and wrong, true and false, real and imaginary, fact and fiction became blurred and indistinguishable.” It also “gave impetus to the pro-choice movement,” which “denies its adherents are pro-abortion but supports an individual’s right to choose abortion.” Three questions follow: “Is pro-choice a reaction to the blurring of social standards? Is pro-choice indifference, or maybe ignorance? Or, is pro-choice a false pretense to assure the retention of legalized abortions?” Seeking answers, Strathman revisits three other eras (the enslavement of blacks, the expulsion of Native Americans, the Nazi genocide) when free citizens had the option of recognizing the personhood of all human beings—and chose not to do so. How different were their reasons from ours?

Nearly fifty years after *Roe*, lines between fact and fiction are indeed indistinguishable, even in science. Abortion über alles could be our national anthem; as Strathman observes, “it seems we unconsciously become psychologically permeated with and receptive to the ‘social noise’ of the environment in which we live.” How else to explain a physician’s response when asked why “prior abortion history [was] not being considered as a relevant variable in the quest to reduce future infant mortality incidents”? His answer: “Abortion is a safe medical procedure that has no bearing on infant mortality.” But of course, it does, as Denise Leipold and Raymond Adamek painstakingly demonstrate in “Ignoring Surgical Abortion’s Effect on Infant Morality in Ohio.” Leipold is executive director of Right to Life of Northeast Ohio, Adamek, emeritus professor of sociology at Kent State University. That abortion is implicated in higher rates of infant mortality—especially in the black community—is a fact borne out by their research. Alas, the sorry implication of their article is that members of the science community today are “following the fiction.”

Laura Kaplan’s *The Story of Jane: The Legendary Underground Feminist Abortion*

Service, first published in 1995 and reissued in 2019 by the University of Chicago Press, “is not hagiography,” writes historian Jason Morgan in our final essay. “It is history, a semi-firsthand account of how a group of women arrived at an enhanced awareness of their political position in the 1960s and early 1970s and decided to put that awareness into action by vivisectioning more than ten thousand children.” Kaplan, he observes in “The Story of Jane Redux,” provides “a sobering glimpse into the cold reality of the abortion business” as its model was being developed in the years before *Roe v. Wade*: “The logical fallacies, the underworld criminality, the lust for transgression, the contempt for in utero life, the destruction of the social fabric that ensues when women begin to prey on their own offspring—all of it is right here.” And this, Morgan concludes, makes *The Story of Jane* “perhaps the most pro-life book ever written in the United States,” because it proves, in spite of itself, “the truth of all the horror stories that proliferators have been trying to tell the world” for nearly half a century.

* * *

When Plough Publishing House sent me a copy of *Freiheit: The White Rose Graphic Novel*, about brave German students who attempted to turn their country away from Nazism, I was skeptical about reviewing it here. But then I thought, even those who might not resonate with the genre would appreciate *Freiheit*'s potential for educating and inspiring those who do, especially the young. As Ellen Wilson Fielding writes in her insightful review, the Italian artist and author Andrea Grosso Ciponte “dramatizes the personalities, actions, and ideals of the central figures of this doomed resistance movement in a way likely to draw young people and stoke in them a similar fire to wage the moral battles of our own day.” This edition of Booknotes also includes John Grondelski's take on two books that address today's “moral battles” from a Protestant perspective: In *Help Her to Be Brave*, Amy Ford shares the “church-centered program” she created to help all proliferators “encourage women with unplanned pregnancies to make the same life-saving decision she did.” Wayne Grudem's *What the Bible Says about Abortion, Euthanasia and End-of-Life Decisions* provides “the person in the pew who might not be pro-life or perhaps is pro-life but unable to articulate why” with “easy to comprehend” Christian pro-life arguments. From the HLR Website features two columns by two familiar contributors: Diane Moriarty's “Pepé Le Cuomo” and Joe Bissonnette's “Elon Musk, Progress, and Common-Sense Realism.” Another *Review* contributor, Anne Hendershott, has just published a new book, *The Politics of Envy*, from which we reprint an extended excerpt on the dangers of envy-driven social media in *Appendix A*. And we close this issue with Maria McFadden Maffucci's National Review Online column blasting Andrew Cuomo for his pandemic policy on group homes—the same disastrous one that led to thousands of nursing home deaths. At this writing, it's being reported that Cuomo is now leading weekly Covid-19 calls with the White House and the nation's governors, a role Mike Pence played in the last administration. Where's Kamala Harris? Again, “What's going on here, Lord”?

ANNE CONLON
EDITOR

Calling Nonsense by Its Right Name

William Murchison

Quos Deus vult perdere, prius dementant.

Whom God would destroy He first makes mad.

And how! So much I gather from Prof. Carl R. Trueman's new and justly celebrated study *The Rise and Triumph of the Modern Self*. Upon turning the last page, the reader (as I testify from personal experience) may very well breathe: "Oh, God."

Whoever does so likely means the exclamation in dual, highly complementary senses. Let us see what we can make of both. Much can and ought to be made. The topic—pursuant to the famous Latin tag of divine judgment upon society's present moral and intellectual derangements—seems to invite earnest debate. What else might account for the helter-skelter spread of the notion that who I am and what I deserve in consequence is my own business and no one else's? It's nuts. Could anyone who's right in the head make such a claim? So that must mean . . . ?

A splendid entry port for such an urgent discussion is Trueman's 425-page study, provocatively subtitled "Cultural Amnesia, Expressive Individualism, and the Road to Sexual Revolution." No airport bookstall entertainment, this. Its goal is, among other public services, to try to wise up such readers as are, in spite of everything going on around them, tuned out concerning our culture's contradictions and perplexities.

The British-born Trueman, 54 years old, is professor of biblical and religious studies at Pennsylvania's Grove City College and, I would suggest, less well-known than his considerable gifts as analyst and narrator suggest he ought to be.

Television—and especially the internet—have given us a taste for dividing the challenges of the present day into discrete Events: the assault on the Capitol; gay marriage; abortion; transgenderism; cancel culture; Black Lives Matter; on and on. Trueman means to show us the connections linking these various events and disturbances. Which turn out not to be mere episodes in modern life; rather, culminations in the passage of Western culture from something like intellectual and moral unity to our present state of sovereign disregard

William Murchison, a former syndicated columnist, is a senior editor of the *Human Life Review*. He will soon finish his book on moral restoration in our time.

for realities of which we might disapprove. This disregard is coupled with widespread fixation upon victimhood as the reality best suited for our present time. A victim is somebody to whom something has been done—by malignant others (e.g., white supremacists) or life itself.

A crucial element in Trueman's analysis is the ongoing politicized wiping away of norms founded on timeless understandings of maleness and femaleness. And, correspondingly, their replacement with an ethic of sexual identity assumed as personal affirmation. I'm a victim, you see; I get to believe and do what I want!

This state of affairs isn't what you would call fresh as new-mown hay. The odors thereof, as Trueman reminds us, have floated in the air since the Age of Enlightenment—the 18th century. Messrs. Jefferson and Franklin helped to disperse the scents, and likewise the sense, of liberation from the old and established. We are where we are today because, in large part, the holders of ideas and attitudes regarded as essential to civilization accustomed their nostrils to the new fragrances—seen as appropriate to humanity's progress from stillness and stodginess to light and joy.

Some snippets from Trueman, setting forth his exhaustively examined premises:

There has occurred, since the Enlightenment, “a revolution in selfhood . . . we are all part of that revolution, and there is no way to avoid it . . .” “[E]xpressive individualism’ is our popular creed . . .” “[T]he LGBTQ+ issues that now dominate our culture and our politics are simply symptoms of a deeper revolution in what it means to be a self . . .”

Wherefore “expressive individualism has detached [the] concepts of individual dignity and value from any kind of grounding in a sacred order,” rejecting “the created, divine image as the basis for . . . morality,” with “nothing left but a morass of competing tastes.”

This on top of our ongoing, ever-more-alarming break with the past, whereby we are cut off

. . . from any agreed-on transcendent metaphysical order by which our culture might justify itself. With no higher order to which we might look in order to understand human existence teleologically, we both are isolated from the past, where ends transcending the individual were assumed, and are left free floating in the present. . . . political discourse is marked by the pathologies, and mirror-image counterpathologies, of critical theory: there is a deeply therapeutic aspect to forms of politics that operate on a simplistic them-and-us binary and find easy targets to blame for the ills of the world, whether they be white heterosexual males out to oppress everyone else or LGBTQ+ radicals committed to the overthrow of civilization . . . In such a context, each and every opponent is simply an irrational hate-monger, seeking to present as natural a position that is simply a personal preference.

“Oh, God,” indeed—in the despondent sense. All this has been coming at us for 300 years? Why did not some watchman in the crow’s nest of our national ocean liner cry out, “Iceberg ahead!”? Because time and experience had normalized the frigid temperature of the water, and the appearance of occasional ice floes? It could be.

We know what a mess we are in: things falling apart, nothing steady anymore; nothing stable. Why? How come? Carl Trueman’s answer is that we have been sold a bill of goods, laying our money on the counter with growing enthusiasm. Who has sold us such a bill? Among the names are familiar ones like Freud and Rousseau and Marx and, slightly more surprisingly, if logically, good old William Wordsworth: each in his own way persuaded that society is the great corrupter of human good. Women’s names, like that of Simone de Beauvoir, join the roster in due course. Trueman capsulizes the general outlook of all: “The one who is truly free is the one who is free to be himself.”

By the time of the revolution occasioned by Charles Darwin’s investigation into the origin of species, we have come to agree or suspect that teleology—the embrace of human ends, as overseen by God—is sheer delusion, or else a matter indifferent to intelligent humans. The destiny of mankind? Yawn. “[T]he world as we have it does not need a designer or divine architect. It can be explained without any reference to the transcendent.” Thus Trueman, explaining the new outlook.

The ocean around us grows icier and icier. We hardly notice. Things seem somehow fresher, the north wind more inspirational. More and more thinkers discover the joys of self-discovery; more and more claimants to particular identities arise and demand to be taken seriously, before shutting up those—however many they are—who hold different understandings. The Dr. Seuss saga, which occurred after publication of Trueman’s book, with Dr. Seuss of all people, brought up on charges of racial insensitivity and six of his books suppressed by his own foundation, might be called emblematic of the problem. It shows the preposterous lengths to which an unanchored culture is willing to go in pursuit of individual exaltation.

Trueman builds deliberately and perspicaciously on the work of two pioneering analysts: Philip Rieff, the author of *The Triumph of the Therapeutic*, and Charles Taylor, author of *Sources of the Self: The Making of the Modern Identity*, as well as the gargantuan *A Secular Age*. He renders their analyses clear and understandable. (I myself would have invited to the table the late Christopher Lasch, whose *Culture of Narcissism* put the subject up for intense national discussion a decade after Rieff’s less attention-grabbing work.)

We’re making things up for ourselves at present. And the final product, to

judge from the preliminary versions, may be less, much less, than a thing of beauty, a joy forever. To that rueful understanding Trueman steers us with greater clarity than one would expect to find in analyses of Nietzsche and Darwin. He does a beautiful and non-tendentious job of showing how their thought processes have caused the likes of Charles Reich, Erich Fromm, and Peter Singer to lick their chops as they season their own ingredients for the mischief in their minds. That mischief can justly be characterized as the overturning of the civilization whose ways they find so distasteful, so repressive of personal desire.

“Oh, God!” And here we come again; the old petition, the old plea; however, not this time the cry of despair and take-me-away-from-here. Trueman’s searching account of the civilizational crisis before us necessarily provokes the question: What’s going on here, Lord? And what can we do? Surely it’s not all over. Not Bach, not Aristotle, not Cole Porter; not the baby shower, the family album, the Golden Anniversary bash.

God wouldn’t allow the final dismantling, would he, of the ancient and holy norms and understandings by which many try to live, with varying degrees of success? Might He be induced, prayerfully, respectfully, to drive away the deep shadows? “My flesh and my heart faileth; but God is the strength of my heart, and my portion forever.” So the Psalmist put matters. That would count for encouragement, would it not?

My admiration for the scholarly-descriptive work Trueman has done in *The Rise and Triumph of the Modern Self* fails to obstruct notice here of a grating element I see in his work—a pessimism much in tune with a current strain of commentary suggesting a great drawing inward among Christians as they perform good works and spread love until the arrival of more fruitful times. This could be right. For my own part I am doubtful. It seems more than a bit odd to think of God’s vision for humanity as more or less played out, due to the rising number of complaints it provokes.

I am minded to suggest that the invocation of divine assistance—“Oh, God!”—over and over against the secularist mode is likelier to bear fruit than the biting of lips and the aversion of gazes. Not that Trueman is unbecomingly silent on these matters after 300-plus pages of bleak analysis. *The Rise and Triumph of the Modern Self* is a descriptive, rather than a prescriptive, work; yet Trueman does address himself, if a little briefly, to the question of what we do. He suggests that “any return to a society built on a broad religious, or even a mere metaphysical, consensus is extremely unlikely . . .” The sexual revolution won’t so quickly disappear. Not even the constitutional right to free exercise of religion is likely to prosper in this current environment.

Trueman's brushwork here is thin: no colorful impastos, as with his earlier analyses of the sexual revolution. He rightly recognizes that Christians and traditionalists of one variety or another can't just sit there. They must do something. Accordingly, he says, they have to affirm the deep metaphysical reality of God and His creation of the world—in community, an ethic increasingly important in our fractionated times and therefore, possibly, re-creative. Or so, I think, he can be read as saying.

Then—italics his own—“*Protestants need to recover both natural law and a high view of the physical body.*” This makes excellent sense, however vaguely sketched and inappropriately confined, in the rhetorical sense, to the Protestants. (Trueman is Orthodox Presbyterian.) Natural law transcends religious boundaries (cf., C. S. Lewis, *The Abolition of Man*). The physical body is the work of God Himself, as has been commonly believed throughout Christianity's—and Judaism's—lifetime (cf. *Genesis* 2:7). That's about as far we get with Trueman in the role of restorationist. He foresees for the church (or churches) an identity not unlike the one he says they enjoyed in the second century, their members living in a pluralist society—“good citizens of the earthly city as far as good citizenship was compatible with faithfulness to Christ.”

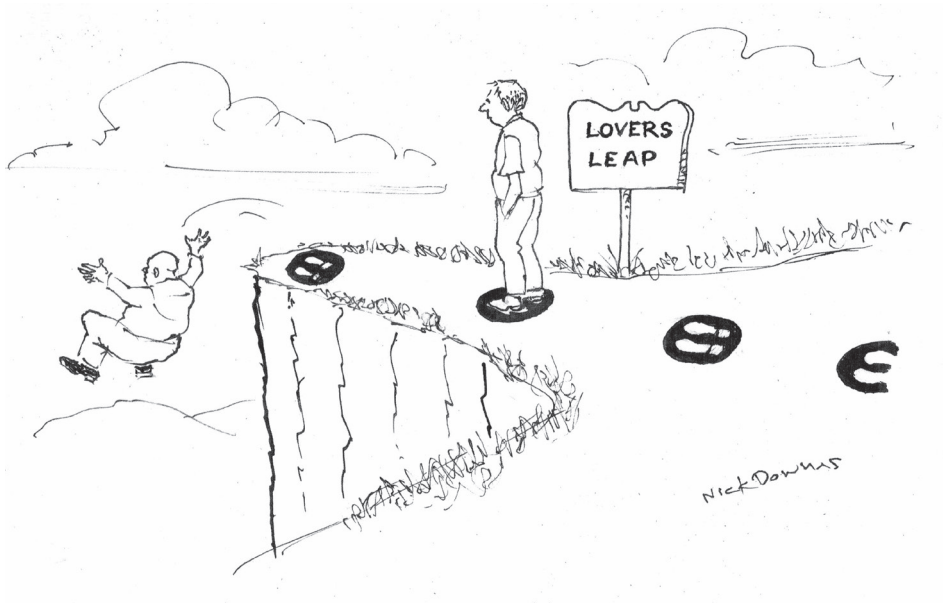
I myself, with honor and deep gratitude to our learned friend, don't buy the essence of this analysis. The second century, so Church of England Canon Michael Green wrote in 1970 (*Evangelism in the Early Church*), teaches a lesson other than quiet acceptance of the paganism that might have been supposed at the time to envelop the self-described people of God.

Whereas, writes Green, we find among the early Christians “many faults, much that dishonours the name they professed,” yet we also “find an evangelistic zeal and effort, exerted by the whole broad spectrum of the Christian community to bring other people to the feet of their ascended Lord, and into the fellowship of his willing servants . . . Evangelism was the very life blood of the early Christians.” Which sounds rather a different thing from the resignation and quietude for which some moderns call in a mood almost of despair.

The need for non-resignation—for anti-resignation, if you like—arises at least in part from the need to call nonsense by its right name. There are coarser names by which the attitudes Trueman talks about could be described: some of these bearing the odor of the pasture. I think we may let “nonsense” serve the turn. The thoroughly civilized decision to reject nonsense and stand for reality, over against the promptings of our intellectual elites—who have played us false, again and again, in these morally parched times—is the point deserving of attention.

That half-baked stupidity and unreason concerning human life and human responsibilities now dominate public action and belief is a state of affairs hard to credit. Clearly what we need for the 21st century are new prescriptions: or, rather, freshly fashioned, and compelling, versions of the old ones, suitable for times like these, near as they are to losing their precious birthright.

I think Carl Trueman would nod in happy assent to that proposition, as I nod in gratitude for his diligent and perceptive job of showing us how much has gone wrong with us humans, and why we'd better hustle to straighten things out.



Is Joe Biden Only Quasi-Catholic—At Best?

Julia Duin

Funny how a presidential election can change everything. For the past four years, the story has been the evangelical church in the time of Donald Trump. Now it's the Catholic Church in the time of Joe Biden.

There are key differences in this religion/power narrative. Through the agency of his spiritual advisor Paula White, Trump got evangelicals clustered about him, praying over him, and showing up for White House visits. Biden wouldn't be seen dead with a bunch of bishops praying over him. The closest he'll want to be is in the annual line-up on the steps of St. Matthew's Cathedral at the close of the Red Mass marking the opening of the judicial year in DC. Or an occasional appearance with Archbishop Wilton Gregory, Washington's first black prelate, in case the Black Lives Matter crowd resurfaces.

Already Biden's been labeled by certain media¹ as the ultimate in observant Catholicism, as if quoting Augustine and St. Francis of Assisi, mentioning words from the hymn "On Eagle's Wings"—moving though they are—during a victory speech, and carrying a family rosary fill the bill. Some reporters seem to think so, judging from the *Christian Science Monitor*² calling Biden "the most openly pious president in decades" and the *New York Times* bestowing upon Biden the title³ of "the most religiously observant commander in chief in half a century."

I am not sure why the *Times* reporter skipped over the Clintons' frequent visits to Foundry United Methodist and George W. Bush's use of Christian references in his speeches. (Fortunately The Hill called her out⁴ on this odd assertion.)

As a reporter myself, I look at our 46th president with a more jaundiced eye. The question isn't what he says. It's what he does. And during his first three months in office, he did a lot. Some of his actions: Immigration overhaul, and emergency paid family leave, were friendly to Catholic teaching. He also promised to raise refugee admissions to the U.S., but as of this writing (mid-April), he has not, prompting widespread criticism, including the *Washington Post* calling his inaction the administration's "most consequential flip-flop."⁵

Julia Duin is a veteran journalist who has worked as an editor or reporter for five newspapers, has published six books and has master's degrees in journalism and religion. Her latest book, *In the House of the Serpent Handler: A Story of Faith and Fleeting Fame in the Age of Social Media*, is about 20-something Appalachian pentecostal serpent handlers. She currently freelances out of Seattle for the *Seattle Times*, *Washington Post*, *Politico* and other outlets.

Others were not. We'll get to them in a minute.

Unlike Trump, whose church connections were cloudy, Biden has been set up—by some—as a standard bearer for Catholicism, being that he's only the country's second Catholic president and the first one in 60 years. Six in 10 Americans are aware of his Catholicism, according to a Pew Research poll issued in late March.⁶

His parish of choice appears to be Holy Trinity Georgetown, with occasional visits to St. Matthew's Cathedral and Georgetown University's Dahlgren Chapel. No surprise there; he attended Trinity as vice president, and Kennedy went there as well. *The Hoya*, the Georgetown University newspaper, reports⁷ that he came by the campus on Feb. 17 to get his Ash Wednesday's worth of ashes and that he's stocked his administration with graduates and professors from the university.

Meanwhile, conservative Catholics feel very much on the run, as detailed by Mary Eberstadt, a senior fellow for the Faith and Reason Institute. Writing in the Feb. 15 issue of *Newsweek*, she posed her open letter⁸ to Biden as “trying to reach you as a fellow Catholic.”

Was the president aware, she asked, that social media giants were going after conservative Catholic media? She began by listing Twitter's decision to lock out *Catholic World Report*—the news arm of Ignatius Press—for its news story calling Dr. Rachel Levine, Biden's then nominee (since confirmed) for assistant secretary of HHS, a “biological man identifying as a transgender woman.” Eberstadt sketched out a morose landscape for Catholics now that these social media organizations—seemingly emboldened by Biden's very presence—are on the prowl.

But it's doubtful that Biden is paying much attention to Twitter just now. Being that he's only got a Senate majority if his vice president votes, plus his party lost 15 seats in the House, this is a man who knows he's a one-term president and must move quickly. He's got only two years before Republicans hope to take back the House and win back the Senate. He's decided to go left; very left. This is a curious strategy because he won the election at least partly due to former Trump voters who couldn't see themselves re-electing a sociopath and thus crossed over. He's not rewarding those people in any way. Staying moderate would keep those Republicans at his side, but he has no interest in playing that long game. At last we see Biden for how liberal he truly is.

Still, the presidential stage is part drama, smoke and mirrors. One gives off effects, mirages, impressions. Even though Biden sees no value in compromising or adhering to Catholic doctrine in any way, he's still plunking down

a photo of Pope Francis in the Oval Office, something Jack Kennedy, the first Catholic president, would not have dared to do. His Baptist detractors thought Kennedy was too Catholic. Sixty years later, Biden is not considered Catholic enough, especially after he caved in the summer of 2019—under pressure from activists in his own party—to a resolute pro-abortion Democratic platform. To the dismay of proliferators, he backed off of his long-standing support (we’re talking 44 years) for the Hyde Amendment, which prohibits the use of federal funds to pay for abortions.

He had to have known how the surrender on Hyde would resonate among his fellow Catholics. Did he just not care? And then he added that he wants to codify *Roe v. Wade*, which means allowing abortion until birth in the form of a law that can’t be fiddled with by the Supreme Court, Catholic justices or no. That means enshrining this 48-year-old contentious Supreme Court decision into law so that it can never be challenged by the courts again. This is not just forsaking one tenet of the Catholic faith. This is war.

You have to wonder what he was thinking. *The Atlantic*⁹ says he was backed into a corner over a two-day period by his senior aides, who didn’t think he could be a viable candidate without gutting the Hyde Amendment. But Biden’s campaign did not have smooth sailing after that. In fact, it was on life support until he won the South Carolina primary in February 2020, thanks to black voters.

Was Biden’s embrace of the Hyde Amendment until mid-2019 due to his faith, and, if so, what persuaded him to choose his own party over his faith? We may never know, but you can’t blame people like Kansas City Archbishop Joseph F. Naumann for calling Biden’s stance on abortion “religiously and ethically incoherent.” I believe that the 46th president could care less what his church says about the matter—if winning the presidency required throwing the baby out with the (Catholic) bathwater, he was all in. He never planned to come into office as a great change agent who could craft a great compromise on the matter that both sides could agree to.

Some reporters have wondered why the bishops are having a tough time with a Biden presidency when they had no problem with welcoming Trump with his three marriages, extramarital affairs, and crude language involving women. The difference is: Trump wasn’t Catholic. Biden is. There are different standards for the folks in your own camp. Trump’s past personal life was at variance with evangelical beliefs, but his steps in office (for the most part) were not. Biden’s personal life lined up with Catholic doctrine, but officially he’s racing in a different direction. His campaign sought to focus on areas of Catholic teaching and social justice (Covid victims, immigrants, expanded access to Medicaid) where he was more in line—and Trump was not.

The major question is what to do next. Denying Communion to a presidential

candidate like former Sen. John Kerry in 2004 is one thing. Denying it to a sitting president is another. Besides, Biden has been down that lane. In 2008, the bishop in Scranton, Joseph Martino, vowed to deny Biden (then running for president) access to Communion because he was too supportive of abortion. On Oct. 27, 2019, Biden was denied Communion at Saint Anthony Catholic Church in Florence, S.C., by the Rev. Robert Morey. Three days later, New York Cardinal Timothy Dolan told *Fox News* that Morey's actions were understandable, but said he personally would not deny Communion to Biden. Morey no doubt felt cut off at the knees. From that point on, no clergy were going to push Biden away from the altar if their own bishops weren't going to back them.

Some historical review: Back in 2004, the bishops were all over the map on this issue, despite then-Cardinal Joseph Ratzinger giving bishops the green light that year on the canonicity of withholding Communion to pro-abortion Catholic politicians. However, then-Washington Cardinal Theodore McCarrick, reporting on the letter to the bishops at their semi-annual meeting in June, misrepresented the pope's remarks and urged bishops not to use the Eucharist as a weapon. The other man who had access to the letter, then-U.S. Conference of Catholic Bishops (USCCB) President Bishop Wilton Gregory, did not contradict McCarrick's version; as a result, bishops voted 183-6 for a compromise statement allowing each bishop to choose whether or not to deny Communion.

It wasn't until a month later, when the Italian newspaper *L'Espresso* published the full text of Ratzinger's letter, that bishops realized they'd been had. Since then, the policy of not withholding Communion from pro-abortion Catholic politicians has been known as the "McCarrick doctrine." As of this writing, it is alive and well. Gregory, now a cardinal in the nation's capital, has every intention of allowing Biden to receive Communion. He's not alone. Bishop Robert McElroy of San Diego said Feb. 1 that bishops must not "weaponize" the Eucharist, so Biden will have access to the Church's sacraments for now. The folks in the pews are fine with this; according to the aforementioned Pew poll, only 3 in 10 Catholics say Communion should be withheld.

So let's chart what the first three months of a Biden presidency has looked like through a Catholic lens. For starters:

- Pope Francis called Biden¹⁰ on Nov. 12 to congratulate him on his victory.
- In mid-November, two weeks after the election, the U.S. Conference of Catholic Bishops ended their annual meeting by announcing a working group of bishops to oversee just how to deal with Biden's abortion stance.

Los Angeles Archbishop José Gomez, president of the USCCB, put out a statement about how “the policies pose a serious threat to the common good. When politicians who profess the Catholic faith support them . . . it creates confusion among the faithful about what the church actually teaches on these questions.”

By mid-February, the group had been disbanded¹¹ after two meetings, and their completed work (on whether Biden should be allowed to have Communion) has been sent to the USCCB doctrinal committee.

- On Jan. 18, in a sign that the balance of power was shifting, House Speaker Nancy Pelosi trashed pro-life voters in a podcast with former Sen. Hillary Clinton, saying that by voting for Trump they “were willing to sell the whole democracy down the river for that one issue.”

Three days later, San Francisco Archbishop Salvatore Cordileone, speaking as Pelosi’s bishop, put out a statement making sure everyone knew Pelosi was not speaking for the Church and that politicians do not have the power to define Catholic moral teaching.

“No Catholic in good conscience can favor abortion,” he said. “Our land is soaked with the blood of the innocent, and it must stop.”

- On Inauguration Day, former Georgetown University President (and close personal friend) Rev. Leo J. Donovan gave the opening prayer. Hours later, Biden showed up at the Oval Office to sign a stack of executive orders, among them one that prohibited discrimination on the basis of “gender identity” in all areas of American life. Two days later, five bishops put out a statement saying that although they appreciated Biden’s other orders on racial equality, immigration, and climate change, this order “threatens to infringe the rights of people who recognize the truth of sexual difference or who uphold the institution of lifelong marriage between one man and one woman.”

- Also on Inauguration Day, Gomez put out another statement, this one some 1,200 words long. It offered prayers for the new president, but made it clear the bishops have significant differences with Biden over “the continued injustice of abortion.” According to the new online Catholic magazine *The Pillar*,¹² Gomez’s statement was held up for at least three hours by the Vatican, which was spooked by its confrontational tone on Biden’s day of triumph.

Other bishops joined in with their own statements: some in support (San Francisco’s Cordileone), some cautioning about the timing of Gomez’s statement and pushing a gentler stance toward the new president (San Diego’s McElroy), and one (Chicago Cardinal Blase Cupich) in opposition. Cupich released a stream of Tweets calling the USCCB statement “ill-considered” and rushed through, with other bishops getting little if any chance to offer input. However, Gomez, as president of the bishops’ conference, was within

his rights to issue such a statement without having some 260 prelates sign off on it first.

- Also on Jan. 20, George Weigel, writing in *First Things*,¹³ issued a call to arms, telling the bishops to get serious about setting standards for how far Catholic public officials can go before they are denied Communion. If the bishops don't draw the line at this, he wrote, it will be difficult for the laity to hold these officials' feet to the fire. In other words: Why should individual priests or laity step out where bishops fear to tread?

- On Jan. 28, Biden reversed a bunch of abortion restrictions put in place by the Trump administration, including the "Mexico City policy," a ban on U.S. government funding for foreign groups that promote or provide abortions.

Biden's action seemed aimed at the National Prayer Vigil for Life, which occurred that same day. Appearing on EWTN, Naumann of Kansas City (KS), the chair of the bishops' committee on pro-life activities, told EWTN the president's soul is "in jeopardy."

"It's a sad day," he said, "for us as Catholics to see a president who professes to be Catholic doing something so contrary to our moral teaching." Referring to the Mexico City policy reversal earlier that day as "trying to inflict the sexual revolution on Third World countries," Naumann added, "It's very contrary to what he campaigned on to being a unifying president," noting, "He is obviously in debt to pro-abortion forces in his party and he's just conforming to them."

- Yet to come are expected Biden actions to make good his campaign promises to take away the religious exemption to the "contraceptive mandate" under the Department of Health and Human Services that forces religious groups to cover sterilizations, contraception, and abortifacients in their health care plans. One group, the Little Sisters of the Poor, which first ran afoul of this rule during Obama's administration and went to the Supreme Court twice to get an exemption, will get nailed once Biden repeals it, which he's vowed to do.

- In February, Biden was pushing the Equality Act, a bill that was passed at almost warp speed (six days) by House standards that expanded the 1964 Civil Rights Act to forbid discrimination based on sexual orientation and gender identity. Christian and Jewish groups¹⁴ said it would also trample religious freedom while codifying gender ideology into law, giving people with religious objections to everything from same-sex adoptions to men being allowed into women's bathrooms and shower facilities no recourse. And Biden backs it to the hilt. At this writing, it has yet to go before the Senate.

At the same time, Biden has reestablished the White House faith-based office,¹⁵ installing a liberal Baptist to lead it. It's true that Melissa Rogers was

a capable leader of that same office under President Obama, but it is telling that Biden didn't reach out to a Catholic to lead it.

I've likened this time to Gabriel García Márquez's novel *Love in the Time of Cholera*, set about a century ago in northern Colombia in a time of disease, strife, and warfare so much like our own. In the end, love does win out. Thus, there are strategies for this time. My suggestions:

Learn from the evangelicals under Trump and don't do what they did. That is, no Oval Office photo ops that give the worst impression possible of groveling to the state. I can't imagine a bevy of bishops surrounding Biden for an official look-see, but stranger things have happened.

No matter what the bishops' doctrinal committee decides, the move to deny Communion is not going to work. Maybe everyone thought the matter was settled in 2007 when Pope Benedict XVI told reporters on a plane that of course pro-abortion politicians should not receive Communion. He may have thought at the time that Canon 915 made the matter clear, but obviously he should have said a lot more on the matter—leaving no wiggle room—when he had the chance. But he didn't, and the hierarchy from this pope on down is split—not on the evil of abortion, but on whether the Communion rail is the place in which to make that point.

Speak truth to power, something evangelicals failed to do under Trump, starting with his constant lies, his dismissive attitude on immigrants and cruel treatment of the people who worked for him. “We can never give up on people but we have to speak strongly on their actions,” Naumann said. Being prophetic to the Biden administration may cost the Church, and it should. And when it starts doing so, that's when the world will begin to listen.

Don't be so surprised that all this is happening. The bishops got a four-year break while Trump and his evangelical cohorts did the heavy lifting and put two Catholics onto the Supreme Court. It's time to go back to work.

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"When I say I lost my wife, I mean, in a poker game."

Big Abortion v. David Daleiden

Alexandra DeSanctis

I

In the middle of the day on April 5, 2016, agents from the California Department of Justice burst into the Orange County apartment of journalist David Daleiden and raided it.¹ Less than one year earlier, Daleiden had released shocking footage that he filmed during an elaborate undercover operation to expose the abortion industry for its complicity in fetal-tissue trafficking.

The raid on his apartment had been ordered by then-attorney general of California Kamala Harris, who justified her decision by claiming that Daleiden had violated state law when he made and publicized videos of abortion providers engaged in horrific and likely illegal practices.

Daleiden and the Center for Medical Progress (CMP)—a group of pro-life citizen journalists and activists—first began unveiling those videos in the summer of 2015. Posing as a potential fetal-tissue buyer, Daleiden had captured video evidence suggesting that prominent abortionists, Planned Parenthood executives, and biotechnology companies were engaged in a systematic campaign to profit from the body parts of aborted babies, in violation of state and federal laws.

Nearly six years later, despite congressional investigations confirming much of what he had exposed, Daleiden and his team have been the only ones to face serious legal repercussions. Ever since Daleiden began to show the public what he had discovered, abortion organizations and their political allies have targeted him, bringing the force of law against him for having dared to expose the wrongdoing of malefactors in the abortion industry.

The explanations for that injustice rest primarily on the fact that abortion organizations possess immense financial resources, which they wield to obscure evidence of their unsavory practices and illegal activity. They rely heavily on assistance from legal and political actors who support abortion and who use their power to protect abortion providers from consequences. They have come to expect favorable, kid-glove coverage from legacy media outlets determined to demonize proliferators and ignore the truth about abortion and the grisly industry that sustains it.

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As a result, Daleiden and his allies have spent years fighting in court to keep his videos available and to keep him out of jail, while the abortion purveyors whose corruption he revealed have skated by mostly unscathed. Due in large part to the gruesomeness of the footage, the release of the CMP videos in 2015 received a great deal of initial attention. But Planned Parenthood executives immediately rolled out a public-relations campaign to defend the group's image, and media allies mounted an enormous effort to defend Planned Parenthood and discredit Daleiden.

By the time lengthy congressional investigations confirmed that Planned Parenthood and others involved in fetal-tissue trafficking appeared to have flouted numerous significant laws, the news cycle and the public had, for the most part, lost interest. Daleiden was left to face the wrath of those whose nefarious dealings and grave legal violations he had so graphically exposed—and his fight for justice continues to this day.

II

“I’d say a lot of people want liver,” said Dr. Deborah Nucatola, Planned Parenthood’s senior director of medical services, captured covertly in one of CMP’s undercover videos.

Over a lunch of salad and wine, Nucatola was chatting with David Daleiden about Planned Parenthood’s system for collecting and selling fetal tissue from aborted babies at the group’s clinics. Secretly filming the exchange, Daleiden was posing as a potential buyer from Biomax Procurement Services, a front he created so that abortionists would talk openly with him about their methods of fetal-tissue procurement and the payment they expected in return.

In response to Daleiden’s questions about what specimens Planned Parenthood affiliates could procure, Nucatola casually described the way in which abortionists modify their procedures—often contrary to relevant laws—to obtain intact and therefore more valuable organ and tissue samples from aborted babies:

And for that reason, most providers will do this case under ultrasound guidance, so they’ll know where they’re putting their forceps. The kind of rate-limiting step of the procedure is the calvarium, the head is basically the biggest part. Most of the other stuff can come out intact . . . So then you’re just kind of cognizant of where you put your graspers, you try to intentionally go above and below the thorax, so that, you know, we’ve been very good at getting heart, lung, liver, because we know, so I’m not gonna crush that part. I’m going to basically crush below, I’m gonna crush above, and I’m gonna see if I can get it all intact.

In another of the CMP videos, Planned Parenthood senior executive Dr.

Mary Gatter haggled with Daleiden over the cost of performing an abortion procedure to obtain fetal parts: “The money is not important, but it has to be big enough that it makes it worthwhile for me. . . . It’s been years since I’ve talked about compensation, so let me just figure out what others are getting and if this is in the ballpark, that’s fine.”

“If it’s still low,” Gatter continued, “we can bump it up. I want a Lamborghini.”

With each video that CMP released in the summer of 2015—slowly unveiling just one a week over the course of a few months—a picture of widespread horror came into focus. Confiding in Daleiden, who recorded each of his encounters while posing as a potential buyer of fetal tissue, abortion-industry insiders had exposed their own cooperation in illegal activity.

In violation of federal and state laws, Planned Parenthood affiliates across the country were routinely procuring body parts from aborted babies for biotech firms, which acted as middlemen for research groups looking to buy fetal tissue. With each transaction, the abortion provider took a payment from the tissue-procurement organization, which in turn made a profit for providing the body parts to universities and other medical researchers.

While experimenting on aborted babies is legal in the U.S., profiting from the tissue and organ procurement process is not. That’s why the bulk of Planned Parenthood’s initial response to the videos revolved around the claim that the fetal tissue in question had been *donated*, first by the women who chose abortion and then by the abortion organization.

But as the extensive comments captured on film illustrate, Planned Parenthood executives involved in the procurement process had no intention of offering their services for free. What’s more, the videos and further investigation revealed that Planned Parenthood affiliates often didn’t obtain informed consent from the women whose babies they shipped off to be used for research, flouting both legal requirements and the definition of “donation.”

Meanwhile, Planned Parenthood workers rarely had been doing the organ or tissue procurement work themselves. Nevertheless, financial documents reveal that the group regularly accepted “reimbursement” fees from their biotech partners. For instance, in a partnership with StemExpress LLC—a biotech firm that subsequently sued Daleiden for exposing its role in this illegal marketplace—Planned Parenthood clinics involved in the fetal-tissue industry offloaded the work of organ harvesting to company technicians, then accepted a payment for each tissue sample, allegedly a reimbursement for labor, shipping, and handling costs.

Planned Parenthood affiliates were accepting payment for what, in the group’s own words, was a “donation,” as well as for samples that involved

no work or transport for which the group would need to be reimbursed.

But when the videos first became public, these behind-the-scenes questions about illegal profits were not what caught the public eye—it was their horrific content. In one video, former StemExpress technician Holly O’Donnell describes an experience she had while working inside Planned Parenthood Mar Monte’s Alameda clinic in San Jose, California:

“I want you to see something kinda cool. This is kinda neat,” [O’Donnell’s coworker says]. So I’m over here, and . . . the moment I see it, I’m just flabbergasted. This is the most gestated fetus and the closest thing to a baby I’ve seen. And she is, like, “Okay, I want to show you something.” So she has one of her instruments, and she just taps the heart, and it starts beating. And I’m sitting here, and I’m looking at this fetus, and its heart is beating, and I don’t know what to think.²

O’Donnell was then instructed to “harvest” the child’s brain: “[She] gave me the scissors and told me that I had to cut down the middle of the face.”

In another video, filmed by Daleiden at a National Abortion Federation (NAF) conference, Dr. Susan Robinson, an abortionist at Planned Parenthood Mar Monte, said the following during a panel presentation for industry colleagues:

The fetus is a tough little object, and taking it apart, I mean, taking it apart on Day One is very difficult. . . . You go in there, and you go, “Am I getting the uterus or the fetus? Oh, good, fetus. [Robinson made a stabbing sound effect.] What have I got? Nothing. Let’s try again.”³

Clearly afraid of the PR nightmare that would be provoked by these graphic statements from the mouths of their own officials, Planned Parenthood immediately went on the offensive. The group launched a campaign lambasting CMP and Daleiden and insisting, with no evidence, that the videos had been manipulated or deceptively edited. From these claims, media outlets took their marching orders.

If the videos received any coverage at all, it was focused not on the facts or details of what they exposed but rather on the false claim that the footage had been doctored or maliciously altered. In nearly every prominent media outlet, the videos were dismissed as “deceptively edited,” as if Daleiden and CMP somehow had managed to fabricate entire clips, using technology to make it appear as if Planned Parenthood executives had implicated themselves when in fact they hadn’t.

HuffPost labeled the CMP videos “debunked,” *Newsweek* called them “a debunked anti-choice propaganda campaign,” and *ThinkProgress* referred to “discredited sting videos.” *The Hill* and *U.S. News & World Report*, among other outlets, repeatedly cited Planned Parenthood’s evidence-free assertion that the videos were “heavily edited and misleading.”

But contrary to the claims of Planned Parenthood and its defenders, the videos were never discredited or debunked in any meaningful way. In fact, quite the opposite. Shortly after releasing the initial videos, CMP placed on its website consecutive hours of undercover footage that Daleiden had shot. Alongside the clips, the group gave viewers access to the entire context of each video, allowing critics and sympathizers alike to review the footage for themselves. This put the lie to the notion that crucial context had been removed to make the statements on video appear more incriminating than they really were.

Meanwhile, two independent forensic reviews of the footage confirmed that the audio hadn't been tampered with and that, compared with the full-length footage, nothing substantial or contextually necessary had been taken out of the videos. One of those reviews was commissioned by Planned Parenthood itself and performed by Democratic research firm Fusion GPS.⁴ Though Planned Parenthood pretended otherwise, even that review determined that its "analysis did not reveal widespread evidence of substantive video manipulation."⁵

Immediately after the videos surfaced, leaders in Congress began a thorough examination, headed in the House of Representatives by a Select Investigative Panel of the Energy and Commerce Committee and in the Senate by the Committee on the Judiciary. By early 2017, after a series of document reviews and hearings with witnesses, reports from both investigatory groups had confirmed key details of what Daleiden captured on tape.

According to the work of both groups, available evidence suggested that biotech firms and abortion providers including Planned Parenthood had indeed knowingly violated laws protecting patient privacy and the rights of late-term and born-alive infants, laws regulating anatomical gifts for research, and laws governing public funding for fetal-tissue research.⁶ Though Planned Parenthood executives announced several months after the videos were released that its affiliates would cease accepting "reimbursements" for providing fetal tissue, the damage had already been done.⁷

At the end of the congressional investigation, Iowa senator Chuck Grassley, then-chairman of the Senate Judiciary Committee, referred several organizations incriminated by the evidence to the FBI and the Department of Justice for further investigation and possible criminal prosecution. Those referrals included the national Planned Parenthood Federation of America, and its affiliates Planned Parenthood Mar Monte, Planned Parenthood Los Angeles, Planned Parenthood Northern California, and Planned Parenthood of the Pacific Southwest, along with several biotech firms that had been implicated by the footage and subsequent investigation.

In 2017, the Department of Justice opened an investigation into the groups whose employees had implicated themselves in illegal activity. Nevertheless, to this day, not a single Planned Parenthood official or affiliate has been held legally responsible for any of the wrongdoing uncovered. Instead, Daleiden and his colleagues have weathered half a decade of legal battles for having obtained the damning footage in the first place.

III

Since publicizing the footage that he captured at great personal risk, Daleiden and his team have faced extraordinary legal pressure from opponents, at both the criminal and civil levels. At stake for the pro-life journalist is more than \$14 million in damages and fees, as well as the possibility of prison time in the state of California. Meanwhile, one of the legal battles in which he is embroiled involves the ongoing public availability of his videos, which leaders in the abortion industry seek to suppress through the force of law.

In July 2015, just after CMP began releasing Daleiden's undercover videos, the National Abortion Federation (NAF) filed a lawsuit against him in a California district court, seeking a temporary restraining order to ensure that he could no longer distribute or publicize the footage he had obtained at their events.¹⁰

They claimed that the video and audio tapes were "illegally obtained" from NAF annual meetings in 2014 and 2015 and that, if Daleiden were able to continue publishing them, he would cause "irreversible harm to NAF, its employees', and NAF members' safety, security, privacy, and reputations."

The presiding judge in that case, William Orrick III, has faced intense criticism from Daleiden's legal team and others in the pro-life movement for his close association with Planned Parenthood.¹¹ Nevertheless, Orrick has been permitted to continue presiding over the case, and during the course of NAF's lawsuit, the judge issued an injunction prohibiting Daleiden from continuing to publish the videos from the group's conference. Later, Orrick held two of Daleiden's attorneys in violation of the gag order for having republished the videos on their law firm's website.

That injunction was upheld by the Ninth Circuit Court of Appeals in May 2017, and Daleiden appealed to the U.S. Supreme Court, claiming that the gag order at issue in the case is of the sort that the Court itself identified in *Nebraska Press Association v. Stuart* (1976) as "presumptively unconstitutional."¹² In the petition, Daleiden's lawyers argued that the videos contain essential information about an issue of public interest, granting Daleiden a right to speak and the public a particular right to hear. The Supreme Court declined to hear Daleiden's appeal.

The National Abortion Federation asked the district court for a permanent injunction to forbid Daleiden from ever publishing the videos again, bringing an end to this lawsuit. In April 2021, Orrick granted NAF's request, issuing a permanent injunction, which prohibits Daleiden from releasing the rest of his footage. Daleiden's lawyers have indicated that they plan to appeal the decision.¹³

The second ongoing civil case, *Planned Parenthood v. Center for Medical Progress*, has been unfolding for five years and has resulted in more than \$14 million in total damages and legal fees assessed to Daleiden. In January 2016, Planned Parenthood, along with its local affiliates implicated in the videos, filed suit in the same California district court that heard the NAF case.

In the suit, Planned Parenthood argued that Daleiden had organized a "complex criminal enterprise" seeking to interfere with women's access to legal abortion.¹⁴ The group and its affiliates sought damages for alleged ongoing harm to its image and services, claiming that the videos exposed "these clinics, their staff, and their patients to unfair and damaging publicity that disrupted patient care and required costly measures [to] ensure safety and security at the clinic."

In November 2019, a San Francisco jury agreed with Planned Parenthood's claims and ordered Daleiden to pay \$2.2 million in damages to the abortion provider. In late 2020, Orrick—who is presiding over both this case and *National Abortion Federation v. Center for Medical Progress*—ordered Daleiden to pay an additional \$12 million in legal fees to Planned Parenthood and its affiliates.

On February 26, 2021, attorneys for Daleiden, CMP, and other co-defendants filed opening briefs in an appeal to the Ninth Circuit, claiming that the multi-million-dollar ruling by the district court has "run roughshod over the First Amendment."¹⁵

"If allowed to stand," the brief explains, "the judgment is not only an affront to the rule of law, but it threatens the existence of undercover journalism itself, a critical means to effect societal change." This case has the potential to reach the Supreme Court.

The third ongoing case against Daleiden is a criminal lawsuit brought by California attorney general Xavier Becerra, now Secretary of the Department of Health and Human Services under President Joe Biden. In March 2017—picking up where his attorney-general predecessor Kamala Harris left off—Becerra filed 15 criminal charges against Daleiden and his CMP colleague Sandra Merritt in San Francisco Superior Court, related to their alleged violations of California Penal Code section 632(a), which requires that all parties involved in a confidential conversation consent to being recorded.¹⁶

While a judge dropped several of the initial charges before allowing the case to proceed, in February 2020, Daleiden and Merritt were each arraigned on nine charges. Both pleaded not guilty and are awaiting trial. Daleiden's attorneys have alleged that he is the first journalist ever to have been prosecuted under this statute.¹⁷

Some of the legal efforts to target Daleiden, however, already have been resolved in his favor. The first criminal case against him, brought in January 2016 by the Harris County district attorney's office in Houston, Texas, carried the threat of 20 years in prison. The suit was dropped in July of the same year.¹⁸

Another suit was brought against CMP in July 2015 in Los Angeles County, California, by StemExpress, one of the biotech firms implicated in Daleiden's footage. In *StemExpress v. Center for Medical Progress*, the tissue-procurement organization attempted to prevent Daleiden and CMP from releasing any further footage that exposed their involvement in illegally profiting from fetal-tissue trafficking. StemExpress was later denied its request for a gag order,¹⁹ charged with contempt of Congress for evading the requirement to cooperate with the congressional investigation of the footage, and referred to the FBI and Justice Department for criminal prosecution.²⁰

Not one to back down from criminal charges, Daleiden has countersued the state of California and those responsible for launching the criminal investigations against him, including Becerra and now-vice president Kamala Harris. In his suit, Daleiden accuses the state of "content-based" selective enforcement of video-recording statutes, arguing that they are using these laws as weapons to silence "disfavored speech."

"David Daleiden became the first journalist ever to be criminally prosecuted under California's recording law," reads his complaint, "not because of the method of video recording he utilized in his investigation—which is common in investigative journalism in this state—but because his investigation revealed and he published 'shock[ing]' content that California's Attorney General and the private party co-conspirators wanted to cover up."

The complaint notes that several of Harris's California Department of Justice agents who executed the raid on Daleiden's apartment had serious misgivings about their search warrant, believing it was neither supported by probable cause nor sought in good faith. It appears likely that criminal law wasn't the primary motivating factor in Harris's decision to launch the probe against Daleiden. A *Los Angeles Times* piece published shortly after the raid highlights the scrutiny Harris faced for her political ties to Planned Parenthood. Her campaign page for her Senate race at the time urged supporters "to take a stand and join Kamala in defending Planned Parenthood."²¹

Daleiden's complaint goes on to accuse Harris and Becerra of depriving Daleiden of the equal protection of the laws. Indeed, it is worth comparing the treatment he and his colleagues have received for their undercover campaign with the reception given to animal-rights activists who expose how animals are mistreated at factory farms or other food-production plants.

Rather than resulting in repercussions for those who share undercover footage, investigations conducted²² by People for the Ethical Treatment of Animals (PETA), the Humane Society, and other animal-welfare groups routinely lead to sanctions or even legal charges against groups and individuals that are revealed to have mistreated animals.²³ In fact, so striking are the parallels between this undercover activism and the work of CMP that animal-rights nonprofits such as PETA and Mercy for Animals, Inc., have filed amicus briefs with the Ninth Circuit in support of Daleiden and Merritt, arguing that the decision against them will harm First Amendment journalism.²⁴

While the animal-agriculture industry has rallied behind bills known as "ag-gag" laws, designed to make it more difficult for whistleblowers to reveal animal abuse on industrial farms, most suits invoking "ag-gag" laws have resulted in the statutes being struck down as unconstitutional.

By contrast, Daleiden has faced severe reprisals for revealing rampant abuse and lawbreaking within an industry that profits from the organs of aborted babies. Instead of enjoying the protection of whistleblower laws, he has been threatened with significant punishment for violating minor recording and privacy statutes, while those who broke a series of significant federal and state laws have evaded judgment.

IV

Shortly after Daleiden and CMP released their undercover footage, several states moved to render Planned Parenthood ineligible as a Medicaid provider. Citing the video evidence of criminal wrongdoing, Texas and Louisiana, among others, told Planned Parenthood that it would no longer qualify as a Medicaid-eligible health-care provider and therefore would no longer receive state funding.

Several years later, as the result of judicial interference, those efforts to defund Planned Parenthood affiliates at the state level are still pending, though the Fifth Circuit Court of Appeals has affirmed that states may determine which providers are qualified to participate in Medicaid. It isn't unimaginable that such a case might rise to the Supreme Court, where the justices would have a chance to pass judgment on the matter, perhaps not on Planned Parenthood's qualifications, but at least on the question of whether states may defund the abortion group without facing lawsuits from Medicaid recipients

or from the group itself.

Those cases exist because of David Daleiden, who gave state officials material with which to illustrate Planned Parenthood’s profound unfitness for taxpayer funding. This is just one reason why the abortion industry responded so harshly to CMP’s work, leaning on the judicial branch and powerful politicians to punish Daleiden and suppress the footage he obtained.

The abortion industry knew as well as he did that anyone who watched those videos, undaunted by claims of deceptive editing, would be exposed to a horrible reality: Planned Parenthood and its allies have conducted an extensive, illegal scheme to profit from the body parts of the hundreds of thousands of unborn babies they kill each year.

In the end, that is what abortion providers and their supporters fear the most—not the legal reprisals they might face for having violated the law but the possibility that Americans might see firsthand the evil Daleiden uncovered and recoil in horror from the truth of abortion.

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Lies That Keep Abortion Legal

Robert G. Marshall

Since at least 1975, American abortion advocates have claimed that reversing the 1973 *Roe* and *Doe* Supreme Court decisions would make women criminals subject to prosecution for murder and/or homicide—not only for procuring or undergoing an illegal abortion or self-aborting, but also for using the contraceptive pill or IUD or suffering a spontaneous miscarriage.

For decades these baseless and hysterical assertions have been employed to effectively veto efforts to secure for preborn children the same legal protection they were entitled to before *Roe v. Wade* (1973). While nothing in the public record before the *Roe* decision supports such outlandish claims, should *Roe* and *Doe* be successfully challenged legally, these contrived objections to overturning *Roe* must be addressed.

OBJECTION 1: “Women will be prosecuted if they use the Pill or IUD.”

This objection from abortion supporters recognizes that the Pill and IUD can actually end the life of a new human after conception. In fact, in 1952, before the era of the Pill, Planned Parenthood’s Medical Director wrote: “. . . any biologic method that would prevent ovulation or fertilization merely prevent(s) life from beginning. . . . Measures designed to prevent implantation fall into a different category. Here there is a question of destroying a life already begun.”¹

A 1963 U.S. Department of Health, Education and Welfare survey noted: “All the measures which impair the viability of the zygote at any time between the instant of fertilization and the completion of labor constitute, in the strict sense, procedures for inducing abortion.”²

Still, proponents of legal abortion have absolutely no evidence to claim that women would be prosecuted for using the Pill or an IUD if *Roe* and *Doe* were to be overturned, because even before *Roe* and *Doe*, no woman was prosecuted under abortion laws for using either. The contraceptive pill had been approved in 1960, over a decade before abortion was legalized nationwide in January 1973—plenty of time to allow for such a prosecution, but none occurred. As ACLU and Planned Parenthood lawyer Harriet

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Pilpel told the Supreme Court in a 1971 amicus brief on the abortion cases: “Moreover, states through their criminal laws have neither equated abortion with murder nor made any effort to outlaw the use of the intrauterine device which may in fact function to prevent implantation after fertilization has occurred.”³

Planned Parenthood’s brief cited a law review article to support Pilpel’s statement: “There is no reported case specifically deciding whether the use of pre-implantation means of fertility control violates abortion statutes containing an express requirement of pregnancy”⁴

Why weren’t women prosecuted for using drugs or devices that acted as early abortions? Pilpel answered that question in 1976 congressional testimony: “Since it is not possible scientifically . . . to determine either when fertilization or implantation occurs . . . it would be impossible in cases of early pregnancies to know when and whether it was being violated.”⁵

Despite these statements by abortion proponents, the pro-abortion American College of Obstetricians and Gynecologists (ACOG) in 2012 opposed “personhood” state legislative proposals claiming, “. . . some of the most effective and reliable forms of contraception, such as oral contraceptives, intrauterine devices (IUDs), and other forms of FDA-approved hormonal contraceptives could be banned in states that adopt ‘personhood’ measures.”⁶ Having explained that contraception is not abortion, ACOG then labels it abortion when it helps advance their pro-abortion agenda.

To show that a drug or device is capable of interrupting the development or causing the death of a human being at the time of implantation, as ACOG acknowledges, is not the same as proving in court beyond a reasonable doubt that the particular death of a tiny human being took place at a particular time in the womb of a particular woman caused by a particular drug. For such cases an impossible level of proof would be needed to prosecute abortion as a crime.

The liberal media have no interest in questioning ACOG’s claims, since they are predisposed to support any argument that seems to strengthen legalized abortion and the sexual behavior that may require it as a backup.⁷ Nor would TV news anchors ordinarily be interested in investigating the dangers of the Pill or IUDs—unless, perhaps, one happened to have a close friend who died from blood clots associated with them.⁸

Finally, principled and astute pro-life legal advocates such as the late pro-life Notre Dame Law Professor Charles Rice have written:

Early abortifacients are beyond the effective reach of the law. It will usually be impossible to prove that life was terminated in an early abortion; prosecution for abortion therefore would be practically impossible. . . . Since “contraceptive” drugs are

licensed for legitimate uses, it is practically impossible to prevent their use for abortion. The legal obliteration of the distinction between contraception and abortion has put chemical abortion beyond the practical reach of the law.⁹

OBJECTION 2: “Women will be prosecuted as criminals for spontaneous miscarriage.”

In a 2014 Colorado state senate race, the spokeswoman for Planned Parenthood Votes Colorado claimed that the Republican candidate “. . . has supported personhood measures. . . . If a woman were to lose that pregnancy . . . any actions she takes in regards to that pregnancy could be investigated as a potential felony or a manslaughter claim”¹⁰

More recently, in reaction to Georgia Governor Kemp’s May 2019 signing of HB 481, a Heartbeat anti-abortion bill, an author at Slate claimed that under the law, “a woman who self-terminates will have killed a human—thereby committing murder. The penalty . . . is life imprisonment or capital punishment.”¹¹ This claim, while imaginative, is uninformed and complete nonsense.

HB 481 applies Georgia’s existing criminal or civil penalties to the physician, not the woman, and designates abortion after heartbeat as “unprofessional conduct.”¹² The Slate author points to a 1998 Georgia Supreme Court case which actually held the reverse of what he was claiming. That case concluded “that the Georgia criminal abortion statute does not criminalize a pregnant woman’s actions in securing an abortion, regardless of the means used.”¹³

Furthermore, no jury could convict a woman under these circumstances because no case could be made beyond a reasonable doubt that the Pill or IUD caused the death of a specific, tiny human. After all, early pregnancy loss has been reported to be “. . . in the order of 50%”¹⁴; subfertile women have early pregnancy losses of “. . . 70% compared with 21% in women without fertility problems”¹⁵ Among the many factors implicated in miscarriages are heredity, age, health, environment, and employment. A criminal prosecutor would need the body (*corpus delicti*) of a very tiny, miscarried child to initiate a criminal trial; on top of that, to prove that the defendant intentionally caused the miscarriage would be impossible. A woman can miscarry from thrombophilia,¹⁶ obesity,¹⁷ low pre-pregnancy folate intake,¹⁸ long-term maternal cardiovascular complications,¹⁹ maternal history of ectopic pregnancy,²⁰ imbalanced blood platelet distribution,²¹ endometriosis,²² thyroid dysfunction,²³ chromosomal abnormalities in human embryos,²⁴ lack of sleep, inactive lifestyle, exposure to cooking smoke, or physical trauma in pregnancy,²⁵ to name just a few known causes of miscarriage.

Thus, the claim that anti-abortion laws would require women to undergo

a monthly pregnancy test in order to prosecute women for miscarriage is political swamp fever. The late Fordham Law School professor Robert Byrn testified before a U.S. Senate Judiciary subcommittee in 1975 that such practices did not occur even when states had near-universal felony bans for induced abortion.²⁶

Byrn discussed whether a pregnant woman would be civilly liable for an inadvertent miscarriage for her failure to follow her doctor's recommendation. He noted that physicians differ on appropriate treatment during pregnancy: "If doctors can disagree, the likelihood of finding negligence on the part of the woman is a bit more than remote."²⁷

He said a pregnant woman's reckless negligence toward her unborn child "would have to be so egregious that incrimination should offend no one."²⁸ Such prosecutions have already occurred for illegal cocaine use that damaged a "wanted" child in the womb without anti-abortion legislation.²⁹

OBJECTION 3: "Women who abort will be prosecuted for capital murder."

Professor Byrn testified that: "The law recognizes 'degrees of evil' and 'a state is not constrained in the exercise of its police power to ignore experience which marks a class of offenders or a family of offenses for special treatment'"³⁰

Byrn cited New York State's experience:

. . . for the legislative judgment to downgrade the crime from the highest degree of homicide is not grounded in any finding that the victims or class of victims are less than human persons . . . Given the pressures that surround the decision to abort, a legislature may determine that a jury would typically be unwilling to convict the offender of the highest degree of homicide . . .³¹

OBJECTION 4: "Women who abort will be prosecuted and jailed."

Pre-*Roe* abortion penalties were applied to abortionists, not pregnant women. Abortionists wanted women prosecuted to prevent their own prosecution for performing an abortion. In order to obtain evidence against an abortionist, a woman would have to testify against the abortionist. But she would be highly unlikely to testify if she risked prosecution herself. Therefore, witnesses are routinely given blanket immunity from future prosecution in exchange for testimony against the principal actor charged with a crime. For example, Oregon abortionist Ruth Barnett was prosecuted in 1968. Barnett tried to bring the woman she aborted into court as an accomplice, but was not allowed to do so, since declaring the woman an accomplice would have hampered the successful prosecution of the abortionist. Attorney Clarke Forsythe, of

Americans United for Life explains the rationale for not prosecuting women: “. . . the point of abortion law is effective enforcement against abortionists, the woman is the second victim of the abortionist, and prosecuting women is counterproductive to the goal of effective enforcement of the law against abortionists.”³²

Americans United for Life has found only two cases in which a woman was charged for participating in her own abortion: one in Pennsylvania (1911) and one in Texas (1922). “There is no documented case since 1922 in which a woman [undergoing an abortion] has been charged in an abortion in the United States.”³³

“Procuring an unlawful abortion upon any woman always involves an assault in law, even when it is done with her consent and connivance, because no one can consent to an unlawful act.”³⁴ This view is explained by Villanova Law Professor Joseph Dellapenna in his truly monumental book *Dispelling the Myths of Abortion History*. He noted that in both the 19th and 20th centuries:

Courts rationalized their view of women as victims of abortion . . . by declaring that a woman “was not deemed able to assent to an unlawful act against herself.” This attitude was reinforced by the reality that generally no conviction of the abortionist could be obtained without the testimony of the woman who underwent the abortion . . .³⁵

Dellapenna also points out that states like New York,

in which women were also criminals for having abortions enacted immunity statutes . . . to protect women from prosecution if they would testify against their abortionists. This highlighted the . . . view in most states that women were victims of the crime of abortion rather than accomplices, removing any possible impediment to their testifying against the abortionists.³⁶

Before *Roe*, at least 30 states did not consider the woman as an accomplice to felony abortion.³⁷ While roughly 20 other states did treat the woman as an accomplice to felony abortions, as observed above there is no record of any woman being prosecuted since 1922.³⁸

OBJECTION 5: “Women will be prosecuted for self-abortion.”

Could a woman who used drugs to abort herself be prosecuted? In 1963 Michigan’s Supreme Court held that state law:

. . . declares one guilty of a felony who, under certain circumstances, performs an abortion upon a woman. It does not provide that the woman herself shall be guilty of an offense. At common law she was not guilty of a crime even though she performed the aborting act upon herself or assisted or assented thereto. . . . The majority view is that not only may she not be held for abortion upon herself but neither as an accomplice.³⁹

Attorney-researcher Paul Linton has pointed out that while “. . . more than one-third of the States . . . had statutes prohibiting a woman from aborting her own pregnancy [self-abortion] or submitting to an abortion performed on her by another, no prosecutions were reported under any of those statutes.”⁴⁰ The Fifth Amendment provides immunity against being required to testify against yourself, “nor shall be compelled in any criminal case to be a witness against himself.” Therefore, a woman could not be required to testify against herself in a criminal abortion proceeding.

A Pennsylvania court ruled (1911) that, “in the absence of clear statutory authority, ‘the woman who commits an abortion on herself is regarded rather as the victim than the perpetrator of the crime.’”⁴¹ A Kentucky court (1955) held that a woman consenting to an abortion “shall be a competent witness for the prosecution . . . she shall not be considered an accomplice.”⁴²

Based upon his review of abortion laws in all 50 states, Linton concluded, “. . . no American court has ever upheld the conviction of a woman for self-abortion or consenting to an abortion. . . .”⁴³

OBJECTION 6: “Abortion does not kill a human being or person.”

This particularly egregious lie is directly traceable to Justice Henry Blackmun’s authorship of and influence in the Supreme Court’s 1973 *Roe v. Wade* and *Doe v. Bolton* decisions. Both of these decisions are based on a multitude of lies. First, Norma McCorvey, the plaintiff in *Roe*, told “columnist Carl T. Rowan in 1978 that she had lied when she told reporters in 1970 that her pregnancy had been the result of a gang rape. She . . . thought that the lie would help her get an abortion.”⁴⁴ Ultimately, she had her baby.

Justice Blackmun claimed in *Roe* that “. . . the unborn have never been recognized in the law as persons in the whole sense.”⁴⁵ That claim is ludicrous, and the phrase “whole sense” is the tell. In support of this, Blackmun cited William Blackstone’s *Commentaries*, the most widely used law book from colonial times. However, Blackstone did in fact classify abortion under offenses against persons.⁴⁶

Both before and at the time of *Roe*, a number of states and territories had clearly classified abortion as manslaughter, which is the “unlawful killing of a human”⁴⁷ However, Justice Blackmun’s *Roe* fiction was never seriously challenged. Justice Blackmun went so far as to reference several times a long article in the *Georgetown Law School Journal* by attorney Eugene Quay, an in-depth survey of state laws that protected unborn children and criminalized abortion. But Quay pointed out that state criminal laws did in fact classify abortion as manslaughter, or even murder. Blackmun must have felt secure thinking that no one would critically examine his footnotes.

Quay pointed out that in 1961 several states, including Alaska (which had become a state in 1959) penalized abortion of a preborn child as manslaughter for any period of gestation.⁴⁸ Wisconsin law (1958) provided that, “Any person, other than the mother, who intentionally destroys the life of an unborn child may be fined not more than \$5,000 or imprisoned not more than 3 years or both. . . . In this section ‘unborn child’ means a human being from the time of conception until it is born alive.”⁴⁹ And a century earlier the Minnesota Territory (1851) stipulated, “The willful killing of an unborn infant child, by any injury to the mother of such child, *which would be murder if it resulted in the death of such mother*, shall be deemed manslaughter in the first degree.”⁵⁰

State laws also criminalized abortion of a woman “quick with child”—or from “quickenings” or similar description—as manslaughter. A “quick child” meant, “One that has developed so that it moves within the mother’s womb.”⁵¹ States that enacted such restrictions included Pennsylvania (1860, 1945),⁵² Tennessee (1883, 1955),⁵³ North Dakota (1943),⁵⁴ Oklahoma (1958),⁵⁵ Mississippi (1956),⁵⁶ Nevada,⁵⁷ and Michigan.⁵⁸ Florida (1944) expressly provided that, “The willful killing of an unborn quick child, by any injury to the mother of such child *which would be murder if it resulted in the death of such mother*, shall be deemed manslaughter.”⁵⁹ According to Kansas law (1859), “The willful killing of any unborn quick child . . . which would be murder if it resulted in the death of such mother, shall be deemed manslaughter in the first degree.”⁶⁰

The following states, among others, referred to a “child” in the language of their criminal abortion laws: New Jersey law stated (1849) “. . . intent to cause and procure the miscarriage of a woman then pregnant with child . . .”⁶¹; West Virginia law provided (1955) “. . . use any means, with intent to destroy her unborn child.”⁶²; South Carolina law stipulated (1883, 1952) “Any person who shall administer to any woman with child . . .”⁶³; Maine law provided (1857) “who administers to any woman pregnant with child, whether such child be quick or not, any medicine . . .”⁶⁴; Arkansas law indicated (1947) “It shall be unlawful for anyone to administer or prescribe any medicine or drugs to any woman with child, with intent to produce an abortion . . .”⁶⁵

A few states, including Connecticut, Florida, Minnesota, Missouri, Nevada, South Carolina, Virginia, and West Virginia, protected both the mother and her child equally by allowing abortion (described as the removal of the child from the womb) only to save the life of the mother and/or her child.⁶⁶ In those states, abortion did not entail the death of the child, but rather the induced delivery of the child if necessary in order to save the life of the mother

and/or the child.

The criminal abortion laws of New Mexico and Wisconsin held that human life began at conception and that a woman was pregnant from the point of conception to the birth of her child.⁶⁷ The New Jersey and Kentucky abortion laws included criminal sentencing in the state prison for the abortionist that was comparable to the penalty for second degree murder.⁶⁸

The above references to state laws classifying abortion as manslaughter or a class of murder all are found in the study “Justifiable Abortion—Medical and Legal Foundations,” by Eugene Quay (*Georgetown Law School Journal*, 1961).

To reiterate, Justice Blackmun referenced Quay’s work in six different footnotes in his majority opinion in *Roe*. Because he cited Quay, Blackmun presumably knew that state criminal codes recognized the unborn child as a person, because manslaughter or murder are terms which only apply to human beings or living persons. Yet, Blackmun wrote in *Roe* that, “In short, the unborn have never been recognized in the law as persons in the whole sense.” Anyone familiar with the above criminal abortion statutes knew Blackmun was not telling the truth. Blackmun himself could not have been ignorant of Quay’s compelling documentation. Acknowledging it would have undermined his intent to rewrite history and legalize abortion. At a minimum, Blackmun’s assertion was and still is false.

Paul Linton pointed out there were at least 58 state abortion prosecution cases which directly or indirectly concluded that protecting the life of the preborn child was the primary legislative purpose of 19th-century state criminal abortion statutes: “The Court . . . overlooked thirty-one decisions from seventeen jurisdictions expressly affirming that their nineteenth-century statutes were intended to protect unborn human life, and twenty-seven other decisions from seventeen additional jurisdictions strongly implying the same.”⁶⁹

Conclusion

In common usage, the term, “person” means “human being.” Indeed, Noah Webster’s famed 1828 *American Dictionary of the English Language* defines a person as “An individual human being consisting of body and soul. We apply the word to *living* beings only, possessed of a rational nature; the body when dead is not called a *person*. It is applied alike to a man, woman, or child.”⁷⁰

The schizophrenic treatment of the preborn child as either fully human with protectable constitutional rights or not protectable when abortion is considered surfaced at a February 2000 U.S. Senate Judiciary Committee hearing on the Unborn Victims of Violence Act. The proposed federal law stated, “The

terms ‘a child who is in utero’ and ‘unborn child’ are defined in this proposal to be ‘a member of the species *Homo sapiens* at any stage of development.’”

Committee Chairman Sen. Orrin Hatch (R-Utah) observed that the bill sought to make “it a separate Federal offense to kill or injure an unborn child during the commission of certain already defined Federal crimes committed against the unborn child’s mother. . . . The only reason for opposition . . . is that some in the pro-choice movement believe that our bill draws attention to the effort to dehumanize, desensitize, and depersonalize the unborn child. . . . It does not permit the prosecution for any abortion to which a woman consents.”

Legal abortion supporter Senator Feinstein responded, “Mr. Chairman, I was delighted by what you said that this bill really has nothing to do with the right of a woman to control her own reproductive system, but really has to do with someone who assaults and/or murders a woman and then also assaults and possibly kills her unborn child.”⁷¹ (sic!)

Even the pro-abortion Obama Administration recognized children in the womb as “persons.” Changes to federal law completed in 2010 by the Federal Centers for Medicare and Medicaid Services governing State Plans for Child Health Insurance Programs (CHIP) specified that: “Applicant means a child who has filed an application . . . through the Children’s Health Insurance Program . . . for health benefits. . . . *Child means an individual under the age of 19 including the period from conception to birth.*”⁷²

In addition, non-human primates are not eligible for Medicaid Services under State CHIP Plans. Human infants before birth are eligible for CHIP assistance, unless, of course, a mother ended the life of her child by so-called “safe, legal abortion.”

Every one of the false claims that abortionists have used or will use in the future to deny restoring legal protection to the lives of children before birth must be appropriately challenged at all levels of government: school boards, city and county councils, state legislatures, and Congress.

Realizing that our government sanctions the shedding of the blood of innocents under color of the law, those of us who are able to speak and act on behalf of preborn children must not give tacit consent to these killings by our silence or inaction. At the end of our earthly lives, how will any of us be able to explain to the Lord that we were too busy to defend our preborn brothers and sisters? Mother Teresa said, “God has not called me to be successful. He has called me to be faithful.”

Abortion will remain legal unless those blessed with the light of truth who work in government, medicine, law, and the media constantly challenge the false claims and assumptions of our adversaries. We must bring to light the facts and the historical record as we work to dispel the false narrative and

contrived horror stories about what would happen if *Roe* and *Doe* were overturned, unborn children had their inalienable civil rights restored, and their lives were protected by law. Our preborn brothers and sisters literally depend upon our prayers for God's mercy, conversion of our adversaries, and enlightenment of those in power. Our determination and our actions to right the wrong of discrimination against the weakest among us, the unborn child, must never cease.

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What About Pro-choice?

Lyle R. Strathman

The *Roe v. Wade* opinion of the 1973 Supreme Court virtually altered the Rights of Man doctrine—the universal acknowledgement that every person has the right to life, liberty, and property. The heretofore intelligibly ordained and unalienable social standards by which Americans lived was thereby altered into one wherein the line between right and wrong, true and false, real and imaginary, fact and fiction became blurred and indistinguishable. The *Roe* court's confounding influence on the prevailing social standards—especially those pertaining to human life—gave impetus to the pro-choice movement. This movement denies its adherents are pro-abortion but supports an individual's right to choose abortion thereby inviting the question: What about pro-choice? Is pro-choice a reaction to the blurring of social standards? Is pro-choice indifference or, maybe, ignorance? Or, is pro-choice a false pretense to assure the retention of legalized abortions?

Pro-choice advocacy became evident during the 1984 United States presidential campaign when Democratic vice-presidential candidate Geraldine Ferraro said “she personally opposes abortion but supports a woman's right to choose for herself on the subject.”¹ In support of this dichotomous social conscience, then-Governor of New York Mario Cuomo declared in a 1984 speech at the University of Notre Dame that, because “the Supreme Court has established a woman's constitutional right to abortion,” he could morally oppose abortion but support it on the grounds that otherwise “it would only impose financial burdens on poor women who want abortions.”² (Note: A dichotomous social conscience is a contradiction between thought, i.e., the intellect, and action, i.e., the free will. A dichotomous social conscience accepts any selection within a contradiction to be of equal value: There is no right or wrong, no true or false, no real or imaginary, no fact or fiction; either option is acceptable.) However, contrary to the pro-choice formulation of Geraldine Ferraro, Mario Cuomo, and others, not a single phrase from the United States Constitution is cited within the whole of *Roe v. Wade* that supports the right to abortion, nor is abortion a religious issue: Abortion is a

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humanity issue. And, the entire case of *Roe v. Wade* rests on a series of disconnected suppositions, innuendos, and extrapolations from previous court decisions. What the Supreme Court did, however, was grant a license to the right to abortion. This license—devoid of any constitutional benefit—provided added momentum to the pro-choice movement.

The pro-choice social conscience—declared by Ferraro and Cuomo—amounts to a contortion of the quotation attributed to St. Thomas More. At his execution, Thomas More was quoted as saying: “I die the king’s faithful servant, but God’s first,”³ but the dichotomous social conscience of Ferraro, Cuomo and affiliates seems to be: I am God’s faithful servant, but the Democratic Party’s first. These pro-choice advocates are not necessarily perpetrators of abortion, but they are willing accomplices to and promoters thereof to assure the retention of legalized abortion.

Democracy, Pro-choice, and Crimes against Humanity

We can better see how Ferraro’s political statement is cause for bewilderment by intertwining the notion of pro-choice with so-called crimes against humanity—social crimes of historical significance—especially those committed by democratic societies. (Note: “Crimes against humanity” was the term used during the Nuremberg Trials after the Second World War, court trials that were administered by the victors to prosecute Nazi perpetrators of crimes against Jews and numerous others in the Holocaust.⁴) For instance, during the era of legalized slavery in the United States, who were the pro-choice advocates? During the era of the legalized removal of Native Americans from their ancestral lands, who were the pro-choice advocates? During the era of the legalized genocide of Jews in Nazi Germany, who were the pro-choice advocates? During our current era of legalized abortion, who are the pro-choice advocates?

Consider first the era during legalized slavery. We know that John Brown, Frederick Douglass, and affiliates were abolitionists and clearly not pro-choice advocates of slavery, but what about others? The Democratic Party Platform of 1860 emphatically states: “Resolved, That the enactments of State Legislatures to defeat the faithful execution of the Fugitive Slave Law are hostile in character, subversive of the Constitution, and revolutionary in their effect.”⁵ The pro-choice advocates during this legalized slavery era were not necessarily slaveholders, but they were pro-slave proliferators in that they supported economic growth over the unalienable rights of all human persons; to the pro-choice electorate of the time, free enterprise individualism seems to have held far more importance than the triviality of emancipation—especially since the pro-choice electorate of the time was already

emancipated. Economic growth and free-enterprise individualism also became intertwined with what seems to have been the prevailing social distortion that a Black man was less human, that is, a lesser person, than a White man, i.e., white supremacy. Constitutionally, a Black man was considered to be three-fifths of a person or less before the Emancipation Proclamation (1863) and passage of the Thirteenth Amendment (1865).

Next, consider the era during the legalized removal of Native Americans from their ancestral lands. The Indian Removal Act—recorded in the Congressional Record of the Twenty-First Congress, May 28, 1830—provided “for an exchange of lands with the Indians residing in any of the states or territories, and for their removal west of the river Mississippi.”⁶ On February 10, 1832, President Andrew Jackson appropriated \$500,000 to Secretary of War Lewis Cass for the removal of the Indians from these states.⁷ Historians have noted that during the course of these removals an estimated one-quarter of the Native Americans so removed perished on the Trail of Tears.⁸ Stories of Native Americans during this removal era are moving. One such is that of Chief Joseph of the Nez Perce, who is said to have spoken the following when he laid down his rifle and surrendered to General Oliver Howard on October 5, 1877:

Tell General Howard I know his heart. What he told me before, I have it in my heart. I am tired of fighting. Our Chiefs are killed; Looking Glass is dead, Ta Hool Hool Shute is dead. The old men are all dead. It is the young men who say yes or no. He who led on the young men is dead. It is cold, and we have no blankets; the little children are freezing to death. My people, some of them, have run away to the hills, and have no blankets, no food. No one knows where they are—perhaps freezing to death. I want to have time to look for my children, and see how many of them I can find. Maybe I shall find them among the dead. Hear me, my Chiefs! I am tired; my heart is sick and sad. *From where the sun now stands I will fight no more forever.*⁹

(Note: A somewhat literal translation from the *spoken* Nez Perce language to the *written* English language.)

Even so, there was political opposition to the Indian Removal Act, to wit: “Jeremiah Evarts, a leader of the opposition campaign from Vermont, and Peleg Sprague, a stalwart opponent in the Senate from Maine, argued that the country faced a problem of the destructive assault on Indian land and social life caused by the continued encroachments of white settlers and federal and state policies that Indian Removal threatened to exacerbate.”¹⁰ Although people like Evarts and Sprague were not pro-choice advocates of the Indian Removal Act, the predominant subject in the minds of the pro-choice electorate during this time of United States expansionism seems to have been free-enterprise individualism; the plight of Native Americans seems to have

caused little or no concern to pro-choice advocates compared to their hope of personal economic gain from national expansionism. Again, all of this became intertwined with what seems to have been the prevailing social distortion that Native Americans were less human, i.e., lesser persons, than their European *conquistadors*—probably because Native Americans lived a Stone Age culture. More simply, Native Americans were an obstacle to national expansionism and, constitutionally, Native Americans were not considered persons before the Indian Citizenship Act of 1924.

Moving to the era during the legalized persecution of Jews in Nazi Germany (later prosecuted as crimes against humanity), we know for sure that Miep and Jan Gies—protectors of the Jewish Frank and Pels families in the Netherlands—were not pro-choice advocates of genocide, but what about others? The so-called Nuremberg Race Laws—signed by Adolf Hitler and others—were “Two distinct laws passed in Nazi Germany in September 1935 (and) known collectively as the Nuremberg Laws: the Reich Citizenship Law and the Law for the Protection of German Blood and German Honor. These laws embodied many of the racial theories underpinning Nazi ideology. They would provide the legal framework for the systematic persecution of Jews in Germany.”¹¹ The pro-choice advocates in Nazi Germany seem to have been those who supported the socialistic agenda of Nazism that empowered industrial expansion and public works, e.g., construction of the Autobahn, the Olympic Stadium, etc., at the expense of the human rights of those absent of Germanic blood. And, just as Ferraro and Cuomo were not abortionists per se—they were promoters of and accomplices to legalized abortion—Adolf Hitler did not personally massacre “Approximately six-million Jews and some five-million others, targeted for racial, political, ideological and behavioral reasons,”¹² but he was an instigator and accomplice of these deaths. Thus, to the pro-choice German electorate of the time, pure blood Germany and National Socialism seem to have been regarded as far more important than the human rights of Jews. All of this became intertwined with what seems to have been the social distortion that Jews were less human, i.e., lesser persons, than descendants of German blood, i.e., descendants within the Aryan Race; Jews seem to have been considered repugnant persons throughout the era of the Third Reich (1933-1945).

We now come to our era of legalized abortion. It is obvious that Geraldine Ferraro and Mario Cuomo did not kill sixty-million-plus¹³ pre-born persons since *Roe v. Wade* (1973), but they were accomplices in these killings; they were pro-choice advocates of legalized abortion. What about others? It seems the Democratic Party has been an avid supporter of *Roe v. Wade* at least since the 1976 Presidential election, when the Democratic Party Platform briefly

stated: “We fully recognize the religious and ethical nature of the concerns which many Americans have on the subject of abortion. We feel, however, that it is undesirable to attempt to amend the U.S. Constitution to overturn the Supreme Court decision in this area.”¹⁴ Four years later, the 1980 Democratic Party Platform “supports the 1973 Supreme Court decision on abortion rights as the law of the land and opposes any constitutional amendment to restrict or overturn that decision.”¹⁵ The 2012 Democratic Party Platform even more boldly stated that the “Democratic Party strongly and unequivocally supports *Roe v. Wade* and a woman’s right to make decisions regarding her pregnancy, including a safe and legal abortion, regardless of ability to pay. We oppose any and all efforts to weaken or undermine that right.”¹⁶ This uncompromising affirmation was repeated in the 2020 Democratic Party Platform:

Democrats are committed to protecting and advancing reproductive health, rights, and justice. We believe unequivocally, like the majority of Americans, that every woman should be able to access high-quality reproductive health care services, including safe and legal abortion. We will repeal the Title X domestic gag rule and restore federal funding for Planned Parenthood, which provides vital preventive and reproductive health care for millions of people, especially low-income people, and people of color, and LGBTQ+ people, including in underserved areas.¹⁷

And, continuing, “Democratic presidential nominee Joe Biden said that, if elected, he’ll protect abortion rights should the Supreme Court strike down *Roe v. Wade*, vowing he would enact legislation making *Roe v. Wade* ‘the law of the land’ if it were overturned by the court.” Further, “As president, Biden will work to codify *Roe v. Wade*, and his Justice Department will do everything in its power to stop the rash of state laws that so blatantly violate the constitutional right to an abortion, such as so-called TRAP laws, parental notification requirements, mandatory waiting periods, and ultrasound requirements.” “Biden has also said he plans to restore federal funding to Planned Parenthood and, following some criticism from liberal Democrats, stated he no longer supports the Hyde Amendment, which bans the use of federal funds for abortion except in rape cases, incest or life-threatening circumstances.” Biden’s support of “the constitutional right to an abortion” hypocrisy echoes that of Mario Cuomo nearly one-half century earlier, and establishes him as an avid accomplice to legalized abortion. In following the guidance of Ferraro and Cuomo’s dichotomous social conscience, Biden and affiliates seem to have adopted the same contortion of St. Thomas More’s quotation: I am God’s faithful servant, but the Democratic Party’s first. But, then, legalized abortion is a relatively trivial matter to either the pro-choice electorate or the pro-abortion electorate compared to their hope of receiving

entitlements; besides, the lives of adult electors are not jeopardized by legalized abortion anyway. The foregoing historical events—coupled with the notion that a dichotomous social conscience accepts either selection within a contradiction to be of equal value—evoke the social understanding that pro-choice adherents choose selfishly, if not negligently, as characterized in the following presentations of pro-choice opinion in each case:

- You may harness a Black man to your plow to cultivate your cotton field, or you may assist him to guide his own plow to cultivate his own cotton field. Your choice.
- You may dispossess Native Americans of their ancestral lands, or you may facilitate their assimilation into your neighborhood on land you seized from them. Your choice.
- You may surrender your Jewish friends to Nazi executioners, or you may seek and find and escort them to safe harbor. Your choice.
- You may kill your pre-born children, or you may nurture them into fulfillment. Your choice.

How Is Pro-choice Propagated?

How is pro-choice infused into the minds of the American public or, as Joe Biden put it, into the minds of “the majority of Americans?” St. Augustine’s autobiography, *The Confessions of St. Augustine*, gives us a hint. In his youth, Augustine attended games in Roman amphitheatres and admitted in his *Confessions* that he would become enraptured by the games, and engulfed in the rush created by the crowds. Those of us who attended athletic events of our own children experienced this same rapture and rush all too well. With Augustine’s and our own crowd experiences in mind, it seems we unconsciously become psychologically permeated with and receptive to the “social noise” of the environment in which we live.

A more subtle method of pro-choice proliferation and acceptance exploits the media—especially entertainment television—that depicts pro-life characters as unattractive, narrow-minded nutjobs while pro-choice characters, i.e., pro-abortionists, are depicted as attractive, empathetic personages. Such repetitive media campaigns instill the pro-choice message into the viewer’s unconscious mind—like an advertisement; viewers do not even realize their thinking is being altered. Coupled with this type of media proliferation is the widely publicized notion that taking the life of a pre-born person is a health procedure—a seemingly deliberate ruse created and perpetrated by the 2012 and 2020 Democratic Party platforms, so-called Obamacare, et al.—whereas,

in fact, abortions are intentional execution procedures; abortions deliberately kill pre-born children.

Perhaps a more eloquent and mind-penetrating notion of social conformity or pro-choice advocacy—especially of that which is evil—is recounted in a poem frequently recited by Martin Niemöller—a German citizen—following the Second World War and his release from Nazi captivity. This poem expresses that in a democratically free society—which Germany was prior to the ascension of Adolf Hitler to the country’s helm—an individual experiences free choice. Niemöller admits that he chose what *he* thought most beneficial to *his self* and disregarded that which might negatively affect others. That is, since *he* was not a Communist, he shrugged his shoulders at the plight dealt them by the Nazis; the same for Socialists; the same for unionists; and the same for Jews. But when the Nazis came for the likes of him, it was too late; there was no one left who would or who could speak in his defense.

*FIRST THEY CAME*¹⁸

*First they came for the Communists
And I did not speak out
Because I was not a Communist.*

*Then they came for the Socialists
And I did not speak out
Because I was not a Socialist.*

*Then they came for the trade unionists
And I did not speak out
Because I was not a trade unionist.*

*Then they came for the Jews
And I did not speak out
Because I was not a Jew.*

*Then they came for me
And there was no one left
To speak out for me.*

Another way to understand the manner of inducing pro-choice into society is to consider the distribution of the main characteristics of any human society: the human intellect, free will, physical well-being (i.e., health), and external conditions or fortune (i.e., wealth). The Most Capable of social

leadership—those having the most intellectual ability to determine truth and simultaneously having a resolute free will to socially engender it—naturally make up a small percentage of the population, leaving the majority as the Most Wanting. This latter group, which exhibits the lowest rank in physical well-being or fortune, seems to be predisposed to ultimately become pawns of the social leadership. It is fairly easy to understand that this lower-ranking group will likely cater to the upper rank in order to receive benefices from them. It is also reasonable to suggest that a substantial part of any society—those that are Most Weak-minded or Most Weak-willed—are probably more inclined to subject their selves to whatever is prescribed by the upper rank of society. Now, it should be readily understood that the Most Wanting in a democratic society are the most vulnerable to enticements, and, therefore, are most likely to vote for those government officials that promote or provide alleviation of their woes. So, in a democratic society, pro-choice electors seem more apt to cast their ballots for politicians that propose magnanimous beneficences, i.e., entitlements, even though those same politicians—according to the era in which they live and the issues of their time—are avid promoters of the legalized slavery of *others*, or of the legalized dispossession of *others'* property, or of the legalized genocide of *others*, or of the legalized abortion of *others*; legalized abortion is a trivial matter to a contemporary pro-choice voter whose adult life is not in jeopardy.

Response

In response to the social upheaval occasioned by *Roe v. Wade*, political party advocates began to modify their ideologies to better pander to the electorate. The Democratic Party, for its part, coupled pro-choice (pro-abortion?) to its traditional tenets that embolden majority-rule socialism and social liberalism, whereas the Republican Party coupled pro-life (anti-abortion?) to its traditional tenets that embolden free-enterprise individualism and social conservatism. The contrasting ideologies of these political parties have always been cause for social confusion, dysfunction, and outright animosity, but *Roe v. Wade* widened and deepened that chasm beyond negotiable accord and ushered in a social climate of civil divisiveness and turmoil not unlike that which lingered between pro-slavery and anti-slavery factions during the era of legalized slavery in the United States. A review of the pro-abortion planks from the 1976 through the 2020 Democratic Party platforms show them to have escalated in militancy and intransigency, a progressive escalation that acts as an incendiary to an already inflamed pro-life (anti-abortion?) faction and that intensifies the malevolence between the parties.

Nature Embodies Each Human Being with an Intellect to Know Truth and a Free Will to Enact It

Why does humanity put so much effort into the discovery of truth only to ignore it or even to reject it? The intentional acceptance of the *Roe v. Wade* hypocrisy by Ferraro and Cuomo is unconscionable; they knew better; they even said so, claiming to be personally opposed to abortion. Why did they reject the truth of the matter? And, the dichotomous social conscience: Why does a person intentionally act in opposition to their known truth? “Biden’s position on reproductive rights has shifted throughout his political career. In a 1974 interview with *Forbes*, Biden, a practicing Catholic, criticized *Roe v. Wade*. ‘I don’t like the Supreme Court decision on abortion.’”¹⁹ Now, forty-five years later, Biden and affiliates seem to have adopted the contortion of St. Thomas More’s quotation: I am God’s faithful servant, but the Democratic Party’s first.

It is disturbing—upon review of the statements by Ferraro, Cuomo, and Biden—that social leaders like them reveal their knowledge of truth regarding abortion, but demonstrate a lack of willingness to enact it. The words of Ferraro and Cuomo, in particular, suggest the *traditional leadership* of the United States, i.e., the Most Capable, is becoming a pawn of the *traditional followership* of the United States, i.e., the Most Wanting, the Most Weak-minded, and the Most Weak-willed; the leadership is regressing into a followership.

When the leadership of a nation—the Most Capable (i.e., Ferraro, Cuomo, Biden, et al.)—chooses to promote *that* what it does not believe, how can the body politic—the most vulnerable (i.e., the Most Weak-minded, the Most Weak-willed, and the Most Wanting)—rely on that leadership to secure universal and unequivocal rights to life, liberty, and property? What about teachers who choose to instruct *that* what they do not believe? What about journalists who choose to report *that* what they do not believe? What about financial advisers who choose to advise *that* what they do not believe? What about judges who choose to adjudicate *that* what they do not believe? What about engineers who choose to validate *that* what they do not believe? What about boards of directors who choose to decide *that* what they do not believe? What about physicians who choose to prescribe *that* what they do not believe?

In Closing

Contemporary pro-choice electors promote the notion that a mother has the rightful option to legally kill or not kill her pre-born child. Now, an option requires the capability to select between at least two alternatives. So, to have the legal option to kill one’s own pre-born child, it is necessary for one of

those options to be legalized abortion. Therefore, a contemporary pro-choice elector is—by default or by indifference or by ignorance or by negligence or by selfishness or by hypocrisy—an advocate of legalized abortion.

Now, then, remember that a dichotomous social conscience is a contradiction between “thought” and “action”—between intellect and free will—such that the dichotomous social conscience does not recognize any one of the alternatives within a contradiction to be right or wrong, true or false, fact or fiction, etc. Also, remember the pro-choice words of Ferraro, Cuomo, and Biden that promote an “action” i.e., the right to abortion, in contradiction to *their* “thought” i.e., abortion is morally wrong, thereby demonstrating a dichotomous social conscience. Further, a dichotomous social conscience accepts either alternative within a contradiction to be of equal value, i.e., moral equivalency of contradictory options. Therefore, the choice to abort one’s own pre-born child or the choice to birth one’s own child are morally equivalent to the pro-choice advocate of legalized abortion. In consequence thereof, a pro-choice advocate embodies a dichotomous social conscience and a dichotomous social conscience embodies pro-choice advocacy; pro-choice advocacy and dichotomous social conscience are interchangeable; the one implies the other; they are synonymous.

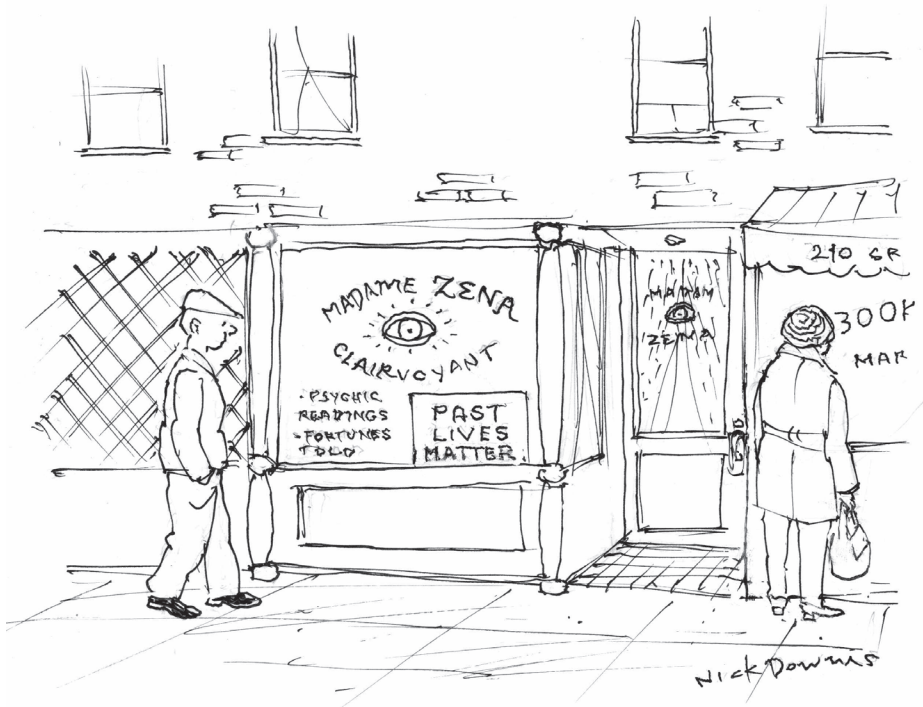
In conclusion, contemporary pro-choice is but a false pretense to assure the retention of legalized abortion, and the United States body politic reveals a dichotomous social conscience in the making.

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Ignoring Surgical Abortion's Effect on Infant Mortality in Ohio

Denise M. Leipold and Raymond J. Adamek

A popular indicator of a nation's health is the rate of infant mortality (the death of an infant within the first year of life). Logic would seem to dictate that technologically and medically advanced countries like the United States would have low rates of infant mortality compared to other similarly advanced countries, but this is not the case. The U.S. infant mortality rate (5.8 deaths under one year of age per 1000 live births) is 71 percent higher than the comparable country average (3.4 deaths).¹

Over the last decade, the infant mortality rate in the United States has prompted great concern and debate. A majority of research on this subject seems to indicate that, after accounting for reporting differences among countries, the mortality disadvantage in the U.S. is driven by poor birth outcomes among lower socioeconomic status individuals, who are aggressively targeted by abortion marketing in this country. A 2016 *American Economic Journal* article indicates that this accounts for 30 to 65 percent of the difference.²

According to the U.S. Centers for Disease Control and Prevention (CDC), the state of Ohio has had the dubious distinction of being among those states with the highest rate of infant mortality in the nation.³ When broken down by race/ethnicity, the infant mortality rate among black women is disproportionately higher. According to a 2017 comparison among the 50 states and the District of Columbia, the nationwide rate of infant mortality that year among non-Hispanic black women was 10.9, and the infant mortality rate among non-Hispanic black women in Ohio was a dismal 14.5, second highest in the nation.⁴ A majority of studies find that the number one cause of infant mortality is premature birth, closely followed by low birth weight. Clearly one means of reducing infant mortality, then, would be to reduce the incidence of premature births. To do that, we need to explore possible reasons why they are currently so high. One of these reasons that stands out

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over the course of many studies conducted in a variety of places over many years is prior abortion.

For those unaware of how abortion could affect a future pregnancy, you must understand that in a pregnant woman, the cervix is integral to the maintenance of the pregnancy by forming an impenetrable barrier against microorganisms that might otherwise travel from the vagina into the uterus and threaten the developing human being. Weakness of the cervix can cause this barrier to be defective, and is associated with subsequent preterm births. During a surgical abortion, the cervix is forced open to remove the child. Forced dilation of the cervix may damage and weaken it, thus increasing the risks of infection, premature birth, or a late-term miscarriage in subsequent pregnancies.

Concerned about the racial disparities in birth outcomes, in 2012, the Ohio Department of Health and local partners collaborated to create the Ohio Equity Institute to address these disparities in the nine Ohio counties where they were greatest. Since then, there have been many meetings to discuss the problem and to develop an action plan.

In 2016, a summit meeting sponsored by Ohio Equity Institute members was held in Akron to discuss the impact of racism on infant mortality, noting that some of the highest rates of infant mortality in Ohio were located in two zip codes in Akron with predominantly black populations. Shortly thereafter, a program called “Full Term First Birthday Akron” was developed with the mission of educating and informing citizens of programs available in the community that promote healthy, full-term pregnancies. The priority concerns of the program are: 1) to address structural racism (with the help of health and social services, education and workforce development, financial empowerment initiatives, and housing initiatives); 2) to reduce prematurity (by promoting healthy pregnancies through prenatal care, fatherhood involvement, progesterone therapy, and birth spacing); and 3) to eliminate sleep-related deaths. These priority areas are used to identify those at risk for an infant mortality event.

At that very first summit meeting, Right to Life of Northeast Ohio (RTLNEO) requested to be part of the collaborative effort to combat infant mortality but were ignored. This was in spite of the fact that RTLNEO provided a packet of medical information that pointed to a link between surgical abortion and preterm birth in subsequent pregnancies. This was no mere exercise in antiabortion activism, but an effort to help identify women who might be among those most at risk of giving birth prematurely, to foster early intervention to help prevent preterm birth in post-abortive pregnancies. Sadly, RTLNEO was informed that abortion was not a variable that the group

would consider in its quest to reduce infant mortality. A further request to be notified of subsequent meetings was also ignored. However, RTLNEO was notified by an inside source, and was able to attend many of the meetings. Ironically, the local Planned Parenthood, which does not provide prenatal care, was accepted as a formal group collaborator.

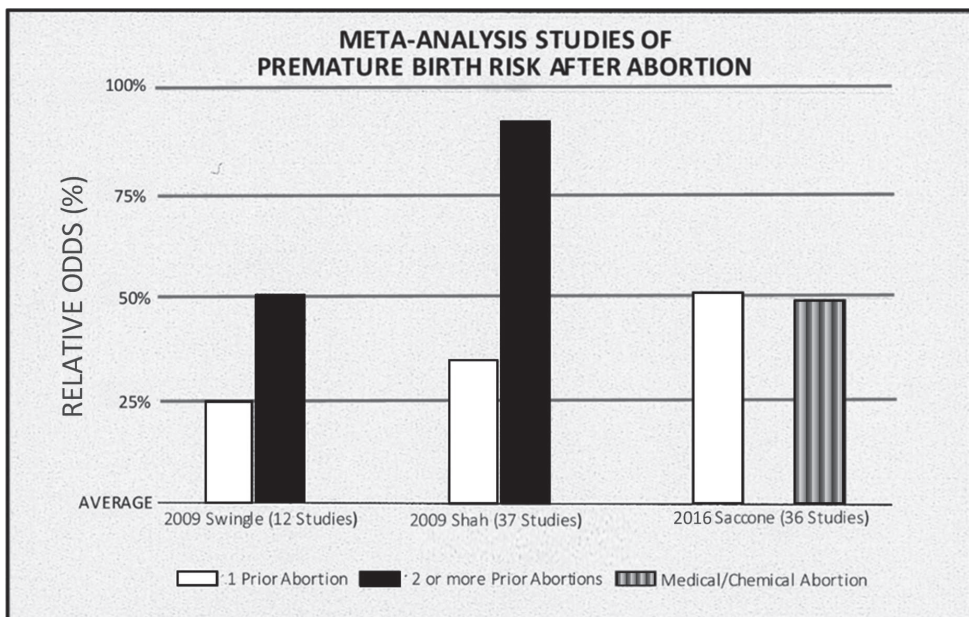
At the 2019 Akron Health Equity Summit meeting, RTLNEO submitted a statement for the Q & A session which pointed out that Akron's Summit County had a black population of 15 percent but accounted for 50 percent of its abortions. In addition, RTLNEO noted that the zip codes with the highest rates of black infant mortality also had significantly higher abortion rates. Why, then, was prior abortion history not being considered as a relevant variable in the quest to reduce future infant mortality incidents? The physician answering the questions replied "abortion is a safe medical procedure that has no bearing on infant mortality" and quickly moved on. Yet the same meeting saw speakers who suggested we should measure cortisol levels in women's hair to monitor the effect of stress on infant mortality, and also a speaker from Planned Parenthood who maintained that the key to preventing infant mortality was to teach responsible sex education in the schools.

In July of 2020, RTLNEO sent all of the information and documentation in this article to many local and state health department officials and members of the infant mortality prevention group asking for feedback, and again requested to be part of the group collaborative effort to combat infant mortality. To date, there has been no response, suggesting an incomplete commitment on the part of the Ohio Equity Institute to "following the science."

A Brief Overview of Worldwide Studies Regarding Induced Abortion's Effect on Future Pregnancies

There are over 140 studies in the medical literature (at least 18 done in the United States) that find induced abortion increases the risk of prematurity and/or low birthweight in subsequent pregnancies, thus posing risks for future, wanted children. Many of the earlier studies were reviewed by Calhoun et al.⁵ A 2009 compilation of 12 studies from around the world found that the odds of experiencing a preterm birth (less than 37 weeks) increased by 25 percent after one abortion all the way to 51 percent following two or more abortions.⁶ Another report (2009) of 37 international studies, carefully chosen for their scientific rigor, concluded that after a woman had a first or second trimester abortion, this increased the odds of a future preterm birth by 36 percent; after two or more abortions, the odds of preterm birth increased by 93 percent. The study also found the odds of delivering low birthweight (less than 5.5 pounds) infants increased by 35 percent after one abortion and by

72 percent after two or more abortions.⁷ A more recent (2016) meta-analysis analyzed data from 36 studies, 28 of which involved 193,297 women who had surgical abortions.⁸ Compared to controls, women with a prior surgical abortion faced a 52 percent increase in the odds of having a subsequent preterm birth; they also faced a 41 percent increase in the odds of delivering a low birthweight child. Three of the groups studied involved 10,253 women who had a prior medical abortion. Compared to controls, this group faced a 50 percent increase in the odds of having a subsequent preterm birth. The chart below illustrates the increasing risk of premature birth after multiple abortions based on the 2009 and 2016 studies mentioned above.



*Chart adapted from the original in the companion booklet to the film
Hush: A Liberating Conversation about Abortion and Women's Health*

The most recent (2020) large study involved 418,690 first-time Finnish mothers with singleton births between 1996 and 2013.⁹ The study population included 364,392 women who had undergone no previous abortion, 46,589 who had undergone an early induced abortion (less than 12 weeks gestation), and 7,709 who had undergone a late induced abortion (12 or more weeks gestation). A regression analysis controlled for maternal age, marital status, smoking status, number of previous abortions, method of previous abortion, and the interval between pregnancies. When comparing groups, the authors found:

1) Women who had early induced abortions compared to those with no abortions were significantly more likely to experience perinatal deaths, low birthweight infants, and infants who were small for their gestational age. Compared to those with no abortions, women who had late induced abortions were significantly more likely to experience perinatal deaths, “extremely” preterm births (less than 28 weeks) or “very” preterm births (before 32 weeks), and births of infants with very low birthweight (under 1,500 grams) or low birthweight (under 2,500 grams).

2) And, as might be expected, women who had late abortions experienced greater adverse outcomes than those having an early induced abortion.

National Data

Prematurity is the leading cause of death among newborn infants. Between 1980 and 2005, the preterm birth rate in the U.S. increased by 43 percent, corresponding to the steady rise in legal induced abortions from 1969 through 1981.¹⁰ According to the CDC, babies who died of preterm-related causes accounted for 36 percent of all infant deaths in 2013.¹¹ Moreover, those who survive may face lifelong problems. These include the possibility of mental retardation, cerebral palsy, breathing and respiratory problems, vision and hearing loss, and feeding and digestive problems.¹² Prematurity has also been linked to lower levels of education and more childlessness in both women and men followed into adulthood. Women who were preemies were more likely to give birth to preemies themselves.¹³

There has long been a racial disparity in the number of abortions. In 2016, although blacks made up approximately 13.9 percent of women in their childbearing years, they accounted for 38 percent of the abortions, or 2.7 times the number of abortions one would expect, given their percentage of the population.¹⁴ As mentioned earlier, there is also a racial disparity in black-white infant mortality rates. In 2016 the black infant mortality rate was 11.4 for every 1,000 live births, or 2.3 times higher than the white rate of 4.9.¹⁵ Similarly, black mothers are more likely to experience preterm births, particularly births prior to 34 weeks of completed gestation. In 2016, the black rate of early premature births was 4.93, which was 2.1 times higher than the white rate of 2.33.¹⁶

A recent national study of over 2.1 million birth certificates from 2015-2017 found that even women of high socioeconomic status who were black or mixed black/white race were more likely to experience premature births than were white mothers. Unfortunately, although the study considered nine independent variables, it did not consider abortion as a possible causal factor.¹⁷

Ohio Data

As we can see in Tables 1 and 2 below, a nine-year review of black and white Ohio women of child-bearing age tends to mirror the national pattern. That is, black Ohio women have a disproportionate number of abortions, and a corresponding disproportionate rate of adverse pregnancy outcomes. These include a higher rate of overall infant mortality and of neonatal mortality.

<i>Year</i>	<i>% of Black Abortions</i>	<i>% of Blacks in Population</i>	<i>Black/White Abortion Disparity Score</i>	<i>Infant Mortality Disparity Score</i>
2010	42.9	15.4	2.8	2.4
2011	42.5	15.5	2.7	2.5
2012	39.5	15.4	2.6	2.2
2013	40.5	15.4	2.6	2.3
2014	44.9	15.4	2.9	2.7
2015	46.8	15.4	3.0	2.7
2016	47.2	15.4	3.1	2.6
2017	47.4	15.4	3.1	2.9
2018	47.9	16.8	2.8	2.6

- *Percent of black abortions were calculated from Tables 5a in the Ohio Department of Health “Induced Abortions in Ohio” report for each year. Only black and white resident abortions were considered, since the U.S. Census collects its data from residents of each state.*
- *U.S. Census estimates for percent of Ohio black women (15-44) in the population were collected from its “American FactFinder” website during the week of March 15, 2020.*
- *Abortion Disparity Score is the percent of black abortions divided by the percent of black females of reproductive age in the population of black and white Ohio women aged 15-44, or the “excess” of black abortions that might be expected, given black women’s percentage of the population.*
- *Infant Mortality Disparity Score is the black infant mortality rate divided by the white infant mortality rate. Source: Ohio Department of Health, “2018 Infant Mortality Annual Report,” p. 7.*

As can be seen in Table 1 above, as abortion disparity scores increase or decrease, infant mortality disparity scores tend to increase or decrease. Pearson’s correlation coefficient between these two variables is positive and strong ($r = .86$), and the coefficient of determination (R^2) equals .74, indicating that 74 percent of the fluctuation in infant mortality disparity scores is accounted for by the fluctuation in abortion disparity scores.

Table 2. Abortion Disparity and Neonatal Mortality Disparity for Ohio Black and White Women of Childbearing Age (15-44), 2010-2018		
<i>Year</i>	<i>Black/White Abortion Disparity Score</i>	<i>Neonatal Mortality Disparity Score</i>
2010	2.8	5.3
2011	2.7	6.8
2012	2.6	4.9
2013	2.6	5.8
2014	2.9	6.6
2015	3.0	6.8
2016	3.1	6.4
2017	3.1	7.7
2018	2.8	4.7

- See notes 1-3, Table 1
- Neonatal Mortality Disparity Score is the difference between the black neonatal mortality rate and the white neonatal mortality rate in each year. Source: Ohio Department of Health, “2018 Infant Mortality Annual Report,” Figure 5, page 10.

As can be seen in Table 2 above, as abortion disparity scores increase or decrease, infant neonatal disparity scores tend to increase or decrease. Pearson’s correlation coefficient between these two variables is a fairly strong positive correlation ($r = .70$), and the coefficient of determination (R^2) equals .49, indicating that 49 percent of the fluctuation in neonatal mortality disparity scores is accounted for by the fluctuation in abortion disparity scores.

According to Chris Mosby’s article “Black Infants More Likely to Die in Ohio, Report Says,”¹⁸ in “2018, prematurity-related conditions remained the leading cause of infant death in Ohio, comprising almost one-third of deaths.” Mosby also notes that “Nine Ohio counties accounted for nearly 66 percent of all infant deaths statewide.” Those counties and their 2018 Black/White Abortion Disparity Scores were Butler (4.2), Cuyahoga (2.4), Franklin (2.5), Hamilton (2.4), Lucas (2.7), Mahoning (3.3), Montgomery (2.5), Stark (3.6), and Summit (3.3).¹⁹ Likewise, six of these counties had high Black/White Infant Mortality Disparity Scores: Cuyahoga (3.4), Franklin (2.3), Hamilton (3.8), Lucas (2.9), Montgomery (1.9), and Summit (4.3).²⁰

The Ohio Commission on Infant Mortality was created in 2014 with the goal of improving Ohio’s infant mortality rate. At the time the commission was created, Ohio ranked 46th in the nation for overall infant mortality and 50th for black infant mortality. This commission spearheaded Senate Bill 332, passed by the Ohio legislature in 2016, and then contracted with the Health Policy Institute of Ohio to collect data and produce a report on how to reduce infant mortality. Prior to the bill’s passing, RTLNEO contacted its

sponsors requesting that they amend the language of the bill to require that prior abortion data be collected in infant mortality cases, since there is currently no database that can correlate the two statistics. Collecting data on how many Ohio infants who died in the first year of life were born to mothers who had prior abortions would be extremely valuable in predicting risk factors in future pregnancies of wanted children. However, neither of the bill's sponsors ever responded to the request, and it passed without the amendments. A 233-page report with policy recommendations regarding the effect of housing, transportation, education, and employment on infant mortality was issued in December 2017. The report contains no mention of the impact of prior abortion on infant mortality.

The subject of abortion can be volatile and highly politicized, but that should not permit us simply to ignore evidence of a relationship between women who have undergone abortion and the health and wellbeing of them and their future children. In this case, there is a well-established relationship between prior abortion and the risk of premature birth or infant mortality. Prior abortion is of course not the only source of risk of infant mortality, and therefore the work that the Ohio Equity Institute and collaborative groups do to address socio-economic factors that can affect birth outcomes is highly commendable. However, ignoring the risks associated with prior abortion can threaten the achievement of more positive pregnancy outcomes. Gathering information on the prior abortion history of women in this program can contribute to better outcomes for present and future pregnancies by identifying those at most risk of preterm/low-birthweight events so that progesterone or other medical therapies can be administered at the earliest possible time. It is a tragedy when a mother chooses to end the life of her preborn child through abortion. However, it is an additional tragedy when the risk that prior abortion poses to subsequent pregnancies of wanted children is ignored.

To omit addressing the relationship between prior abortion and adverse outcome in future pregnancies for women in these and all Ohio counties would seem to be the result either of:

- unfamiliarity with the medical literature on this topic,
- racism,
- and/or the acceptance of the ideologies of the population control and pro-choice movements, which publicly deny the findings of science, and do not want to inform women that legal induced abortion is dangerous to their physical and mental health, and to the health of their future, wanted children.²¹

We cannot afford to be selective in our commitment to “following the science” wherever the facts lead us.

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The Story of Jane Redux

Jason Morgan

In the 1960s, a group of radical feminists and other left-wing activists in Chicago began connecting women whom they encountered in their political work with an African American physician in Woodlawn, on the south side of the University of Chicago campus. This physician, now revealed to be Theodore Roosevelt Mason (T.R.M.) Howard (1908-1976), performed abortions.¹ The main liaison for these fateful assignments was “Claire,” a veteran civil rights activist named Heather Booth who had returned from agitation work in Mississippi convinced that women’s liberation was just one part of a much broader shift in American society involving race relations, the policies of the American government at home and abroad, and the radical politics increasingly animating college campuses.² Through what she called “counseling sessions” with women who called her seeking to end their pregnancies, Booth began to see abortion as a new frontier in political mobilization.³

The market for this mobilization, Booth discovered, was virtually unlimited. As word spread that “Claire” was the person pregnant women in the Chicago area could contact to procure an abortion, she found herself overwhelmed. By 1968, Booth knew that she would have to organize a movement around the rising clamor for abortions. Leftist groups such as the Women’s Radical Action Project (WRAP) on the University of Chicago campus helped Booth in her abortion go-between work, but the upending of American politics in 1968, focused mainly on opposition to the Vietnam War, had the double effect of sending more and more women to abortionists—as the mood in America turned anti-traditional, anti-patriarchal, even anti-social—while keeping radical organizations such as WRAP preoccupied with other forms of action.⁴

Thanks in large part to Betty Friedan’s (1921-2006) 1963 book *The Feminine Mystique*, women across the United States were awakening to a solidarity of oppression, as many saw it, and beginning to trace the origin of their various problems to their position as second-class citizens due to their sex.⁵ One such common concern was pregnancy: Booth’s early initiative spearheaded a movement by women to take abortion out of the hands of doctors, politicians, and medical review boards and to make decisions about women’s bodies themselves. As California abortion activist and Society for Humane

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Abortion founder Pat Maginnis (“the Che Guevara of abortion reformers”) declared, abortions should be elective because every woman has the right to control her own body.⁶ In 1967, the National Organization for Women (NOW) issued a “Bill of Rights for Women” that called for an end to legal restrictions on abortion and contraception.⁷ In February of 1969, Chicago was host to the “First National Conference on Abortion Laws,” but feminists such as Friedan, who was in attendance, objected to the doctor- and male-driven agenda.⁸ Feminists were seeking a way to make abortion a plank in their women’s-lib movement.

In that same year, 1969, Booth began holding meetings with radical themes such as abortion at her Hyde Park home in suburban Chicago. Some of the women who frequented Booth’s political sessions were working on a new movement of their own, a “women’s liberation abortion group,” which they saw as necessary “to reframe the arguments for abortion in terms of the control over their lives that individual women had a right to, regardless of their economic status or race.”⁹ The Abortion Counseling Service of Women’s Liberation, which grew out of these meetings and also out of Booth’s experience connecting women with abortionists, took as a code name the “every-woman’s name” of “Jane.”¹⁰ After months of preparation and planning, a core group of women were ready to begin in earnest an illegal abortion referral service that would be fronted by an on-duty, on-call counselor, “Jane,” who would field requests from women seeking abortions. Posters were plastered around the city reading “Pregnant? Don’t want to be? Call Jane. 643-3844.”¹¹ Women who wanted to end pregnancies began calling that number virtually non-stop and asking to speak to “Jane.”

The Abortion Counseling Service of Women’s Liberation would henceforth be known, in common parlance and in the considerable body of historical and sociological literature that has grown up around it, by the code name “Jane.” Jane operated from 1969 until early 1973, when the Supreme Court’s decisions in *Roe v. Wade* and *Doe v. Bolton* rendered Jane’s covert services unnecessary.¹² By one former member’s estimate, over the course of its existence, Jane performed some 11,000 procedures.¹³

That former member is Laura Kaplan. Kaplan is a founding member of the Emma Goldman Women’s Health Center and also the author of *The Story of Jane: The Legendary Underground Feminist Abortion Service*, first published in 1995 and reissued by the University of Chicago Press in 2019. Kaplan, who goes by “Kate” in her book, tells “the story of Jane” in unadorned prose from her perspective as an insider and based upon interviews she conducted with many of the former Jane members and participants. *The Story*

of Jane is not hagiography, it is history, a semi-firsthand account of how a group of women arrived at an enhanced awareness of their political position in the 1960s and early 1970s and decided to put that awareness into action by vivisectioning more than ten thousand children. Kaplan is clearly proud of the work she and her fellow abortion providers did, and there can be little doubt that *The Story of Jane* was written to advance the myriad of leftist causes, centered on abortion and control over women's bodies, that Kaplan has spent much of her life championing and practicing.

It is for that very reason that *The Story of Jane* must stand as perhaps the most pro-life book ever written in the United States. I cannot think of anything else that comes close to having the pro-life power that *The Story of Jane* conveys on nearly every page. And the reason is that the book proves, with a finality that only unwitting honesty could so underscore, the truth of all the horror stories that proliferators have been trying to tell the world since a previous generation of Americans of goodwill was caught flatfooted by the seismic shifts in sexual and reproductive law and practice in the 1960s. It is one thing to hear Phyllis Schlafly (1924-2016) speak out against abortion, but pro-life admonitions can always be dismissed, however disingenuously, as merely partisan. However, Kaplan's account cannot possibly be so disregarded. *The Story of Jane* is the direct telling of what abortion really is and who the people who perform it really are, by someone who was quite literally in the room where it all happened.

The Story of Jane also handily dismantles the lies upon which abortion advocates are forced to rest their activism. As abortionist-turned-prolifer Dr. Bernard Nathanson later admitted, to further the legalization of abortion he infamously lied that as many as ten thousand women a year were lost to "back-alley abortions."¹⁴ The truth is that abortion was already a thriving business, undertaken largely in medical clinics, long before Jane debuted. Kaplan does not mention Dr. Nathanson in *The Story of Jane*, but then again she does not have to—her book refutes Nathanson's lie without needing to refer to it.

Those in favor of abortion often couch their support for the procedure in a narrative of women having been constrained, pre-*Roe*, to procure such "back-alley abortions," in numbers Dr. Nathanson largely confabulated, in order to terminate pregnancies. Indeed, Kaplan and many of her Jane co-conspirators tell this tale of wanting to offer women something better than the "coat hangers" visited upon women in the dark ages before making abortion safe, legal, and rare. However, *The Story of Jane* completely inverts this narrative. It is not that the illegality of abortion turned abortionists into butchers. It is that butchers are attracted, by its nature, to the practice of abortion—and

often also to its illegality, which helps increase the price that can be charged. In fact, much of *The Story of Jane* consists of haggling with abortionists—some of them, like T.R.M. Howard, licensed physicians who operated reputable and legitimate practices as their main work—over money. For a doctor or other abortionist, abortion, more than anything else, was almost always about the bottom line.

“Claire’s South Side doctor,” Kaplan writes, referring to Booth’s early go-to physician, Dr. Howard, “charged \$500. After a certain number at full price he would occasionally do one for free” (p. 11). In the late 1960s, five hundred dollars was worth approximately \$3,500 in 2021 dollars, making abortion then, as now, a highly lucrative practice. Abortionists were sensitive above all else to how much money could be extracted from their trade. Booth negotiated with abortionists to cut her special deals, getting, for example, one doctor to “make a financial arrangement: so many at \$600 and then one for less” (p. 11).

Abortion was done for cash. Abortionists took advantage of women’s desperation to line their own pockets. “Claire [Heather Booth] charged each woman the full \$600. She put any excess in a fund for women who could not manage even the reduced fee. She pressed people to pay. They had to. The doctor had to be paid. It was never easy for people to come up with \$600” (p. 11). Some doctors charged as high as \$1,000, the equivalent of nearly \$7,000 today (p. 36). Many other doctors were even more predatory and unsavory, such as the doctor who “presumably paid police protection, because his name was on the door of the medical office where he performed abortions. He was medically competent, but he was often drunk and demanded sexual favors as a condition for the abortion” (p. 39).

In one unforgettable episode from *The Story of Jane*, Jenny, one of the main members of the core abortion service, arranged to meet with the middleman of a certain “Dr. Kaufman,” who preferred to perform abortions on women in motel rooms (which he characterized as “clean and safe,” p. 40). From the beginning, the negotiations are tawdry, even before the subject of money is broached. Jenny dressed provocatively to meet with Dr. Kaufman’s business associate in the hopes of distracting him into lowering his fee, wearing “a skimpy tan miniskirt, a sleeveless tank top, long dangling earrings and sandals. She had picked out her outfit carefully, thinking, If women are stuck with the victim/whore dichotomy, I’ll be the whore because we’ve had enough victims” (p. 41).

When the middleman arrives at the appointed sidewalk location and expresses concern about being watched by the police, Jenny tells him,

I don't want to hear any of that bullshit. We both know why you're in this. You're in this to make money. We don't care about money. We're in this to help these women, and it's as important to us as your money is to you, so let's start right now and find some way we can make it better for you and you can make it better for us. You're doing one or two cases a week for us now at six hundred to a thousand dollars per case. We have the wherewithal to deliver a lot more people to you, which means you'll have to work harder, but you'll make a shitload more money than what you've been making. But, in order for us to do that, we want some concessions too (p. 41).

Over the course of this heated exchange, Jenny, as Kaplan tells it, tries to frame her approach in terms of women, but the logic of money inexorably dominates the negotiations. "They had to build their strength through numbers," Kaplan writes of Jane.

Women were desperate for decent abortions. They had to go out and find those women. If that meant expanding the group, so much the better. The bigger the organization, the more women they served, the more power was going to shift from the doctors to the women. Another motive was left unstated: If abortion was every woman's right, they had to take whatever actions were necessary to make that right a reality (p. 43).

Given this fundamental history of abortion as a business, it is little wonder why abortionists working for Planned Parenthood were captured on undercover video by pro-life journalist David Daleiden in 2015 haggling over fetal body parts—whatever the motivation at the outset, the final calculus is cash. As women gain "power" and start performing abortions themselves, they do not deviate from this calculus, they simply streamline it by cutting out the male middleman and performing D&Cs themselves. It is always, inevitably, about how many abortions can be done, because the analysis is financial, not ultimately political or even compassionate.

The pattern of abortion-for-money, coupled with a general unwholesomeness of lifestyle at best, repeats throughout *The Story of Jane*. Take, for example, a doctor from Detroit who calls himself "Nathan." Nathan gets wind of the burgeoning abortion market in Chicago and invites a Jane member to Detroit to watch an abortion and then discuss business details over dinner. The abortion the Jane member witnessed was performed in a "room outfitted with an examining table with stirrups, shelves with linen in sterile packaging, instrument cases and an autoclave for sterilizing instruments, like every doctor's examining room she'd been in. Lorraine [the Jane member interviewing Nathan] was impressed; the room was immaculate and neat. A nurse in a starched white uniform sat in a corner reading a magazine" (p. 56). Later, when asked why he was doing abortions, Nathan replied that "he was in the process of a divorce" and that "his wife was taking him to the cleaners and

he had two kids in college. He needed the money” (p. 56). Nathan showed Lorraine his American Medical Association membership card and they eventually agreed that he would work for \$600 per abortion.

The abortionist who would perform the bulk of Jane abortions was “Nick,” who lived in California and had helped set up Jenny’s meeting with Dr. Kaufman’s middleman. Nick called Jane one day to “hint darkly” that he and Dr. Kaufman “had had some trouble with the Mob and had to leave town in a hurry” (p. 65). Nick later offered to resume abortions for Jane by flying in from California “every weekend” to do his middleman work for “Dr. Kaufman” (p. 74). Dr. Kaufman worked either at women’s homes or in motel rooms. When Jenny “convinced Nick to schedule several abortions in a row at one motel room, so that the room cost could be shared,” the Kaufman group still “tried to collect the full room charge from each of them” (pp. 74-75).

During one abortion in Hyde Park, the husband of the woman obtaining it found out where his wife was and began pounding on the door of the motel room where Dr. Kaufman was dismembering the man’s child. In the flight that ensued, Jenny, whom “Dr. Kaufman” had called in haste from a public phone after zigzagging “through alleys” to “evade his pursuer,” rushed to the scene and discovered that Nick and Dr. Kaufman were actually “the same person” (pp. 82-83). That evening Nick, formerly known to Jenny as Dr. Kaufman, “smoked pot” with Jenny at her place as the two discussed the details of “Dr. Kaufman’s” ongoing services to Jane, including the services of Denise, “Dr. Kaufman’s” nurse (p. 83). Nick “had never considered the consequences for a woman or for an unwanted child. He thought abortions were like mink coats: lots of women wanted them, but not everyone could afford one. For him it was a business, nothing more” (p. 85). Jenny understood the profit motive perfectly. She even “brought Nick’s money to the bank and exchanged the small bills for large ones, so that Nick could fly home with a less obvious wad” (p. 94).

The lie that Nick and Dr. Kaufman were separate people necessitated the creation of a “secret group, composed of women who were trusted personal friends, women Nick knew and of whom he individually approved” (p. 94). However, the lies did not end there. Nick was not only not Dr. Kaufman, he was not a doctor at all (p. 109). “Nick had learned his trade from a doctor to whom his brother had apprenticed him. After Nick had been assisting the doctor with abortions for a while, Nick’s brother paid the doctor to teach Nick this skill” (p. 110). Not only that, but Denise was not even a nurse. “Since [the apprenticeship], Nick had been the technician in a profit-making venture composed of his brother and his brother’s girlfriend, Denise, who posed as a nurse” (p. 110). Nick was a middleman of sorts, but for his brother, who

essentially pimped out Nick and Denise to perform lucrative abortions in the Chicago market. Denise was on hand to make sure that the money went directly to Nick's brother first—she was the “nurse” only for the women's cash. “Nick only got a cut of the money which Denise collected [for each abortion] and turned over to Nick's brother” (p. 110). Nick's income was not limited to his abortion pay, and “There were rumors that the money [Nick] earned from abortions was a fraction of what he and his wife brought in from their S/M publishing business” (p. 102).

When the rest of the Jane group eventually learned that Nick was not really a doctor, many of the women felt betrayed and some left (p. 111). But by the time the revelation of Nick's mendacity came, Jane had already begun changing, admitting such new members as Ricky, a radical black Marxist revolutionary (p. 93). The organization was also expanding their abortion pool to include “poor black communities on the South Side and West Side” of Chicago (p. 175), although wary of their “vulnerab[ility] to accusations of genocide and racism” as “white women performing abortions for poor black women” (p. 176). And they were branching out across state lines, for example by sending poor, abortion-minded women on the long bus trip to Philadelphia, where abortion was also illegal, although a vague judicial ruling had provided enough of a legal gray area to make the trip worthwhile (pp. 238-239). Women in Chicago with financial means had been traveling to New York for legal abortions, or else to London or other countries where abortion was not against the law (p. 64). The Philadelphia trip was connected to another development: Abortion was merging with the American cult of celebrity and moving into the center of public debates over the ongoing Sexual Revolution.

The abortionist to whom Jane sent the busload of poor women was “Jordan Bennett,” in reality Harvey Karman—like Dr. Kaufman, a fake doctor with a fake degree, in his case from a university in Europe that did not even exist. Karman—who had been imprisoned for killing a woman while attempting to perform an abortion on her with a nutcracker, and had received an executive pardon from then and future Governor Jerry Brown—had invented a new method of abortion using a cannula (a tube that can surround a needle to extend its effective length). This new method became a sensation among feminists on the West Coast, and Karman shrewdly parlayed his invention into fame (p. 197).¹⁵ Pat and Monica, two Californians who were in Chicago as part of a “cross-country tour promoting self-help groups” (with the Karman abortion method featuring as a form of “self-help”), were keen on getting arrested for their activism, as it would apply pressure to the legal system and expose abortion laws to litigation by progressivist lawyers (p. 198). By

this time television cameras and newspaper reporters were catching on to the latest wave of the Sexual Revolution, and “abortionist” was becoming a platform for self-promotion. Karman, over whom Pat and Monica fawned like groupies, appeared to be in the abortion business as a way to stroke his “inflated ego” (p. 200). “Arrogance was a common trait among illegal abortionists,” Kaplan writes, and one Jane member, Julia, remembered Karman as “such an odd person, a real star” (p. 200). Kaplan herself remarks on Karman’s “incessant self-promotion” (p. 238).

In Philadelphia, Karman would be trying out yet another new method, “IUD-like” “super coils” that he had used “on women who had been raped during the recent civil war in Bangladesh” (p. 237). Kaplan does not mention that Karman had been flown to Bangladesh under the auspices of the International Planned Parenthood Federation.¹⁶ It is hard to escape the conclusion that Karman chose these poor women of color as a test case because “it was outside official medical practice,” meaning he would not have to adhere to medical standards and was free, as a Live Action report from 2018 puts it, to use the Bangladeshi rape victims as “guinea pigs” (p. 237).¹⁷ The “super coils” were essentially spring-loaded plastic razor clusters coated in gel, which sprang open inside the uterus after the gel had been melted by a woman’s body temperature.¹⁸ The Philadelphia event was another test of an unproven method on an unsuspecting and vulnerable population, and Karman’s grandstanding and incompetence in the mass-abortion publicity stunt nearly got several of the women killed (p. 240). But the publicity machine was already in high gear, and many other “Jordan Bennetts” were waiting in the wings to use abortion to gain national notoriety. A New York television crew was on hand to witness (and later broadcast) the grisly abortions. The *Philadelphia Inquirer* did a write-up. It was becoming a ticket to national fame to perform abortions on poor women.¹⁹

Harvey Karman was not the only abortionist present at the “Mother’s Day Massacre” in Philadelphia. Karman had arranged beforehand to use the abortion facilities of Dr. Kermit Gosnell, now known as the most prolific serial killer in American history and the overseeing physician that May day. The results were exactly as one would expect from a man who ran a “filthy, dangerous clinic” and who kept the remains of aborted babies in jars, plastic bags, bottles, and refrigerators on-site, including his collection of fetal feet lined up on a shelf in his office.²⁰ Nine of the fifteen women whom Jane bused to Philadelphia for illegal abortions were grievously wounded by Gosnell. One needed a hysterectomy, and, as *The Federalist’s* Mollie Hemingway writes of that day, others suffered “punctured uterus, hemorrhage, infections and retained fetal remains.”²¹ Gosnell would later be known as the abortionist who

specialized in snipping born-alive infants' necks with scissors to complete the "termination of pregnancy" when the usual methods didn't suffice to kill the child in utero. The "super coil" method that Gosnell, taking his cue from Karman, deployed in the Mother's Day Massacre may have been the inspiration for Gosnell's blade techniques later on. Gosnell skipped town after the media reported on the horrors he inflicted on those women, some of whom were as far along as six months pregnant. But he later returned to continue his lucrative business in ending the lives of the pre-born, and sometimes their mothers' lives, too.

Kaplan does not mention Gosnell, perhaps finding it unworthy of her editorial attention to record that one of the most fame-hungry abortionists in the United States had teamed up with a man who preyed mainly on poor Black women and their children. At Gosnell's trial for murder (at which one of the counts was for the Mother's Day Massacre), it was revealed that he regularly made "\$10,000-\$15,000 a night performing late, late abortions on (almost entirely) women of color."²² By conservative estimates, Gosnell made some \$1.8 million per year, mainly in cash. Many of the children whom Gosnell killed were delivered, some of them still alive, into the facility's toilet. Gosnell was convicted of multiple counts of first-degree murder in 2013, plus a manslaughter charge for having caused the death of a pregnant woman, Bhutanese refugee Karnamaya Mongar, and hundreds of other counts of felony and misdemeanor abortion violations. It would spoil Kaplan's upbeat presentation of Jane, of course, if it were known that Gosnell was no aberration, but the near-universal reality of abortion. At Gosnell's trial, Philadelphia District Attorney Seth Williams exclaimed, "My grasp of the English language doesn't really allow me to fully describe how horrific this clinic was—rotting bodies, fetal remains, the smell of urine throughout, blood-stained." Jane did not help women avoid abortionists like Gosnell—they chartered a bus and sent fifteen women to his clinic.

By the time the Karman affair was making headlines, Jane was also in the news. On Wednesday, May 3, 1972, detectives from the Chicago Police Department raided the apartment where Jane was performing abortions that day. Seven Jane members were arrested and spent the night in jail. The *Chicago Tribune* picked up the story, but the news had long since simmered down into background legal proceedings and Jane had resumed its usual abortion trade when the United States Supreme Court put them out of business on January 22, 1973. On May 20 of that year, nearly a year to the day that Karman and Gosnell had made history with the Mother's Day Massacre, one Jane member, "Sally," threw an "end-of-Jane party at her elegant Frank Lloyd Wright

house in Oak Park” (p. 280). The humor surrounding the evening was macabre: “You are cordially invited to attend,” the party invitations read, “The First, Last and Only Curette Caper / The Grand Finale of the Abortion Counseling Service / RSVP Jane 643-3844” (p. 280). Nick, the mainstay abortionist who had eventually taught his trade to Jenny (who then took over as the Jane “doctor”), was also invited to the party—and showed up. One Jane member regaled the group with a lighthearted song about “the women in the service” who used to “give you an abortion / No matter what the reason for” (p. 281). Jane was finished, but its legend was already being spun.

Laura Kaplan’s *The Story of Jane* is, of course, the story of Jane, but it is more accurately the story of power and control. The two words appear again and again in the book. The doctors wanted money, yes, but what the women wanted was complete control. “Control was the key” (p. 38). “Many women felt empowered” by their abortions, remembers Jane member Lydia, “because it was the first adult decision they had made” (p. 168). “Sexual pleasure [. . .] was essential for [women’s] liberation,” to be sure (p. 169), but power trumped orgasm. “On Thursdays,” when Nick was off duty and the women were performing abortions themselves, “they had total control” (p. 158). For Nick, “control wasn’t as important to him as money, and he wasn’t giving that up” (p. 120), but for the women such as Jenny, “it was about control, women controlling abortions. That was the root of the problem” (p. 115). Jane was to become “the ultimate feminist project” (p. 115), Kaplan writes. “Through the movement, women were beginning to identify themselves as a class and abortion as a class issue, part of a challenge to male authority and essential for their own liberation” (p. 274). Designed for women’s use, the book *Our Bodies, Ourselves* (published in 1970 as the first comprehensive practical anatomy book in English), puts it succinctly in the introduction: “These are our bodies. Why shouldn’t we know about them and control them?” (p. 266). Fittingly, Laura Kaplan is now listed as a contributor.

Although *The Story of Jane* is resoundingly pro-life in what it reveals, I do not recommend it to all proliferators. The contents are too grisly, the language too coarse, the overall social landscape that Kaplan describes far too seedy and callous to recommend this book to any but the ardent student of the history of feminism’s war against children. But for those who want to brave a sobering glimpse into the cold reality of the abortion business, *The Story of Jane* is the book to provide it. The logical fallacies, the underworld criminality, the lust for transgression, the contempt for in utero life, the destruction of the social fabric that ensues when women begin to prey on their own offspring—all of it is right here, and there can be no accusations that it has been

concocted by biased proliferators to discredit a cause they do not understand. Kaplan was there. She saw and did what she describes. She has rendered her account of the illegal Chicago abortion movement in a fair way—including the extensive involvement of Christian clergy in promoting Jane and using their “cloak of moral authority” to lend an air of righteousness to the killing (p. 63). But Kaplan is also clearly a partisan as well. *The Story of Jane* is hailed by no less a figure than Democratic political mainstay and social activist Barbara Ehrenreich as a “story of breathtaking courage, ingenuity, and sisterhood.” This is the version of the “pro-choice” story that has secured the highest endorsements of the feminist left. *The Story of Jane* is the best that pro-abortionists can do. It is their story, in their words, of what really happens in the abortion industry. And it is utterly shocking and revolting to behold.

NOTES

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“I didn’t say he was an interesting person. I said he was a person of interest.”

BOOKNOTES

FREIHEIT!: THE WHITE ROSE GRAPHIC NOVEL

Andrea Grosso Ciponte

(Plough Publishing House, 2021, 111 pages, hardcover, \$24)

Reviewed by Ellen Wilson Fielding

In this beautifully illustrated graphic novel, Italian artist and author Andrea Grosso Ciponte conveys the courage and idealism of the martyred young leaders of the White Rose, a movement of young university students against the Nazi regime in Hitler's Germany. Without breaking into the narrative with clunky comparisons or editorial remarks, Ciponte dramatizes the personalities, actions, and ideals of the central figures of this relatively small, doomed resistance movement in a way likely to draw young people and stoke in them a similar fire to wage the moral battles of our own day.

The effect of the Nazi era upon Germany and much of the rest of the world was profound and long-lasting—certainly long-lasting enough to traumatize not only the generations that experienced it but also, to a lesser degree, a generation or so beyond. In the early 1960s, as a young child, I witnessed a playmate being berated by a stranger who had overheard him use the name “Hitler” jokingly in play. “Don’t you ever use that word!” he scolded in dead earnestness. “That’s a bad word!” And in truth Hitler was regarded by most people of the time, I think, in almost uniquely demonic terms.

It is understandable that we should have felt that, because, even twenty years after the war (and almost thirty years after Hitler's ascent to power), we lived among some of his victims, and the wounds he had inflicted remained relatively fresh (the proprietors of the corner grocery store, for example, had numbers tattooed on their arms, and even the youngest of us knew what that meant). In such an atmosphere, ensuring that the Holocaust would never be forgotten and therefore (an optimistic conclusion!) never happen again seemed capable of achievement.

And in a way, more or less, that goal has up until now been achieved, since we have not yet witnessed another systematic, large-scale attempt to eradicate the Jewish people. In addition, especially in the Western democracies, cultural memory largely retains its horror of the Holocaust, despite the dwindling number of nonagenarians and centenarians with personal experience of the concentration camps or World War II.

But though one historical event cannot match another in every respect, it can sound an echo that we may or may not be sensitive enough to hear. As

the saying goes, history doesn't repeat itself, but it does rhyme. A danger once encountered under particular circumstances, in a particular place, may turn our attention apprehensively in one direction while a contemporary crisis approaches us from our blind side. Mass mistreatment and extermination of ethnic and religious groups has occurred relatively frequently since the close of World War II: in Pol Pot's Cambodian killing fields, in Rwanda's slaughter of roughly 800,000 Tutsis in 100 days, and in China's current treatment of the Muslim Uighurs, to name a few. These are horrifying occurrences, but, perhaps because they have not occurred in one of our cultural homelands and we have not been dragged directly into these conflicts, they do not exert the same traumatic effect upon most Westerners. What is distant, whether spatially or chronologically, is usually blurrier, and therefore likely to have reduced impact on us, unless we are propelled beyond such natural limitations by, for instance, great art or storytelling.

Unfortunately, post-World War II history has been rhyming the Holocaust for decades in ways our society (and that of other modern "civilized" nations) finds it difficult to recognize. For close to fifty years, for example, many proliferators have attempted to point out the obvious in referring to the body count of the sacrificed unborn as a holocaust, but most of our adversaries dismiss this use of the term as a false comparison that exploits and cheapens the original.

Another modern-day doorway to death with links to the Nazi regime is legalized euthanasia and assisted suicide. Sadly, in our post-World War II times, legalized euthanasia arose first in the Netherlands—one of the nations that suffered most from the invading Germans and offered many instances of resistance to their extermination of Dutch Jews. In the decades following legalization, without adopting the term "Lebensunwertes Leben" ("life unworthy of life"), the Dutch (and, almost simultaneously, their neighbors the Belgians) adopted criteria for euthanasia and assisted suicide based on that very concept, and have loosened official and unofficial standards, until today the deaths of even handicapped and ill children can be justified. More recently Canada has allowed voluntary euthanasia and assisted suicide, and several U.S. states have passed various forms of assisted-suicide laws. Meanwhile, hospitals and medical boards—and the courts these cases are brought to—have resolved many life and death decisions in favor of death when the perceived quality of life of the patient is deemed unacceptable.

In such a world *Freiheit!*: *The White Rose Graphic Novel*, has a lot to say to us.

Freiheit! (the German word for freedom) tells the true story of a small group of German university students who, in the brief period from June 1942

to the leaders' capture in Feb. 1943, wrote and disseminated a series of anti-Nazi leaflets urging active resistance to Hitler's government. After their capture, the five leaders who are the protagonists of this book (Sophie Scholl, 21; Hans Scholl, 24; Christoph Probst, 23; Alexander Schmorell, 25; and Willi Graf, 25) were fruitlessly interrogated to reveal additional names and information about their collaborators, tried in court, and executed.

In practical terms, their effort did not bring down the Third Reich or even arouse widespread active resistance to the Nazi regime. But these five young people not only illuminated the consciences and ignited the hopes of some of their contemporaries, but also offered an example of moral and physical courage for future generations—ours, for example—to resist the death-dealing practices of their own times.

As a graphic novel, *Freiheit!* is naturally pitched primarily at young people: The release accompanying the review copy I received emphasizes that “. . . its message, and the heroism of its leaders, continue to inspire new generations of resisters, who know that while the challenges they face may differ, the need for young people to stand up against evil, whatever the cost, will remain.”

In the prefatory page, Ciponte briefly sets out the circumstances in Germany in 1942 that gave rise to the White Rose: the oppressive Nazi propaganda, Jewish genocide, suppression of opposing views, and a police state where indiscrete words could be reported to the authorities with often lethal results. Living in this unjust Nazi state, the students who will form the White Rose:

. . . ask themselves: Are we the only ones who find our government abhorrent? The lack of freedom suffocating? If only someone will find the courage to speak out, would not thousands of others rise up and put an end to the repression? If we don't take that first step, then who?

Throughout the following pages, Ciponte's graphics—beautifully shadowed and shaded frames of a meticulously studied era—recreate the heroes, the villains, and those trying to get by, and the somber world they inhabit. The muted greens, grays, browns, and blacks of the artwork amply suggest the atmospherics of life in a totalitarian country, particularly for those like the protagonists whose Christian faith renders them resistant to its ideology and intent on rousing others to resistance.

The White Rose produced a total of six leaflets dwelling on the immorality of the Nazi regime and its actions, the impossibility of winning the war, and the necessity for Germans to reclaim their country through passive resistance and sabotage of the war effort. Isolated lines from the leaflets (which are included in their totality at the end of the book) appear in a number of the frames as a kind of backdrop to the dialogue enclosed in traditional graphic-novel

bubbles. In the opening frames of *Freiheit!*, for example, Ciponte runs the following quotations from the first and second leaflets as headings for the illustrations: “Every people deserves the regime it is willing to endure” and “But now the end is at hand.”

The members of the White Rose lived before the era of memes or even soundbites—most of their leaflets ran around 1000 to 1500 words, and, in addition to calls to action and moral argument, incorporated quotations from Goethe, Schiller, Lao-Tzu, Aristotle, and the Bible. The fourth leaflet included this vivid quotation from Novalis, an 18th-century German Romantic poet and philosopher:

Blood will stream over Europe until the nations become aware of the frightful madness which drives them in circles. And then, struck by celestial music and made gentle, they approach their former altars all together, hear about the works of peace, and hold a great celebration of peace with fervent tears before the smoking altars. Only religion can reawaken Europe [and] establish the rights of the peoples . . .

The tone of the leaflets—and at times of the bubble-printed dialogue within the frames—is impassioned and even strident. The authors were seeking not only to convince the German public that the regime was immoral and the war hopeless, but also that their readers must now *do* something. They sought the fall of the regime and the freeing of those still alive in the concentration camps—but as Germans horrified by what was happening to their country, they also sought to save Germany’s soul.

Although the White Rose leaders were university students, the times they lived in accommodated no ivory towers. For example, a hiatus in the publishing of the leaflets occurred while Hans Scholl and Alexander Schmorell left the university in the summer of 1942 to do tours of duty as soldiers at the Eastern Front. Sophie Scholl is also depicted in *Freiheit!* as working for a time in a munitions factory in her hometown of Ulm, where she deliberately attempts to slow production.

Although the book focuses on the founders of the White Rose, eventually hundreds played a role in supporting them by helping in the production and dissemination of the leaflets to various parts of the country. Many of these collaborators were also captured and put on trial; some were sentenced to prison, and a few put to death.

The graphic novel format does not permit a proliferation of details; however, its strength is in its dramatic quality. Characters share information with each other (and with us) in the course of brief conversations, and scenes change swiftly from the university, to a theater showing Nazi propaganda, to the Russian front, to a meeting of the Gestapo, to the eventual capture of the White Rose leaders and their interrogation, trial, and execution by guillotine. The

pacing and swift changes of scene propel the reader along like a well-paced suspense film. Although readers interested in more detailed biographies of the main characters will need to consult more traditional narrative genres, *Freiheit!* realistically conveys a sense of the comradery, urgent idealism, and tension of the protagonists through its monochromatic coloring and the many scenes—one of them introducing us to the one married conspirator’s pregnant wife and young child—that take place at night. The moody artwork exerts something of the effect of *film noir*, but unlike most of that genre, the categories of good and evil in this book remain crystal clear.

Plough Publishing House, the publishing arm of the (Christian) Bruderhof Communities, has previously issued other stories of conscience set in a variety of places and times, including Nelson Mandela’s South Africa. This time and place, however, likely hold special meaning for the Bruderhof, since they began in 1920s Germany, and, early targeted by the Nazis for their pacifism, relocated immediately after Hitler came to power. *Freiheit!: The White Rose Graphic Novel* is a high-quality effort to call a current generation of young Christians to resist, peacefully but eloquently, imaginatively, and resolutely, the regnant evils of their own time.

—*Ellen Wilson Fielding, a longtime senior editor of the Human Life Review, is the author of An Even Dozen (Human Life Press). The mother of four children, she lives in Maryland.*

HELP HER TO BE BRAVE: DISCOVER YOUR PLACE IN THE PRO-LIFE MOVEMENT

Amy Ford

(Chicago: Moody Publishers, paperback, 208 pp., 2021, \$14.99. Also available as e-book; on-line publisher discounts.)

WHAT THE BIBLE SAYS ABOUT ABORTION, EUTHANASIA AND END-OF-LIFE MEDICAL DECISIONS

Wayne Grudem

(Wheaton, Ill.: Crossway, paperback, 89 pp., 2020, \$7.99. Also available as e-book.)

Reviewed by John Grondelski

Prolifers are often accused of being indifferent to the plight of women with unplanned pregnancies and the life-altering challenges they face. Amy Ford

refutes that calumny; her book is chock-full of practical suggestions for helping these women both before and after they deliver their children. Her activism comes from experience. Single and pregnant at 19, she got all the way to the abortionist's table before she chose to keep her baby. That experience inspired her to found Embrace Grace, a church-centered program that encourages women to make the life-saving decision she did.

Many women who consider abortion are young and single; they fear becoming mothers because they think they are alone and unloved. "The church," Ford writes, "can play a powerful role" in convincing them otherwise and therefore "in saving lives."

It can . . . be one of the first places a girl runs to when she finds out she has an unplanned pregnancy. It should never be the place she avoids because of shame and guilt. The church can help her be brave and choose life. The church can reach out and invite these women and men into a spiritual family. The church can help heal past hurts and wounds because free people *free* people. The church can help practically by giving single or struggling moms support so they don't just survive, they thrive. Most Christians say they want to live this way. But I believe the same Christians who have taken a stance for the sanctity of life don't realize that *if abortion became illegal today, the church wouldn't be ready.*

Ford wants a church that's ready—to be a community of help, not one of harsh judgment. In *Help Her to Be Brave*, she encourages us to "See," "Comfort," "Welcome," "Protect," "Love," "Support," "Free," "Empower," "Know," and "Embrace" women who need our help. These headings are more than slogans. Each chapter begins with "What the Bible Has to Say." For example, on how to "Welcome" women, the answer is to do so with the open arms and happy festivity of the prodigal son's father, not the ill-tempered displeasure of his brother. Then "Discovering Your Place" suggests concrete ways for proliferators to implement each goal: We can "Protect" women, for instance, by voicing our availability to help them in social media posts. "What [X] Can Look Like" draws illustrations from Ford's own experience: "Freeing" women can begin with relating your own story of vulnerability and how it was overcome.

The most valuable part of each chapter is (usually) three to five pages of "Ideas for How to [e.g., See, Comfort, Welcome, etc.]." These range from considering professional commitment (Ever thought of becoming a pro-life lawyer, doctor, or politician? Or leading an Embrace Grace support group?) to using specific skills (Are you an ultrasound tech who could help out once a month in your local pregnancy support center?) to everyday activities most of us could handle (Can you help organize a baby shower for unwed mothers in your church? Drive an unwed mom to a doctor's appointment? Help babysit her child while she studies for her GED? Maybe write a letter to an

unwed mother to include in a personal care package that Embrace Grace delivers?). Every chapter also includes ample lists of pro-life organizations and resources.

Ford's vision is religion-based but she's emphatic that the church be dedicated to helping *all* women. She tells about being approached by an atheist pro-life leader from Berkeley who invited her to speak there. Initially caught off-guard, she asked whether *she* was really the right fit. The leader's answer surprised her: "Yeah, I know what your pro-love message is about. I don't believe in your God. But I believe in the power of your people." Ford believes in the power of the church. "The pro-life side has the manpower," she writes, "because we have the church. We have got to activate the church to get involved and things will start to change."

Wayne Grudem has a different focus. In *What the Bible Says about Abortion, Euthanasia and End-of-Life Medical Decisions*, the Cambridge-educated evangelical theology professor provides readers with Christian pro-life arguments that are easy to comprehend—and communicate to others. Grudem is writing for the person in the pew who might not be pro-life or perhaps is pro-life but unable to articulate why. He begins with biblical grounds for opposing abortion and euthanasia. His choice of scriptural texts is limited but well-targeted: I had never thought of II Samuel 1:1-16 (the death of Saul) as an argument against euthanasia, but David clearly punishes the Amalekite for killing Saul even though it was at Saul's request.

Grudem's approach to Scripture is not literal; he digs into the text to address arguments liberal Protestant theologians sometimes employ in their attempts to promote abortion. For example, he explains why the gradation of punishments in Exodus 21 applying to when a pregnant woman is struck doesn't imply that the Bible undervalued unborn life. Nor does Grudem restrict his arguments to Scripture. He also considers scientific evidence about the unborn as well as experience (e.g., the basis for such instinctual reactions as natural protectiveness when a woman finds out she is a mother or human resistance to murder) to present a well-rounded case that is both religiously grounded and deployable across denominational boundaries.

For people looking for a quick, concise explanation of the pro-life cause from a Protestant perspective—one which counters the work of false shepherds like Kira Schlesinger (*Pro-Choice and Christian*) and Rebecca Todd Peters (*Trust Women*)—this short and insightful book is a gem.

—John Grondelski was former associate dean of the School of Theology, Seton Hall University, South Orange, New Jersey. All views expressed are exclusively his.

FROM THE HLR WEBSITE

Pepé Le Cuomo

Diane Moriarty

This is the worst time for cancel culture to set its myopic sights on Pepé Le Pew, because Andrew Cuomo is Pepé Le Pew. I believe the women's accusations of sexual bullying are credible. I also believe that in his own mind Cuomo's done nothing wrong: They were all "old enough." As far as we know he wasn't so reckless as to actually expose himself. And last but not least, hey, all he was doing was expressing his affection! To women who didn't want it.

Pepé Le Pew debuted in 1945 as an animated character in Looney Tunes and Merrie Melodies cartoons. An amorous French skunk, Pepé relentlessly pursues a female black cat who often sports a white stripe on her back—usually from squeezing under a freshly painted white fence. She never wants anything to do with him. A typical cell frame shows Pepé clutching her, his smooching cartoon lips extended out as she averts her face in disgust and uses her paws to push him away, recoiling from his offensive odor. Because he's a skunk. And he thinks she is one too. Which is Pepé's version of "you're old enough." The smitten skunk blithely persists oblivious to the fraught feline's discomfort, not to mention his own cross-species faux pas. But this doesn't matter because . . . I am irresistible, non?

Non! Pepé, who was to appear in the upcoming film *Space Jam 2* alongside LeBron James, was recently "cancelled" after a *New York Times* columnist complained that he "normalized rape culture." Ever-vigilant administrators of "woke culture" took umbrage at the image of the female cat (women) being subjected to unwanted sexual advances. Their solution is to erase the reality of unwanted advances by simply erasing images of them, even though the cartoon context mocks Pepé's behavior. Do they think presenting it in comical terms diminishes the seriousness of sexual harassment? Cuomo and his ilk have inflated egos that hinder them from seeing things through the eyes of others; but the best way to deflate a predatory ego is to laugh at it. The Pepé Le Pew cartoons ridicule these churls. This is a good thing. Or do cancellers think that the mere image of a female being treated this way diminishes women? We are treated this way, and simply erasing depictions of it won't erase the reality. But "woke" society is getting rather good at erasing things, isn't it?

So, let me get this straight. In January 2019 Cuomo was hailed as a champion

of women for signing legislation allowing viable babies that survive abortion to be killed. A little over a year later he signed an executive order that sent elderly people still infectious with Covid-19 back into nursing homes, and when thousands of them died his poll numbers continued to go up (and did not significantly change with the subsequent revelation that the true number of deaths was twice as high). But chasing the proverbial secretary around the proverbial desk . . . now that's going too far! That's what it took to make Cuomo's poll numbers plummet, which is what it took for his colleagues to turn on him. I'm not diminishing the importance of calling out arrogant sexual behavior towards women. Indeed, how a man treats women says a lot about his character, especially how he will behave when in a position of power. And dealing with uncomfortable sex scenarios should not be an accepted component of any work environment. But what society lets slide, and why it lets it slide, is as telling as what it chooses to address.

The governor claimed that the 2019 "reform" bill codifying *Roe v. Wade* in state law was needed to protect women from Republicans in the White House whose "goal is to end all legal abortion in our nation." He threw in some theatrics by lighting the World Trade Center in pink to celebrate it. However, it's absurd to claim that the abortion right is endangered, because even if the Supreme Court overturned *Roe v. Wade*, which is extremely unlikely, all that would do is return jurisdiction to the states. Abortion has been legal for 48 years now; men and women well into middle age have grown up with it being readily accessible. How many states would be likely to outlaw it again? Maybe South Carolina and a few others. But certainly not New York. So, Cuomo bravely slew a dragon that doesn't exist for political points (and perhaps to guarantee a renewable supply of fetal tissue for research, which is, after all, a growing industry).

Why do women fall for this? Because even the mere thought of abortion being illegal terrifies them. The dukes go up and the mind shuts down. If any real progress is going to be made on the pro-life front this fear must be respectfully and compassionately considered. Many women who would never have an abortion, even those past childbearing age, support abortion rights with a blinding passion because they cannot, will not, go back to the time when once a woman becomes pregnant it becomes against the law for her to make decisions about her life. She goes from Citizen Jane Doe to Incubator. True, it's not just her life about which she's demanding to have a "choice." And although conventional wisdom says she of all people should be acutely attuned to this immutable truth, maybe in flawed humanity that immutable truth is easier to digest when either you're not the one who's pregnant or your pregnancy doesn't present a conflict. I just don't think abortion will

ever be resolved by law alone, and making overturning *Roe v. Wade* the single focus keeps the dukes up and the mind shut down, turning women into single issue voters. Politicians like Cuomo know this, and use it to help put their abortion “reform” bills in place.

On March 3, 2020, state lawmakers passed a \$40 million coronavirus relief bill. The fine print permitted an enormous expansion of Cuomo’s executive powers. He could now “suspend [specific provisions of] any statute, local law, ordinance, or orders, rules or regulations, of any agency” with just the stroke of his pen. Cuomo’s directive on nursing homes, issued that same month, showed the deadly consequences of autarchic unchecked executive action. Had Cuomo’s female accusers come forward sooner, perhaps some red flags would have fluttered and legislators might have declined to give the governor such sweeping authority. (Last month, they voted to limit Cuomo’s power.) Maybe these women were intimidated by pandemic-mode imperatives, or so grateful that Cuomo “saved” abortion that they let him slide. Everyone let him slide.

But Pepé Le Pew! He’s the one to rein in. Can’t let that cartoon monstrosity slide! Who will cancel culture warriors point their bony incriminating fingers at next? Someone they think challenges their despotic and self-righteous shortsightedness? Another despicable character that doesn’t afford their sacrosanct myopia enough dignity? Psst. Mr. Magoo. Watch your back!

—*Diane Moriarty is a freelance writer living in Manhattan.*

Elon Musk, Progress, and Common-Sense Realism

Joe Bissonnette

*Like theirs of old, our life is death,
Our light is darkness, till we see
The eternal Word made flesh and breath,
The God who walked by Galilee.
We have not known thee: to the skies
Our monuments of folly soar,
And all our self-wrought miseries
Have made us trust ourselves the more.*

These two stanzas from the hymn in today’s Lauds (Morning Prayer) mark a transition from the age of faith to the age of folly, from the sublimely transcendent to the hubristic spirit of progress. The idea of progress may seem like something new—or at least no older than the Enlightenment—but in fact it was right there from the beginning in the proud figure of Cain, the

farmer, and his offspring, the builders of cities.

Progress is not just the ongoing mastery of nature and the endless rollout of the new and improved. For the post-Christian world, progress has become a transcendent principle, a foundational truth, and from it flows a new architecture of meaning, a new religion.

In the world of progress today, no one inspires awe quite like the middle-aged boy-genius Elon Musk. He initiated the collapse of brick-and-mortar retail with his online payment site PayPal; he started SpaceX, the privately owned space exploration company through which he plans to colonize Mars; and he built Solar City, the largest solar plant in the U.S. Musk also founded Neuralink, which designs interfaces to connect humans and computers; The Boring Company, because he also cares about mundane problems like replacing roads with underground tunnels; Hyperloop, a low-pressure-tube transport network; and Open AI, a non-profit forum for the advancement of artificial intelligence.

But Musk is most famous for being the CEO of Tesla, the world's pre-eminent electric car company. He is one of the richest men in the world, with a net value approaching 200 billion U.S. dollars, and he is perhaps the greatest achiever of our age. In the religion of progress, achievement is itself a sacrament. All of which sounds rather worldly, but for Musk at least, there is a transcendent dimension.

He has postulated simulation theory, a bizarre thought experiment developed by philosopher Nick Bostrom. Musk claims to believe it is highly probable that what we are experiencing in being alive is not base reality, but rather each of us exists in some form of a computer simulation. Did I mention that Musk is a brilliant marketer? Believe it or not, Tesla, the most talked-about car company on the planet, spends zero dollars on advertising. Musk is the brand. His soft-spoken, impish, syncopated manner makes us all feel like sly insiders.

I teach an introductory philosophy course, and in the units on metaphysics and epistemology we look at a number of thought experiments purporting to tell us that what we think to be reality is an illusion. One of these is called Brain in a Vat. Another, the grandfather of logical conundrums, dating back 2,400 years, is Zeno's Paradox. My students tend to love paradoxes, in part because they require intellectual agility, but also because they temporarily absolve us of real-world responsibilities and transport us to the sunny uplands of smug intellectual superiority.

But the illusion that reality is an illusion doesn't last long. Students quickly laugh at the story of the quantum physicist who was so immersed in modelling the vast emptiness between protons, neutrons, and electrons at the sub-atomic level

that he wore snowshoes around his house to prevent himself from disappearing into the nothingness. Fortunately, when we can't resolve a philosophical paradox we are saved by a dose of intellectual humility, the day-to-day reality of being, and a philosophical school called common-sense realism, or naïve realism.

And fortunately for Elon Musk, when it comes to reality he has a lot of skin in the game. He has six children and tens of thousands of employees. And, philosophical whimsy aside, he has been refreshingly critical of the global response to the Coronavirus. He has also called Bill Gates a knucklehead. But most importantly, Musk has said some very important things about population control.

Watch the three-minute video titled "My Last Warning" on Musk's YouTube channel. In it he gives a brief overview of an argument proliferators have been making for decades about the catastrophic long-term effects of low birthrates and population implosion.

These are dark times for conservatives, that is, for those of us who have some sort of reverence for the wisdom accumulated over the millennia. But we should not despair. Common-sense realism is robust and durable. The world may appear to be captivated by anything and everything on the forward horizon; it may seem to be swooning into madness. But it really is darkest before the dawn. Like the fall of the Berlin Wall, some of the most transformative moments in history are completely unexpected. Let's hope we are on the cusp of just such a moment. This morning's hymn outlines a time-tested path to sanity, hope, and salvation:

*We have not loved thee: far and wide
The wreckage of our hatred spreads,
And evils wrought by human pride
Recoil on unrepentant heads.
For this, our foolish confidence,
Our pride of knowledge and our sin,
We come to thee in penitence;
In us the work of grace begin.*

—Joe Bissonnette is a religion teacher. He grew up reading his dad's copies of the Human Life Review.

APPENDIX A

[Anne Hendershott is a professor of sociology at Steubenville University in Ohio and director of the Veritas Center for Ethics in Public Life. The following is an excerpt from Chapter Nine of her latest book *The Politics of Envy*, published last year by Crisis Publications, an imprint of Sophia Institute Press (<http://www.sophiainstitute.com>). It is reprinted here with permission of the publisher and Ms. Hendershott.]

Envy in the Age of Social Media

Anne Hendershott

More than fifty years before the term “social media influencer” was coined, Rene Girard identified the social role played by those whose attractiveness and authenticity inspired others to want to be like them. The advertising industry has always known of our mimetic desires. Marketers appeal to our envy by pointing out the ways in which their products will make us the “envy of our peers.” Just as Shakespeare makes mimetic desire explicit in *The Two Gentlemen of Verona* when he chooses the name Proteus, the Greek god of transformation, for a character who personifies his envious desire to “become” his friend Valentine, so today’s social media influencers create and interpret trends by inspiring desire—often envious desire. In the case of envy, social media works in three closely related ways: by increasing social proximity, by eliminating encapsulation, and by rejecting concealment.³⁵⁸ A growing body of social science research indicates that envy is so deeply woven into our use of social media that we may not even be aware that we are in the process of eliminating many of the social norms and structures that had been built to mitigate our envy. Although, in the past, we tended to envy those closest to us geographically or socially, proximity kept envy in check because we could envy only those we “knew” or were in contact with. Social media has changed all of that by reducing the barriers to social proximity. Prior to the expansion of social media, including Facebook and Instagram, we could not envy those we did not “see” or have exposure to. And, although we may have secretly envied celebrities or those we read about in newspapers or magazines, envy remains an issue of propinquity. As Aristotle’s *Rhetoric* suggests, the objects of envy have always been characterized by nearness in time, place, age, and reputation:

Kin can even be jealous of their kin. . . . Also our fellow competitors . . . we do not compete with men who lived a hundred centuries ago, or those not yet born, or the dead, or those who dwell near the Pillars of Hercules, or those whom, in our opinion or that of others, we take to be far below us or far above us. So, too, we compete with those who follow the same ends as ourselves, we compete with our rivals in sport or in love, and generally with those who are after the same things; and it is therefore those whom we are bound to envy beyond all others. Hence the saying: “Potter against potter.”³⁵⁹

Aristotle knew that we envy “those whose possession of, or success in a thing is a reproach to us.” He understood that the objects of envy are most often “our neighbors

and equals; for it is clear that it is our own fault we have missed the good thing in question; this annoys us and excites envy in us.” We envy those who have what we ought to have or who have what we once had:

Hence old men envy younger men, and those who have spent much, tend to envy those who have spent little on the same thing. And men who have not got a thing, or not got it yet, envy those who have gotten it quickly. We can see what things and what persons give pleasure to envious people and in what states of mind they feel it; the states of mind in which they feel pain are those under which they will feel pleasure in the contrary things. If therefore, we ourselves with whom the decision rests are put into an envious state of mind, and those for whom our pity, or the award of something desirable is claimed are such as have been described, it is obvious that they will win no pity from us.³⁶⁰

Social media has greatly expanded the number of those we call our “friends,” giving us access to every aspect of what seems to be their perfect lives. Social media has created an illusion of intimacy with those who are distant from us geographically or in terms of social class. While in the past, we might have envied classmates, or friends from work, or neighbors who seemed to enjoy advantages we may have coveted, we are now constantly bombarded with the ever-growing number of elaborate vacations, beautiful new houses, and fulfilling jobs of our Facebook “friends.” Their triumphs are posted on our news feeds—taunting the envious—demanding to be “liked.”

A recent study from the United Arab Emirates (UAE) reveals that “as many as 41 percent of survey takers in the UAE admitted to feeling envious when they see the seemingly happier lives of their friends on social media.” While the individuals surveyed in the UAE study cannot be viewed as representative, the data suggest that envy on social media is a crosscultural phenomenon. The desire for “likes” plays a central role in this, with a majority of people feeling upset when their friends get more likes than they do. The study, which surveyed 16,750 people worldwide, found that individuals “often experience negative emotions after spending time on social media due to a variety of reasons, and these overpower the positive effects of social media.” Dr. Jamilah Motala, clinical psychologist at Light House Arabia in Dubai, explained that the tendency of feeling jealous due to the number of likes is similar to the insecurity and lack of self-esteem in a person: “Jealousy and envy may be underpinned by core beliefs such as my value depends on what others think of me or I am not good enough.”³⁶¹

These concerns are especially true regarding Instagram, a free social networking service built around sharing photos and videos, where the posting of likes has been paramount in placement of posts. Instagram launched in October 2010 but was purchased by Facebook in April 2012. Like Facebook and Twitter, Instagram allows people to follow users and creates a feed on the homepage, allowing people to like the photos or video posts of others. The importance of likes on Instagram cannot be overstated, as the more likes a post gets on social media, the faster it rises to the top of people’s timelines and the longer it stays there. According to social media strategist Farrukh Naeem, “more likes indicate content that is more popular, however there is also genuine content not being noticed and mediocre content rising

up because of users and accounts who have learned how to game the algorithm.”³⁶²

From the earliest days of Instagram, celebrities and social media influencers have found ways to game their Instagram feed to indicate a greater popularity than actually exists. Some of that may end soon: in July 2019, Instagram’s CEO, Adam Mosseri, announced that the platform was removing the public likes count for certain users as “a test of the feature.” After testing the “hiding the like” count in Australia, Brazil, Canada, Ireland, Italy, Japan, and New Zealand, Mosseri claimed that the decision was made to make the “likes” private in order to take the pressure off users and create a positive environment on the platform where people feel comfortable expressing themselves.³⁶³ While it is laudable for Instagram to minimize envy through status competitions by removing the public likes count on the platform tally, it will do little to mitigate the relentless pursuit of status on social media. Even though the likes will be hidden from the envious eyes of the public, the tally of likes will still be provided to the individual who is posting the content. In some ways, it is like the current practice of not keeping score for the youngest Little League ball players. Any parent knows that the little players keep score on their own, and they know who won the game, even though no one has posted the score or spoken of the score aloud. Everyone knows the score.

Because Facebook owns Instagram, it will likely follow suit. In September 2019, Facebook experimented with removing the likes counts on posts; and Twitter CEO Jack Dorsey has hinted at wanting to remove “public likes” from tweets for over a year now. At the WIRED25 Summit in 2018, Dorsey told of his unhappiness with what he called “the big like button with a heart on it.”³⁶⁴ However, the blowback was immediate, and Twitter’s vice president of communications, Brandon Borman, reassured users by tweeting that they had “considered” removing the button, but “there are no plans” to do so anytime soon.³⁶⁵ It seems that some people have become dependent on the validation that the “like” button provides for them.

A research article on “Examining the Influence of Frequency of Status Updates and Likes on Judgments of Observers,” published in *Media Psychology*, explored how the number of status updates and “markers of approval” or likes affected observers’ impressions of a profile owner’s personality and character. The aim of the study was to examine whether the presentation of content on profiles affects inference making of the profile owner’s character. Using an experimental design within a population of college students, the findings indicate that “fewer status updates and ‘likes’ on a profile led to judgments of the profile owner as more depressed and socially unskilled” than those who post status updates more frequently. These impressions biased later judgments of the owner’s attractiveness.³⁶⁶

A growing body of research indicates that social media may be making people unhappy. In fact, studies have suggested that many people report “being happier” after they take a break from social media. A study on the happiness of 1,095 people conducted in Denmark in 2015 by the Happiness Research Institute found that staying away from Facebook can significantly increase people’s levels of contentment. Almost 95 percent of the users visited Facebook every day prior to the study, and

78 percent of them used it for more than thirty minutes a day. The study required half of the participants to stay off the network altogether; the others used Facebook as usual. After a week, those who did not use Facebook reported significant jumps in happiness while those who continued to use Facebook were 55 percent more likely to say they felt stressed, and 39 percent were more likely to feel less happy compared with those who did not use the social media site.³⁶⁷

It looks as if envy may be to blame for much of this unhappiness. A growing body of research suggests that Facebook in particular may have adverse effects on mental health. In a large number of studies, Facebook use has been associated with increases in envy, loneliness, stress, social comparison, and depression as well as decreases in life satisfaction and social capital.³⁶⁸ A scholarly study that explored the relationship between envy and social media was conducted by researchers from Technische Universität Darmstadt in Germany and the University of British Columbia. Surveying 1,193 college-age Facebook users recruited from a mailing list at a German university,

researchers assessed how envy played out on social networks by asking participants to describe their emotions about Facebook and to describe which emotions they thought their friends experienced when looking at Facebook statuses (as a way to trick people into revealing their more guarded feelings). They found that people readily described feeling envy while reading social network statuses, especially statuses about travel and leisure. More than 37 percent of respondents noted that they were unlikely to find out about the kind of information that caused them envy (news of an awesome party, perhaps) in an offline encounter, suggesting that services like Facebook are generating envy that we would not otherwise feel.³⁶⁹

In June 2019, the Happiness Research Institute conducted a follow-up study to their 2015 research on the relationship between social media and happiness. The 2019 study took a more nuanced approach to looking at the relationship between social media usage and unhappiness for young people by surveying 1,160 Nordic young people ages fourteen to twenty-nine and analyzing data collected from 77,600 Nordic teenagers ages fifteen or sixteen. Those surveyed were from five Nordic countries: Denmark, Finland, Iceland, Norway, and Sweden. Participants were recruited from Facebook and were asked a series of questions about their current mood—whether they felt happy, lonely, connected, interested, anxious, proud, ashamed, or bored. Respondents were also asked about what they had been doing on Facebook immediately prior to answering the survey. The goal of that part of the experiment was to uncover any significant relationships between specific digital activities on Facebook and momentary happiness. Although there were no direct questions about feelings of envy or jealousy, questions about what the researchers called “social comparison” were included and provide some helpful indicators of the kinds of feelings that suggest envy.

The Happiness Research Institute researchers acknowledge that it is impossible to judge the effects of social media without at the same time addressing the context in which social media is used. In addition, the researchers suggest that it is difficult

to talk about the “effects of social media because causality cannot be assumed—we cannot claim that social media causes envious feelings or causes young people to be unhappy without considering that young people who are already unhappy or envious are likely to make more use of social media.” Since most research in this area is based on survey data that looks at an individual’s behavior at a single point in time, we cannot confidently state that social media causes changes in the individual’s happiness or self-esteem without longitudinal data. Still, it is helpful to review the happiness study as it suggests areas for future research on the relationship between envy and social media.

Findings reveal that young people in the five Nordic countries are well above the European average in terms of social media use. According to Eurostat figures from 2011 to 2018, Nordic young people make up three of the top five European countries with the highest social media use among young people. In Denmark, in particular, one in four fifteen-year-old girls reports spending at least four hours a day on social networking sites and other forms of digital communication. But, surprisingly, the findings from the study indicate that there is no significant relationship between time spent on Facebook and an overall positive affect—or negative affect. Rather, the statistically significant links between the amount of time users spend on Facebook and their current mood has more to do with whether the user of Facebook is an “active” or a “passive” user. Active users engage in direct communication with others. Passive users consume content without directly communicating with others. Findings indicate that passive users are much more likely to have an increased negative affect, and active users are much more likely to have an increased positive affect. Communicating directly with others has a positive effect even for those with few close ties. Conversely, more time spent simply scrolling through the news feeds of friends on Facebook is related to significantly lower levels of happiness. As the authors point out, “Looking at friends’ pages is the strongest predictor of changes in young people’s mood. This particular activity is associated with decreased feelings of interest and pride, as well as increased feelings of loneliness and shame.”³⁷⁰

The authors of the Happiness Research Institute survey concluded in 2019 that its findings seem to support what has previously been referred to as the “highlight reel effect” because people tend to share more positive experiences than negative experiences on line. As a result, “the more time young people spend on Facebook passively observing the lives of others, the more likely they are to make upward negative social comparisons.”³⁷¹ These negative social comparisons can result in feelings of envy. Young people without close social relationships are particularly vulnerable on Facebook. Among those respondents who reported having fewer than two close relationships, the researchers found a link between increased social media use and feelings of loneliness and anxiety. The more time these more isolated young people spent on Facebook, the more likely they were to feel lonely or anxious.

Presentation of Self in Everyday Life, written by sociologist Erving Goffman in 1959, might have predicted the anxiety that social media users seem to be experiencing. Goffman argued that our public lives represent the “front stage” where

we all play a role to impress others by presenting our very best “self.” The Danish researchers might have called the “front stage” the “highlight reel.” The message is that impressions matter to those of us on the “front stage.” But, in 1959, there was plenty of backstage room for us to be ourselves. For Goffman, backstage is where we do not have to “play roles.” Rather, in the backstage world, we can step out of the character we have created for the front stage.³⁷² But, as Katherine Omerod wrote in *Why Social Media Is Ruining Your Life*:

The all-seeing, all-knowing, 24/7 world of social media has ramped up the sheer volume of public information that we’re all sharing and the culture of Periscope, Instagram, and Snapchat, which encourage a near live-streamed existence have significantly upped our “on stage” time Today our “front stage” idealized personas are becoming more and more how we define ourselves. As our ability to maintain this supercharged, “photo-shopped” good impression layer is fast evolving, we have less and less time with the off duty “backstage” side of ourselves.³⁷³

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APPENDIX B

[*Maria McFadden Maffucci is editor in chief of the Human Life Review and President of the Human Life Foundation. The following column was published on National Review Online (nationalreview.com) on February 22, 2021. Copyright 2021 by National Review. Reprinted by permission.*]

Don't Forget Andrew Cuomo's Other Coronavirus Victims

Maria McFadden Maffucci

In late April 2020, while field hospitals built with millions of dollars stood empty and the USNS Comfort prepared to leave NYC after having only treated 182 patients, Governor Cuomo announced that further construction on such sites would halt, because they were unnecessary. “Thank God New Yorkers listened, and the projection turned out to be incorrect, because we reduced the spread of the virus with the closings, NY PAUSE, etc.,” Cuomo said on April 21. “Did you need the beds? Yes. You needed the beds because that was the projections. We stopped any new construction when we saw the rate starting to stabilize.”

We know now that this “stabilization” for hospitals involved sending contagious individuals back to nursing homes, where they would infect others. But it wasn’t just nursing homes. Cuomo’s edicts put another vulnerable population in inexcusable peril: New Yorkers with intellectual and developmental disabilities (IDD) living in group homes. A study released in June in *Disability and Health Journal* titled “Covid-19 outcomes among people with intellectual and developmental disabilities living in residential homes in New York state” found that people with IDD living in residential group homes were more than twice as likely to have severe outcomes and deaths as the state’s general population.

The study’s authors write that “circumstances and decisions made early in the pandemic may have contributed to the higher case rate of people living with IDD in residential group homes. Those who tested positive for Covid-19 or who had presumed infection (during the time of limited testing availability) were required to return to their residential setting with instructions to sequester.” You know that notorious March 25 order, sending contagious nursing-home patients back to their homes from hospitals? Well, it had a twin. An April 10 memo from the Office of People with Developmental Disabilities (OPWDD) to operators of certified residential facilities had identical language to the nursing-home memo, to wit: “No individual shall be denied re-admission or admission to a Certified Residential Facility based solely on a confirmed or suspected diagnosis of Covid-19. . . . Additionally, providers of Certified Residential Facilities are prohibited from requiring a hospitalized individual, who is determined medically stable, to be tested for Covid-19 prior to admission or readmission.”

This dangerous directive ignored the realities of typical group-home setups—small homes with shared facilities and no place to isolate. And, adding insult to

injury, such “congregate settings” for the disabled were not designated as “priority recipients” of desperately needed PPE. Under New York State’s Emergency Management Policies, “hospitals, EMS, nursing facilities, and dialysis centers” were eligible for aid with PPE, but not residences for the disabled. A watchdog group, Disability Rights New York, filed a complaint on April 9 with the U.S. Department of Health and Human Services, stating that “New Yorkers with ID/DD living in New York State licensed or certified group homes and other congregate settings are at serious risk of contracting and succumbing to Covid-19. Direct Service Providers who provide essential care for individuals in congregate care settings do not have access to PPE to prevent the spread of Covid-19 to the individuals residing in these settings and many individuals residing in these settings are unable to protect themselves from contracting the disease.”

Meanwhile, families of the disabled had heart-rending choices to make at the start of the pandemic: take their family member out of a residential setting and lose their spot there permanently, or leave them there with no chance of visiting or bringing them home for a visit. For those with intellectual and developmental disabilities, for whom any change in routine can be traumatic, this sudden isolation was terrifying. Many of them were not able to understand the sudden absence of those dearest to them, and many started to regress.

And then, once the rate of infection started to slow and New York began its “unpause” in phases, the special-needs community was once again ignored. Families desperate to reunite with their loved ones were told that there was as yet no plan for them and were given the runaround by both OPWDD and the governor’s office as to when they could reunite with their loved ones.

Ignored by the governor and his administration, distraught families had to take matters into their own hands to help their loved ones and discover the true extent of their plight. The result was the New York Alliance for Developmental Disabilities (NYADD), an advocacy group that now has over 5,000 members. Beginning in May 2020, members wrote letters begging for action to Governor Cuomo, health commissioner Howard Zucker, and the head of OPWDD, Thomas Kastner. Soon they were aided by state legislators, such as Assemblywoman Melissa Miller (R., Atlantic Beach), who led a virtual press conference on June 15, joined by Assemblywoman Mary Beth Walsh (R., Ballston), Assemblyman Ed Ra (R., Franklin Square), and Dutchess County executive Marc Molinaro, to plead for Governor Cuomo to allow family visits at group homes. OPWDD finally came out with guidance and protocols to start opening up the homes in mid-July.

The *Disability and Health Journal* study that tracked Covid-19 outcomes for the disabled relied on voluntary reporting from advocacy organizations because OPWDD had not as yet shared any data publicly. In their calculations, by the end of May, out of 20,431 group-home residents statewide, 1,602 had tested positive, and 240 had died. While there is still no official count, I learned from the Facebook page of NYADD that at a virtual OPWDD stakeholder meeting in November, the number of deaths was stated as 483, and the number of individuals testing positive over

3,000. Similar numbers were reported in the *Albany Times Union*.

As with the elderly, these deaths may be quite underreported. Whatever the number may be, it sadly reflects a state government that has basically no plan to protect those with special needs. For all of Governor Cuomo's words in his press conferences about the worth of each human life, his administration's actual treatment of one of the most vulnerable groups in New York State suggests that his words were just that.

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“We’ve become very good at preaching to the converted, we proliferers. So good at it we may have forgotten what Martin Luther King Jr. tried to teach us—that we have a hidden ally in the hearts of our opponents. And we must never cease appealing to it. They are not our enemies, but our allies in waiting. They have consciences. They’ll come around. I did. . . .

There is something about the miracle that is life, and the moral imperative to respect that dignity . . . that in the end will not be denied. Whether the issue is civil rights in the middle years of the 20th Century or abortion and euthanasia today, a still small voice keeps asking: Whose side are you on? That of life or of death? And commands: *Uvacharta b’chayim*. Choose Life. Not just at the beginning but at the end. For beware: You start off opposing abortion and pretty soon you’ll be expressing doubts about infanticide and euthanasia, too. One thing leads to another. One realization, one moment of connection, one little detail in a news story, and the light will come on. Be careful. That’s all it may take.”

From remarks upon receiving his award, October 2011.

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By the time lengthy congressional investigations confirmed that Planned Parenthood and others involved in fetal-tissue trafficking appeared to have flouted numerous significant laws, the news cycle and the public had, for the most part, lost interest. Daleiden was left to face the wrath of those whose nefarious dealings and grave legal violations he had so graphically exposed—and his fight for justice continues to this day.

—Alexandra DeSanctis, “Big Abortion v. David Daleiden”