

THE HUMAN LIFE REVIEW



VOLUME L No. 1 ♦ WINTER 2024

♦ FEATURED IN THIS ISSUE ♦

The 20th Annual

Great Defender Of Life Dinner

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THE TRAGEDY OF KATE COX

John Bossert Brown, Jr. on

A HOUSE DIVIDED

Chris Humphrey on

ABORTION AND THE MORAL IMAGINATION

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ABOUT THIS ISSUE . . .

. . . This issue marks the first in the 50th anniversary year of the Foundation, which was incorporated in New York City in 1974. Journalist and publisher (at *National Review*) James P. McFadden—whose life’s journey was abruptly re-routed in the aftermath of the *Roe v. Wade* decision—realized both that fighting for the unborn was now his cause, and that every great movement needed a flagship publication. He also wanted to do something tangible to help women find alternatives to abortion. And so the Foundation was created, with purposes both charitable—grants to pregnancy centers—and educational, in what would be the quarterly journal the *Human Life Review* as well as many pamphlets and books.

J.P., who died in 1998, didn’t live to see that his *Review* outlived *Roe*! But we sure did, and here we are, starting our 50th year of uninterrupted publishing, both in print and on our website—www.humanlifereview.com—where you can also find terrific blogs, important news items, inspiring pastoral reflections, and our entire *Review* archive. And it’s a good thing we are: The *Dobbs* ruling unleashed an unprecedented level of fury against our cause—read Stephen Vincent’s “A Case for Rescue” (p. 41) on the peaceful protestors in jail!—as well as a slew of complicated maneuvers on both sides of the debate. We need to be here to break it all down for you and to shore up the defenders of life

J.P. was convinced that the most brilliant minds of the day had to be on the side of life and, after 49 years of publishing great voices for the cause, we agree. Our current collection is an eminent example, and in it we welcome two new contributors. First, the Reverend John Bossert Brown, Jr., whose article “A House Divided” is both an indictment of the support for abortion among so many Christian churches and a plea for Christians to take “discipleship more seriously—in the home, in churches and in every Christian endeavor.” In “Ill-Informed: Abortion and the Moral Imagination,” Chris Humphrey zeroes in on what’s lacking in abortion debates: a cognizant imagination. An embryo might look less “real” than a fully-formed fetus, but both are equally human; “the imagination needs to be informed with facts, and the heart must follow.”

Three superb books are highlighted in this issue, two of them by longtime contributors: Hadley Arkes’s *Mere Natural Law* (Regnery Gateway), reviewed by Tom Shakely in Appendix A; and Edward Short’s *What the Bells Sang: Essays and Reviews* (Gracewing), reviewed by Ellen Wilson Fielding in Booknotes, which also features John Grondelski’s review of Stephen E. Doran’s *To Die Well: A Catholic Neurosurgeon’s Guide to the End of Life* (Ignatius Press). Finally, we complete these pages with something special. Our beloved cartoonist, Nick Downes, came out of retirement to create a brilliant 50th anniversary cartoon (p. 96) at our request. Thank you, Nick, and thanks to our readers for staying with us. Onward!

MARIA MCFADDEN MAFFUCCI
EDITOR IN CHIEF



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INTRODUCTION

As I write, the news that Kate Cox, who unsuccessfully sued for an exception to Texas's strict abortion ban, will be a guest of the Bidens at the State of the Union Speech signals proliferers are in for a pounding between now and the November election. But of course we knew that. "Abortion," writes senior editor William Murchison in "The Tragedy of Kate Cox," was a moral question "until it became a political question, in a world of polls and votes," where children are "numbers in a game of power, where votes count as much as prayers. If not more so." And while anyone who reads beyond the headlines will see in fact that Mrs. Cox's pregnancy (now terminated along with her lawsuit) presented the hardest of hard cases, it is nonetheless sad—even bewildering—that she would allow herself to be used as a pawn in a game of power whose goal isn't to win legal abortion for hard cases but to make even healthy unborn children at any stage of gestation as casually discardable as garbage.

"Laws," Murchison bemoans, "often lead to yelling and screeching and the drawing of lines in the sand." Today many proliferers appear ready to abandon the legal route, at least for a while, arguing that only by first winning hearts and minds will we ever achieve lasting legislative success. But then someone like John Bossert Brown Jr. poses the uncomfortable question: "Why," the retired pastor and author asks in "A House Divided," which follows Murchison, "should we think that the world will pay attention to the sanctity of life if substantial numbers of Christians fail to take it seriously?" In fact, millions of them already "accept the *legality* of abortion." Brown cites recent surveys showing over 50 percent of American women who have abortions "identify as Christians," and of these "40 percent identify as Catholic and Evangelical," findings that "constitute a tragedy of epic proportions" and "are particularly lamentable because the sanctity of human life is rooted in the Christian faith—in the biblical story, in the Christian worldview." Abortion, he reminds us, "was not all that rare in the ancient world."

Brown believes widespread secularization has produced "a *disenchantment* of reality" in which "the preciousness of life, the wonder of a child being knit together in her mother's womb have been ignored and denied." Chris Humphrey, in our next article, is thinking along similar lines. Answering those—many of them Christian—who still vaguely refer to "clumps of cells" and "blobs of tissue," he writes: "There could be no *partially human* incarnation: God the Son became man at conception." It is, he insists, "the imagination that fails to see the very young, individual human being as one of us, especially when some action is under consideration, like abortion." In "Ill-informed: Abortion and the Moral Imagination," Humphrey, who holds a PhD in philosophical theology, gives readers a spirited overview of traditional Christian thought regarding abortion (including sharp comments on how Judith Jarvis Thomson's notorious essay depicting the unborn child as a "parasite" is reflected in cultural products such as the film *Alien*). Humphrey is also a co-founder of Vision for Life, an organization that works to expand the reach and appeal of those pregnancy care centers where women receive counseling that "informs their

thinking about pregnancy and abortion with morality” and helps them “to imagine being mothers of these children.”

Lyle Strathman, whose precise argumentation bespeaks his engineering background, opens his article quoting a series of negative responses to the *Dobbs* decision from leaders of several Western nations. “That the democratic world so explicitly expressed its indignation with the revocation of *Roe v. Wade*,” he observes, “indicates just how deeply legalized abortion has infected the soul of humanity.” The *Dobbs* court, he says, could have extended protection to unborn children “but lacked the courage to do so,” showing instead “more concern for the appeasement of the people-at-large than for the truth regarding a pre-born person’s personhood and unalienable right to life.” In “Personhood Refutes Legalized Abortion,” Strathman draws on history, science, and philosophy—he even recalls “the seeming attempt by Justice Blackmun to entrap the Catholic Church into some kind of conciliatory pro-abortion stance”—to make a compelling case that while “abortion is immoral . . . legalized abortion is criminal.”

Alas, as Stephen Vincent relates in “A Case for Rescue,” the “criminals” in our abortion-obsessed polity aren’t the baby killers but “the brave men and women who stopped abortions for a few hours in one notorious late-term death center in the nation’s capital” over three years ago. The nine “rescuers” were convicted last summer of violating the FACE Act and immediately jailed—they have been awaiting sentencing ever since. The most famous of them is Joan Andrews Bell, age 75, whose husband Chris, when asked by Vincent if his wife hadn’t “done enough over the years,” answered that “There’s no such thing as ‘done enough’ when babies are being slaughtered.” The case *against* rescue, Vincent writes, “is wholly rational and acceptable . . . Yet the case for rescue is rational as well.” In a statement quoted in the article, Lauren Handy, convicted and jailed along with Bell, chastises those in the pro-life movement who now consider her “useless because I am behind bars.” Rescuing, she counters, “is about love. Loving the most useless, abandoned, and unwanted without fear of punishment.”

Handy figures prominently in the following interview with Terrisa Bukovinac, “a progressive pro-life Democrat” who tells the *Review*’s Madeline Fry Schultz that she’s running for president to disrupt the Democratic Party and because “as a federal candidate, I can amplify the pro-life message to the American people by running uncensored ads about the babies that I found.” She and Handy made headlines two years ago after they convinced a “medical waste” truck driver to let them take one of several boxes collected from behind the same abortion clinic in DC that Bell and Handy were subsequently found guilty of “conspiring” to disrupt. Opening the box at Handy’s apartment, they discovered the remains of 115 aborted children—some of them, she says, appearing to have been “killed illegally” or “killed legally but past the point of viability.” In Bukovinac’s telling, it’s a riveting story, the details of which have been so distorted in media accounts that even “a lot of people in the pro-life movement just cannot fathom the hell that we were in during that time.”

Thirty years ago, Wesley Smith warned about the growing respectability of

euthanasia in a *Newsweek* column that was reprinted soon after in this journal (Fall 1993). It wasn't long before Smith, at the invitation of founding editor J.P. McFadden, started contributing articles documenting the West's disturbing re-embrace of eugenics and so-called mercy killing—in 2008 the Human Life Foundation named him a Great Defender of Life. Most *Newsweek* readers, Smith recalls in our final article, “accused me of engaging in alarmist slippery slope argumentation,” and “even those who agree that assisted suicide should not be legalized blithely assured me that it would never come to organ harvesting or mercy killing of those without a good ‘quality of life.’” How wrong they were: “Once the act of eliminating suffering by eliminating the sufferer is redefined from a crime to a beneficent medical intervention,” he writes in “Euthanasia Poisons People and Societies,” “there is no limiting principle.” Only, as he shows us here, a raging cultural infection in the Western world.

* * * * *

“Euthanasia advocates,” writes John Grondelski in Booknotes, “even those who are agnostic or flat-out deny that an afterlife exists, call for ‘death with dignity.’” But is mercy killing dignified? Is it merciful? Stephen E. Doran’s *To Die Well: A Catholic Neurosurgeon’s Guide to the End of Life* “has something for all people of good will,” Grondelski explains, “since much of Doran’s discussion of ethical issues connected with dying is rooted in natural law principles accessible to all.” Senior editor Ellen Wilson Fielding heartily recommends *What the Bells Sang*, a “hefty collection” of work—some of it originally published here—by longtime *Review* contributor Edward Short. His “trustworthiness as both a moral and literary guide,” Fielding says, makes it “a perfect ‘dipping’ book—readers can confidently follow their fancy in reading this or that essay or review in any or no order, and they will be sure to find gold.” Tom Shakely’s review of Hadley Arkes’s *Mere Natural Law*, originally published in the *American Conservative*, is reprinted in Appendix A. From the Website features Diane Moriarty on the “progressively flailing logic of the pro-abortion argument” and Brian Caulfield on why “the March for Life never disappoints.” Appendix B carries another website blog, “Who Cares about Britney Spears?” by the Foundation’s 2021 Great Defender of Life Marvin Olasky. And speaking of . . . this issue also includes speeches by our 2023 GDL honorees Thomas Brejcha and George McKenna and photographs of dinner speakers and guests. You can also take an online seat at the table (www.humanlifereview.com/great-defender-life-dinner/). Enjoy!

ANNE CONLON
EDITOR

The Tragedy of Kate Cox

William Murchison

For her abortion at 20 weeks—five weeks longer than allowed under Texas law—Kate Cox left the state. Where she went I don't know, nor have I really attempted to find out. Quite likely New Mexico, whose hospitals teem, as I have read, with Texas women desiring to refute the seeming obligation of motherhood.

That is not the point. The point is the tragic light that bathes her story in the post-*Roe v. Wade* era.

If “post” is the word. Which it may not be, now or for a long time.

The cerulean, morally fresh world that many had hoped would follow the demise of *Roe* has not—if I may put it so—taken shape in the manner expected.

Life and death are larger, more terrible things than we think. There is no easy way, sometimes, of telling them apart. Which is why some of us tremble as we consider the matter of Kate Cox and the child she considered herself unable to deliver. Or just unwilling. It came to the same thing.

I doubt at this point that Kate Cox, Texas housewife, requires widespread introduction. She is young—31—and happily married, we infer, with two young children. The third child she and her husband conceived was found in November 2023 to be afflicted with full Trisomy 18—a chromosomal abnormality. Doctors told her the child would likely die soon after birth.

Kate Cox and her husband sought the abortion from which Texas law theoretically disqualified her. She was five weeks past the 15-week-deadline barring abortion save in very rare cases, mainly touching threats to the mother's life. “I do not want my baby arriving in this world,” said Mrs. Cox, “only to watch her suffer.” The Coxes quoted Kate's doctors' view that carrying the pregnancy to term, whatever the fate of the baby, would undermine the mother's health and “future fertility.” In which claim there was nothing novel from the standpoint of all who, over the long years of abortion conflict, grew used to the clamor for exceptions.

A state judge decided in Kate Cox's case the exception called for was legitimate—never mind the law or the intentions of those who passed it. Kate Cox was entitled to her abortion.

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.

But that was not all. Under the prodding of State Attorney General Ken Paxton, the state Supreme Court (100 percent Republican, as newspaper accounts helpfully reminded readers) could not be lured along this trail. Mrs. Cox's doctors had not asserted that her life was at stake. The doctors presented, rather, "a good faith belief" that an exception to a law written for 30 million Texans should be entertained in the case of one of those Texans.

The court called on the Texas Medical Board to dig into the finer medical points and elucidate. Which invitation the board has scrupulously side-stepped on the grounds that providing "more clarity" to the matter "is beyond the scope of what we as an executive agency can do."

No doubt. Which leaves the matter, here on this earth, here in the great state of Texas, to precisely whom? To you? To me? I should run as if pursued by the Furies—and at my age I do well to totter—were I told resolution of the moral equation rested in my palm and 10 fingers. There is something deadly wrong here. Something fierce and hard is loose among us and promises us no rest.

On the great question of unborn human life—never mind the overdue burial of *Roe v. Wade*—the various understandings of our society fail to interlock. Never mind so much what judges and lawmakers and governor say and do. Our moral norms are out of kilter. They fail to mesh in any generally constructive fashion.

Here we are: on one side of the playing field the exponents of abortion more or less on demand; on the other side, the defenders of life in all its human forms and shapes and prospects; the crowd as a whole fleshed out by the many, the very many, who adhere to both sides, to one degree or another. Kate Cox, loving mother of two, as well as abortion supplicant, may be among this latter number. Nothing should surprise us at this stage: which will continue, it seems to me, until experience, and moral renovation at many levels, move the matter away from the political realm, where it now festers.

Politics, politics! You can't do with 'em, and you can't do without 'em, least of all in a land—did I mention the United States?—dedicated to democratic republicanism or republican democracy. Rescuing the nation from *Roe v. Wade* meant putting lawmakers in charge of addressing the justice question with respect to abortion.

Putting lawmakers in charge meant, necessarily, commissioning them to stage debates and hearings, draw up legislation, make speeches and cut deals and, of course, praise and denounce and boast and everything else allied with the political calling and its driving force—the quest for power. "O put not your trust in princes," counseled the Psalmist, "or in any child of man; for there is no help in them."

And there we are, like it or not.

Abortion, a matter so close to the whole question of human flourishing, is a moral question. Or was until it became a political question, in a world of polls and votes. Thus the tragedy at which we weep—children, representing the renewal of the human race, looked on often enough as numbers in a game of power, where votes count as much as prayers. If not more so.

The Supreme Court's *Dobbs* decision overturned the piece of judicial mischief an earlier Court gave us in the form of *Roe v. Wade*. Innumerable workers in the pro-life cause expected a turn-around in attitudes toward unborn life. This, while the fearful or unreconstructed in the pro-choice camp studied their watches. How long would a merely legal prohibition last? Not long. While legislators here and there—Texas included—enacted long-overdue protections for unborn life, voters in Ohio and elsewhere voted to turn back the clock, relaxing, instead of tightening restrictions on abortion.

The point to note here is the centrality of politics in the post-*Roe* maneuverings. One side was going to do it one way, the other another way. So there!

The challenge for pro-life holders of office has been the enduring nature—already referred to—of division in voter minds and voter hearts. You can't win 'em all. But you can win majorities. Here and there. Maybe. For a while. So laws get duly passed, with scant reference to shall we say the central issue—the right or the wrong of seizing one of God's creations from the womb and declaring one small life . . . extinct. Which sounds, I admit, like a political quibble. It is where we are—on both sides of the fence. The central question—what is life all about?—lies unaddressed for the most part.

We find we have made human life a political question—the meanest kind of question, once you descend from Aristotelian heights to the grubby world of votes for this, votes for that.

It is an “I want” question. A “give it to me” question. Democratic/Republican politics wasn't designed for the situation we face. It was designed so that roads could get built and navies floated and taxes levied and wars fought to a just end. A tax law carries only some of the cosmic load we bear when life itself is the question before the house.

The end of *Roe v. Wade* has proved the start of a new milieu for questions of personal desire and who gets to resolve them. Such a stage-setting can only be called fitting for an age whose denizens talk less about Truth than about “my truth,” “her truth,” “the truths we never glimpsed until . . .”

The tragedy of Kate Cox is the tragedy in a large and tangible sense of us all: unable to grasp hands, to affirm not just individual or idiosyncratic truths but common ones, instantly recognizable when they come in view; familiar

on account of tales and teachings; written on the heart, as St. Paul and numerous others have made bold to claim.

There oughta be a law, yeah, yeah. We've all said so. But what kind of law and taking what factors into account as fallen humans address the cases, hard and easy, they face in the post-*Roe* era, with half the country incensed against the other half? Laws often lead to yelling and screeching and the drawing of lines in the sand: the excoriation of the other side, muttered wishes for their mental disablement if not already accomplished.

There might yet come upon us a time for listening to each other. Wouldn't that be a sight to behold in an era when nobody likes anybody anymore?

I confess myself ready, willing, and able.



A House Divided

John Bossert Brown, Jr.

Millions of Christians in this country take the issue of abortion very seriously, and they have done much to provide moral and spiritual leadership in the pro-life movement. In the years since the *Roe v. Wade* decision these defenders of life have founded and supported thousands of organizations and ministries to help pregnant women and those wounded by abortion. They have organized marches and protests, conducted research, produced educational resources, and worked on laws and regulations on federal, state, and local levels that would protect the lives of the unborn.

I write as a pastor, now retired. Like other pro-life pastors, I have preached sermons, given talks, counseled women (and men) wounded by abortion, and supported pro-life measures at denominational gatherings.¹ In more recent years I have worked with the National Pro-Life Religious Council, an ecumenical Christian organization founded to support and encourage pro-life teaching and action in Christian churches. Though seldom noted, these pro-life activities—involving Catholics, Evangelicals, Orthodox, and conservative Christians from many denominations working and praying together—have fostered a practical and lively ecumenism. Genuine differences exist, and yet where human life and dignity are concerned there is an enormous common ground shared by those who seek to follow Christ. It is abundantly clear that the heart of the pro-life movement is in the Christian churches of America.²

In all this there is much to be thankful for. And yet there are millions of Christians who accept the *legality* of abortion. A recent case in point involved Catholics for Choice, an Ohio organization which urged support for an amendment to the state constitution that would ensure access to abortion by undertaking a “billboard blitz.” The billboards (30 of them) stated that “63% of Catholics support legal abortion in all or most cases. Vote YES on Issue 1.”³ It is certain that many Protestant Christians also supported this effort.

Even more troubling are the surveys of recent years showing that over 50 percent of the women in the United States who obtain abortions identify as Christians. Of these, about 40 percent identify as Catholic and Evangelical.⁴ This means that, of the sixty-four million abortions since the *Roe v. Wade* decision

John Bossert Brown Jr. is a retired pastor and member of the National Pro-Life Religious Council. He is the author of *Lilies that Fester: Abortion and the Scandal of Christian Discipleship* (Resource Publications, Eugene, Oregon, December 2022).

in 1973, as many as twenty-five million unborn children were destroyed at the behest of mothers (and many, many fathers) who belong to Catholic and Evangelical churches, the most pro-life of Christian communities.⁵ Of equal concern is that many women who have an abortion or think of having one consider their church fellowships to be judgmental and unhelpful.⁶

These findings constitute a tragedy of epic proportions, a picture of a house divided against itself. They are particularly lamentable because the sanctity of human life is rooted in the Christian faith—in the biblical story, in the Christian worldview. In his insightful essay “An Almost Absolute Value in History” (reprinted in the *Human Life Review*, Winter-Spring 1985), the late legal scholar John Noonan made clear that the value of the unborn child was known to the Jews, and inherited and amplified by the early Christians. Both Jew and Christian viewed the unborn child (along with those naturally born) as their neighbor, a being made in the image of God, to be loved and cared for through pregnancy and on through life.⁷ It is an ethic not found in the ancient world, nor in natural law as such. Abortion, though very dangerous for women and invariably deadly for the unborn child, was not all that rare in the ancient world. The unborn child as a fellow human being, worthy of love and respect, was a view of life implicit in Jesus’s commission to the apostles to go into the world and make disciples who, filled with his Spirit, would be obedient to his teaching. That teaching, which remains relevant to this day, comprises what Pope John Paul II referred to as the Gospel of Life.

The Gospel of Life became explicit with regard to abortion and the sanctity of human life in early church writings such as the *Didache*. Moreover, there was a serious effort to put this ethic into practice. The commands to love, the heightened status of women, and the teachings on keeping sexuality within the bounds of marriage—all emphases of Jesus and the early church—made abortion a rarity in the Christian communities. Concern for children was also incarnated in the efforts by many early Christians to adopt children abandoned by the Romans, a practice not that uncommon in the ancient world.

Noonan wrote that the sanctity of life ethic remained a constant down through the centuries. It was not always practiced, yet it remained a command and an ideal which—aided by growing medical insight into the development of the preborn child (and the courageous reporting of certain news journals)—eventually led most American states in the early years of the 20th century to enact laws protecting the unborn child.⁸ In the last century, however, this view of life began to fade, even among Christians.

The question, insofar as these things are true, is why? Why, given the biblical and historic support for the sanctity of human life accepted by every Christian tradition until the 1960s, have such great numbers of Christians, fathers

as well as mothers, chosen to destroy their children?

A number of reasons come to mind—among them the fact that abortion is legal, and for many people (and many Christians), as the Gallup poll showed, it is *morally* acceptable. Another factor is the easy availability and relatively low cost of abortion in many states. The growing secularization of Western culture through the eighteenth, nineteenth, and twentieth centuries is also a major factor.

The ideas of the Enlightenment—such as the disparagement of authority, a hyper-rationality which emphasized the natural to the exclusion of anything supernatural, and an emphasis on individual rights separated from Natural Law and the understanding that all people are created in God’s image—played a significant role. The Enlightenment’s support for science (which largely excluded a religious perspective) contributed to the success of Darwin’s theories and the social Darwinist movement that followed. The higher criticism of the Bible, while of value in seeking a better understanding of biblical texts, their sources and development, was largely undertaken from a secular (scientific) perspective that downplayed or ignored the role of divine inspiration and undermined the confidence of many Christians in the biblical story and worldview. The decline of natural law philosophy, the eugenics movement of the early 1900s, the powerful achievements and authority of materialist science, along with the feminist movement and the sexual revolution in more recent decades likewise contributed to a secularizing cascade.⁹ This cascade then contributed to violence on a monstrous scale in the twentieth century.

I believe it could be said that the secularizing forces of modern times have led to a *disenchantment* of reality, in which the richness, mystery, and beauty of the world—indeed the preciousness of life, the wonder of a child being knit together in her mother’s womb—have been ignored and denied. The effects of secularization, East and West, have been deadly.

Although war, political actions involving mass executions, planned famines, and terror have destroyed hundreds of millions of lives, the most efficient and deadliest source of modern violence has been and remains abortion. It is astonishing and horrifying to realize that, worldwide, well over *one billion* children have been destroyed by abortion since Russia first legalized it in 1920.¹⁰

The authors of the *Worldwide Abortion Report* state that over 130 million of those abortions have taken place in countries long associated with the Christian faith, over 64 million of them in the United States.¹¹ There can be little doubt that the Christian churches of the modern world, in the United States and elsewhere, have not done well when it comes to abortion—not to mention other issues such as the Christian response to the Holocaust.¹²

Yet another factor, I believe, and perhaps the most important, is that

substantial numbers of Christians—Catholic and Protestant—lack a thoughtful understanding of and commitment to the biblical worldview on which the right to life is grounded. Many pastors and churches fail to undertake the spiritual and ethical formation of their people with genuine seriousness. The biblical story given in the Word of God, the history of the Christian Church, the power of the Holy Spirit, and the Christian perspective on fundamental issues such as abortion are too often treated lightly. I know Christians who are devout in terms of worship, Bible reading, and prayer, but who do not want to talk or learn about issues such as abortion or euthanasia because they view them primarily as political issues. Others—perhaps equally devout in terms of personal devotional practices but greatly influenced by the cultural acceptance of abortion—say they favor abortion because they believe that compassion dictates support for women troubled by an unexpected pregnancy.

I came across an article recently in which a black pastor applied the term “post-abortive” to black pastors who do not preach about abortion because someone they know—wife, another family member, or friend—has had an abortion.¹³ The same can be said of a good many white pastors as well. I know a number of Evangelical pastors of whom this is true—one of them a close personal friend.

The point is that too few Christians understand that abortion, understood biblically and theologically, is a grave sin. The losses to the Christian community due to the avoidance of this issue have been great (and continue):

- There has been a widespread disobedience of the command not to kill.
- Millions of unborn children who belong to the Christian community, and might well have helped secure its future, have been destroyed by abortion.
- Millions of mothers (and fathers) have been deeply wounded by their experience of abortion.
- The relationships of these couples (married and unmarried) are often badly shaken, if not broken altogether.
- A Christian mother and father, in aborting their children and thereby harming their own relationship, severely undermine the unity of the Church for which Jesus prayed, a unity that he said was necessary to the credibility of the Gospel.
- The moral community in which the sanctity of all human life is grounded and heralded has been badly compromised.

That abortion is an issue requiring great sensitivity and understanding, given the deep anguish and guilt that has affected so many inside (and outside) the Christian community, is understandable and necessary. Nonetheless, it

should be addressed forthrightly in teaching, preaching, and counseling. Abortion is to be repented of, and the post-abortive mother and father should receive the prayerful and compassionate support they need in finding healing and renewal. (Those needing healing may include family and friends who have also been deeply affected by the abortion.)

Unfortunately, the moral clarity and spiritual power needed to teach and counsel within the pro-life perspective are lacking in the lives of many Christian pastors. The fear of being labeled a right-wing zealot, hurting post-abortive mothers, and dividing their congregation over the issue of abortion are among the concerns that inhibit pastors from speaking out. Many mothers (and fathers) lack the conviction and strength to choose life when an unexpected pregnancy occurs. Further, many congregations fail to provide a welcoming atmosphere in which mothers (and fathers) facing an unexpected pregnancy can find help and understanding. Multitudes of Christians, though believers in Christ, are not truly his disciples who are willing and able to actually speak and act on behalf of the Gospel of Life. That this is so, I consider the scandal of Christian discipleship.

There must be a new reformation in Christian churches, a reformation that fosters the spiritual and moral maturity in which commitment to Jesus Christ as Savior includes an equal emphasis on him as Lord, an understanding that the way of life he taught and modeled relates to all aspects of life, and an emphasis on actually *obeying* what he taught. Only this kind of commitment and obedience can withstand the winds of modern secular culture. This should be the concern of every pastor and every Christian educator. But it should also be the concern of Christian parents.

In discipling the apostles, Jesus called them to be with him. He loved them, and modeled a life he wanted them to imitate. They were with him to observe, to converse, to learn, to think anew about God and what he was doing in the world. Through these experiences and the new way of seeing made possible by the Holy Spirit, he reshaped their worldview and behavior and sent them into the world to make more disciples. Parents have children that they might be with them. The responsibility of parents is to love and enjoy their children—and to care for them, protect them, feed them, toilet them, teach them a language (a complex task many parents do quite well) and moral values along with a variety of other skills that taken together will hopefully develop the character that will prepare their children for life.

Unfortunately, the lives of multitudes of Christian parents—including many from conservative denominations—do not resemble the life that Jesus taught and commanded. Sociologist Christian Smith in his study of youth and young adults noted that by and large the faith of children reflects that

of their parents. If parents are mildly religious, it is likely that their children will share that perspective in later life, and if parents are religiously committed, it is likely that their children will themselves be more committed.¹⁴ The problem is that the ethical values many Christians actually live by, as revealed in a variety of surveys, more closely reflect those of the wider culture than those taught by Jesus. This includes permissive attitudes toward sexuality and abortion.¹⁵ Well-known Evangelical scholar Ron Sider provided his book title *The Scandal of the Evangelical Conscience* with a subtitle in the form of a question: “Why are Christians living just like the rest of the world?”¹⁶ It’s a question worth pondering at length.

But there is hope. Today growing numbers of parents (multitudes in response to the Covid pandemic) are learning to home school. In fact, home schooling—home discipleship—is a responsibility that belongs to *all* Christian parents. Moses provided the charter in his word to his people that accompanied the giving of the Ten Commandments. To paraphrase Deuteronomy 6:1-9, “As long as you live, listen to his laws and obey. Love the Lord your God with heart, soul and strength. Never forget these commands, and teach them to your children, at home and away, at work and at play. Day in and day out.” Parenting and discipling take time. And for many years parents will have far more time available to spend with their children than do their schools (public or private) or their churches. But parents need to make wise use of it. And they can learn to use that time wisely *if* they are motivated by the Spirit of God to take the spiritual formation of their children seriously, in keeping with Jesus’s command to make disciples who will obey what he taught. The future of the pro-life movement depends in good measure on discipling those who will belong to the next generation.

Genuine faith and discipleship cannot be coerced. They take time, humility, and humor. There are no shortcuts to obedience or maturity. In addition, this work must be done by parents (and grandparents) who are making a serious effort to live out the worldview they want their children to embrace.¹⁷ Christian parents must take discipling their children in the worldview of Jesus as seriously as they take the involvement of their children in sports, music, or seeking entrance to a good college.

There are genuine differences among Christian traditions, and these must be acknowledged with respect. Even so there remains a great common ground with regard to the importance of the family, the creation of the universe, the fall, God’s redemption through the life, teaching, death, and resurrection of Jesus, the giving of the Holy Spirit, and the hope of restoration in a new heaven and earth. Included among these great commonalities is the truth that *all* human beings, young and old, black, white, yellow, and red, handicapped

and able-bodied, born and pre-born, are made in the image of God. Motivated by this deep concern for the sanctity of life, an ethic rooted in the biblical story, Catholic, Protestant and Orthodox Christians in recent decades have engaged in a growing, practical, and prayerful cooperation that has saved hundreds of thousands of lives. God willing, this cooperation will continue and flourish.¹⁸

These Christians have helped provide a model of discipleship and service worthy of emulation and support. As Christians and citizens, we must work for changes in the law that will promote a culture of life in which the unborn (indeed, all human beings) are assured of protection and respect. But we must also seek to put our own Christian house in order. It is probable that there will always be Christians who, for one reason or another, will seek an abortion. But it is not unreasonable to think that if discipleship were taken more seriously than it is now—in the home, in churches, in every Christian institution and endeavor—far more lives would be saved than is now the case. And that in so doing, unity among Christians would be deepened and the credibility of the Gospel strengthened.

Why should we think that the world will pay attention to the sanctity of life if substantial numbers of Christians fail to take it seriously?

NOTES

1. I served as a pastor in the United Church of Christ from 1969 until 2015, when our congregation voted out of the denomination due in large part to concern over the pro-abortion stance of the UCC.
2. Though Christians comprise the great majority of proliferators in this country, it is important to note that the pro-life movement includes great numbers of people who share different faith perspectives.
3. Arnold, Tyler. "Catholic pro-abortion group funds 'billboard blitz' ahead of Ohio Issue 1 vote." Available at <https://www.catholicnewsagency.com/255870/catholic-pro-abortion-group-funds-billboard-blitz-ahead-of-ohio-issue-1-vote>. [Accessed 11/7/2023].
4. See Bilger, Micaiah, "Shocking Report Shows 54% of women getting abortions are Christians." Available at www.LifeNews.com/2016/05/13/shocking-report-shows-54%-of-women-getting-abortion-are-Christians. [Accessed 11/11/23]. This article was based on a Guttmacher Institute study published in May 2016 that included information on religious affiliations. Available at <https://www.guttmacher.org/report/characteristics-us-abortion-patients-2014>. Another study done by Lifeway Research reported that 70 percent of women who had abortions identified as Christians, 25 percent Roman Catholics, 17 percent Evangelical. See Aarons, Earl, "7 in 10 women who have had an abortion identify as a Christian," available at <http://ResearchLifeway.com/2021/12/03/7-in-10-women-who-have-an-abortion-identify-as-a-christian>. [accessed 11/11/23].
5. Earls, Aaron. "7 in 10 Women Who Have Had an Abortion Identify as a Christian." Available at <https://ResearchLifeway.com/2021/12/03/7-in-10-women-who-have-an-abortion-identify-as-a-christian/>. This research reflects a Pew Landscape Religious Study that surveyed over 35,000 Americans in all fifty states. [Accessed 11/11/23] Pro-life Evangelical Protestant denominations include: Assemblies of God; Church of the Nazarene; Evangelical Congregational Church; Charismatic Episcopal Church; Lutheran Church—Missouri Synod; Presbyterian Church of America; Southern Baptist Convention. See DiMauro, Dennis, *A Love for Life. Christianity's Consistent Protection of the Unborn*. Eugene, OR: Wipf & Stock. 2008. Appendix, 107—144.
6. Green, Lisa Cannon/ "Survey: Women Go Silently From Church to Abortion Clinic." June 21, 2018. Available at: <https://www.focusonthefamily.com/pro-life/abortion/survey-women-go-silently->

from-church-to-abortion-clinic. [Accessed 20 February 2023]

7. Noonan, John T. "An Almost Absolute Value in History." In *The Morality of Abortion: Legal and Historical Perspectives*. Edited by John T. Noonan, 7-59. Cambridge, MA: Harvard University Press, 1970.

8. The *New York Times* in the late nineteenth century was strongly pro-life. Fox, Robin, "Historical Perspectives on Abortion" in *Affirming Life. Biblical Perspectives on Abortion in the United Church of Christ*, edited by J. B. Brown and Robin Fox, Bechtelsville, PA: UCC Friends for Life, 22-23.

9. Brad S. Gregory argues convincingly that the root of this problem goes even further back, to the Reformation and its aftermath, a historical revolution which opened the door to secularization. See his book, *The Unintended Reformation. How a Religious Revolution Secularized Society*. Cambridge, MA: Belknap Press of Harvard University, 2012. This book, and Hadley Arkes's new book *Mere Natural Law*, should be studied by every Christian, and every American for that matter.

10. Jacobson, Thomas W., and Wm. Robert Johnson, editors. *Abortion Worldwide Report: 1 Century, 100 Nations, 1 Billion Babies*. GIC Publications: West Chester, Ohio, 2018, xi, 45. However, abortion counters.com, puts the worldwide total at over 1,700,000,000 since 1980! A lawyer with years of experience with pro-life litigation told me recently that he thought the number to be over two billion! Whatever the actual number, it is clear that abortion is the most efficient and effective form of violence in world history. While the sheer numbers of abortions are truly incredible, it is also horrifying to note that a large proportion of these unborn children are the victims of unspeakable brutality through poisoning, the use of suction devices, and dismembering, in which these small human beings are torn asunder as though attacked by wild animals. And with no concern for the pain each one of these tiny victims would have experienced.

11. Jacobson, Thomas W., and Wm. Robert Johnson, editors. *Abortion Worldwide Report: 1 Century, 100 Nations, 1 Billion Babies*. GIC Publications: West Chester, Ohio, 2018, xi. See also Ertel, Steven. "64,442,118 Babies Have Been Killed in Abortion Since Roe v. Wade in 1973." Available at <https://lifenews.com/2023/01/09/64442118-babies-have-been-killed-in-abortion-since-roe-v-wade-since-1973>. [Accessed 21 February 2023].

12. In recent decades in the West the marvels of modern communication systems have made the influences of secularization readily available—even for young children—through computers and smart phones. Modern secularism has done much to undermine the confidence of many Christians—conservative as well as liberal—in the truth of the Christian faith, and their willingness to obey its moral teachings. In a book just published, *Lilies That Fester: Abortion and the Scandal of Christian Discipleship*, I view abortion in the context of the Christian response to modern violence, and note that this response in nations with a history of Christian influence has been quite ineffective. The behavior of many Christians is indistinguishable from that of their non-believing neighbors.

13. Trotter, Jack, "The Post-Abortive Culture," *Chronicles*. Vol. 45, No. 11. November 2021, 7-8.

14. Smith, Christian, and Melinda Lundquist Denton. *Souls in Transition*, New York: Oxford University Press, 2009, 261.

15. Diamant, Jeff. "Half of U.S. Christians say casual sex between consenting adults is sometimes or always acceptable." Pew Research Center. Available at: <https://pewresearch.org/fact-tank/2020/08/31/half-of-us-christians-say-casual-sex-between-consenting-adults-is-sometimes-or-always-acceptable/>. Thirty-six percent of Evangelical Christians agreed with this, and 62 percent of Catholics. [Accessed 21 February 2023]

16. Sider, Ron. *The Scandal of the Christian Conscience. Why are Christians Living Just Like the Rest of the World?* Grand Rapids, MI: Baker Books, 2005.

17. Obviously, all Christian teachers (lay and clergy) on every level—churches, elementary and secondary schools, colleges, graduate schools and seminaries—must teach with a concern for discipleship, and practice what they teach. Still, parents who take discipleship seriously for themselves and their children have far more time, and far more opportunities, to teach and model what it means to follow Christ as a disciple.

18. Theologically, one model for this could be Evangelicals and Catholics Together, the organization founded by Charles Colson and Richard John Neuhaus.

Ill-Informed: Abortion and the Moral Imagination

Chris Humphrey

Abortion is largely a problem of the imagination.

That is not to say, of course, that it is an *imaginary* problem. (That is what pro-abortion people would say.) In fact, in all of human history, more human beings have been killed before birth than after. Abortionists have killed most of these human beings in the last 50 years, and most of them have done so in China and India.¹ We are talking of *hundreds of millions* of lives, and currently about 74 million a year worldwide. U.S. abortions are about two percent of the annual total.

The 20th century saw the application of technology to killing on a scale never before known. The Turks used railroads to conduct the Armenian genocide. Hitler learned from them and added the furnaces of the death camps. The air forces of the Second World War saw the effectiveness of carpet-bombing cities and exploited it. In 1945, U.S. Air Force planes dropped atom bombs on two Japanese cities and instantly incinerated about 120,000 people. In 1927, the Russian abortionist S. G. Bykov developed a Scottish invention of suction curettage as a means of abortion, and the vacuum technique soon became dominant everywhere.² While chemical abortion is superseding it today, suction curettage is still the second-most-common method, taking its place alongside all the other technical developments in mass killing of the last century.

So there is nothing *imaginary* about abortion. The other side, however, would maintain that there is: that the “products of conception” in the earliest stages of development are only *imagined* to be human. We have, they say, only a clump of cells, and the half-educated among them will say it is an “undifferentiated” clump of cells. The reality is that differentiation begins immediately—from conception—and continues for weeks. Sex is already determined. At implantation (about 3 to 5 days after conception), there are inner cells that will become recognizably the child’s body, and outer cells that will become the placenta. Oxford scientists tell us that a very rudimentary human

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heart begins beating around 16 days after conception.³

The problem with the imagination is that it cannot always be trusted. It is true that, later in pregnancy, the child looks so much like a newborn that almost everyone recoils in horror at the thought of his or her killing. Early on, however, many have no problem with abortion, because they do not recognize another one of us in the blastocyst or the zygote.

As a logical matter, it is fairly simple: There is no point in human development after conception at which one can say that something *not* fully human is *now* fully human without arbitrariness. That which is in the womb is clearly not an *organ* of the woman's body, or an *excrescence* of that body, or anything else less than another *individual human being*. The continuum of development does not provide any sharp demarcation points that killing would ethically require. Where would we draw a line? Heart beating at 16 days? Brain waves at 20 weeks, or individuated brain waves at 28 weeks?

What about very early on? The infamous 1984 *Report of the Committee of Inquiry into Human Fertilisation and Embryology* (the "Warnock Report") proposed that 14 days after conception should be the "cut-off point," beyond which experimentation on embryos would be forbidden. In one of the papers summarizing the committee's discussion, we read, "Although supporters of this [pragmatic] approach often suggest a cut-off point after which no experiments [on embryos] should be permitted, *these points tend to derive from practicalities* such as the length of time an embryo can, in the present state of knowledge, be sustained in vitro, rather than on any view as to a qualitative difference in the embryo before and after the chosen point."⁴ In other words, the line was biologically arbitrary. Letters written to the committee in opposition to IVF, surrogacy, and embryo experiments outnumbered those in favor of IVF by a ratio of over fifty to one. Seven of the sixteen committee members dissented from the final report's approval of experimentation on embryos.

This line of thought, of whether we have an "unformed" potential human being or a "formed" actual individual in the womb, goes back very far. Aristotle thought that the embryo went through stages of ensoulment (the vegetative, the animal, and the human). So males were fully ensouled at 40 days after conception (as male genitalia were visible at that point in miscarried males) and females were ensouled at 90 days. Where this line of thought was taken up in the early Church, and it was in some quarters, it never authorized abortion, which was rejected entirely.

Conception was recognized in the early Church as the beginning of human life, and the celebration of the conceptions of the Son of God, of the Theotokos (*God-Bearer*), and of St. John the Baptist underlined this recognition liturgically. (There could be no *partially human* incarnation: God the Son became

a man at conception.) It is the *imagination* that fails to see the very young, individual human being as one of us, especially when some action is under consideration, like abortion. St. Basil of Caesarea saw how arbitrary the distinction was between “formed” and “unformed,” writing in one of his letters, “The woman who purposely destroys her unborn child is guilty of murder. With us there is no nice [i.e., hairsplitting] enquiry as to its being formed or unformed.”⁵

Pro-abortion people cannot or will not see the humanity of the unborn, so they focus on the supposed “clump of cells” in early pregnancy, rather than on the child, say, halfway through. The truth is, however, that all of us face a challenge in recognizing, imaginatively, the newly conceived human being as one of us. We pro-life people ourselves grieve a later miscarriage more deeply than an early one. We are more outraged at an abortion in which the child is dismembered late in term than we are at an early chemical abortion. When it comes to the child early in pregnancy, the imagination needs to be informed with facts, and the heart must follow.

Pro-abortion and pro-life people see the early development of the child, but come to different conclusions about its significance. We have a parallel in the human response to our smallness in the grand sweep of things. Some who look at the stars are led to think that human beings are tragic figures. The universe is so big and so incomprehensible, so filled with billions of galaxies—how can we matter, finally, even to ourselves? H. G. Wells, author of the book *The Time Machine*, was such a one. He thought that human beings evolved out of the muck, heroically overcame tremendous odds, and reached a peak of culture in the late 19th century. He portrayed our species, however, as a tragic hero who would eventually disappear as the sun burned out, in a universe empty of meaning.

The Psalmist, of course, comes to the opposite conclusion, expostulating:

*When I look at thy heavens, the work of thy fingers,
the moon and the stars which thou hast established;
what is man that thou art mindful of him,
and the son of man that thou dost care for him?
Yet thou hast made him little less than God,
and dost crown him with glory and honor (Psalm 8:3–4).*

The same data—different imagined futures.⁶

We all know women who delight in the changes their bodies are going through during pregnancy, are fascinated to see photos of the development of limb buds, fingers and toes, and are moved to see their children on the ultrasound screens, the hearts thumping away at 110 beats per minute. The child is a gift to them.

You may also have seen the photo of the young women holding signs describing the unborn child as a “parasite” or a “leech.”⁷ There is a small school of thought (associated with an essay by Judith Jarvis Thomson) that views the child as an intruder, a freeloader, imposing his or her burdensome demands unilaterally on the woman.⁸ If you saw Ridley Scott’s 1979 science fiction horror movie *Alien*, you may remember the sequence in which the Executive Officer, John Hurt as Kane, is overtaken bodily by the creature, seemingly recovers, and then is taken ill. He lies on his back on a table surrounded by colleagues, when a small reptilian entity rips its way out of the man’s mid-section. (This was brilliantly parodied in Mel Brooks’s 1987 film *Spaceballs*, incidentally.) It struck me then that this was close to the way that pro-abortion supporters view pregnancy: The child is not just an adversary, an enemy, but unrecognizable, a monster.⁹

The same data—different imaginations.

The story of our beginnings as individuals can be read two ways. The story of the beginning of the world can be read several ways, too. The Bible alludes to a different creation story than it presents in Genesis 1. This other story is of a cosmic battle against a *female* monster, a dragon, *Tiamat*. The language of “without form and void” in Genesis 1 is etymologically connected to the chaos monster of the Babylonian story, the *Enuma Elish*, as is the term “the deep” (tehōm) over which the Spirit of God broods. The dragon is a figure of evil who sums up our deepest fears—chaos, the revolt against God and goodness, the triumph of disorder. The dragon-slaying of the *Enuma Elish* re-appears in the story of St. George and the dragon, in the Sleeping Beauty story, and even in the 1986 sequel *Aliens* (in which the Sigourney Weaver character, a female St. George, calls the monster “*you bitch*”). After acknowledging this other story, however, the Bible gives no credence to the idea that the world was created through cosmic battle. Instead, God simply *speaks*, like a king—“Let there be light!”—and it is *done*. Similarly, there is no monster in the womb, no threat to our existence, but another one of us, an “image of the image of God.”

Let’s consider further the child as “parasite.” The early Church Fathers were divided over whether God created matter before he created the world—this would be the mysterious “deep,” the “without form and void,” over which the Spirit of God “brooded.” Some said He did, some not. In Aristotle, anything without form does not “exist,” which in its root meaning is “to stand out.” (Not surprisingly, Christian theologians will say that God, the source of anything that exists, is Himself *beyond* existence; he is not just the greatest Being at the top of the Great Chain of Being.) In the philosophical tradition, matter without form does not “exist” in the world either: It is the

idea of body without soul; the idea of potentiality without actuality. Though it can be conceived, perhaps, as the absence of everything, in a kind of *via negativa*, it is only “nothing.”

Yet in its amorphous character, *nothing* paradoxically has power. For Augustine, wrestling with the question of how evil could arise in a world created good by a good God, evil is possible because created beings “are subject to change, because they were made not out of his [God’s] being but *out of nothing*.”¹⁰ “To this highest existence [God], from which all things derive their existence, the only contrary nature is the non-existent.”¹¹ (This is a slip of the pen: How can the *non-existent* have or be a *nature*?) Evil, like silence or darkness, is known only by absence: “The ‘ideas’ presented to the intellect are observed by our mind in understanding them. And yet when these ‘ideas’ are absent, the mind acquires knowledge by not-knowing. For ‘who can observe things that are lacking.’”¹²

So in the Western theological, philosophical, and artistic tradition, the moral and ontological or existential ambiguity of *Nothing/Matter* keeps reappearing.¹³ The most famous discussion in the last century was that initiated by Martin Heidegger, with whom the expression “the Nihil that negates” is associated.¹⁴ (The 1979 German book¹⁵ and the film based on it, *The NeverEnding Story*,¹⁶ imaginatively borrow “The Nothing” from Heidegger, a cloud which moves, miasma-like, over the terrain, destroying all.) One thinks, too, of Nietzsche, who famously said, “When you gaze long into an abyss the abyss also gazes into you.”¹⁷ The greatest Protestant theologian of the last century, Karl Barth, wrote of evil under the heading, “The Fall of the Shadow of Nothingness.”¹⁸ The formless, that which in some sense does not exist, is the source of our *dread*.

How is this connected with abortion? In our imaginations, the lower we go down the phylogenetic scale, the Great Chain of Being, the closer we get to the ontologically and morally ambiguous matter/nothing. (Think of how people dreaded the unseeable coronavirus, and death.) We associate evil with the unformed, the nothing, the mutable, monstrous blob, the small and insect-like. Some of us have pet mice, but who has pet beetles? I submit that many on the other side view the developing child not with scientific curiosity or wonder—no Psalm 139 for them—but as evil, and “nothing,” in its relatively unformed character. One young woman at a pregnancy medical center saw her developing unborn child on the ultrasound screen and F-bombed away with anger at top volume. (She went on to have her baby, happily, and deny that she ever really thought about abortion.)

It is hard to know which comes first: Does a poisoned, fearful imagination deform morality, or does an ill will poison the imagination with exculpatory

false fears? In any case, what we have here is *de-personalization*. We know about deliberate depersonalization from the recent past. The Nazis published millions of copies of a work titled *The Sub-Human*.¹⁹ Among other things, it characterized the Jew as resembling others, but with a different brain and so forth. With the pro-abortion lobby we see the same deliberate depersonalization, as in the euphemistic phrase “*products of conception*,” which has been replaced recently with the equally obscuring term “*the pregnancy*.” Even the use of the technical term *foetus* can play a role in this depersonalization. All things being equal, if someone uses the term, he should refer to the mother not as the *woman*, but as the equally technical and distancing term *gravida*. We know why that rarely happens.

Some people who see pictures of the developing child early in life have the scales drop from their eyes. One woman professor at the liberal Protestant Faculty of Religious Studies at McGill University decades ago saw a photo of the feet of a 10-week-old child and was immediately “converted.” (From what I have seen, most academics who “get it” don’t have the courage to say so, unfortunately.) My own “enlightenment” was similar to hers: It was pictures that did it. Others are persuaded by the logical argument I gave above about the continuity of identity from conception, and their hearts follow their heads.

Our imaginations can’t be trusted entirely, but we imagine things, whether we like it or not. We will fill them with one thing or another, despite ourselves. In the catholic traditions, our icons or statues fill our imaginations with holy people and holy stories. The things we see and the stories we hear in church and read in the Bible lead us to praise and thanksgiving; they have a doxological and eucharistic end. The Psalmist was overcome by the evils of his day, and the lack of divine judgment, until he went into the sanctuary.

*But when I thought how to understand this,
it seemed to me a wearisome task,
until I went into the sanctuary of God*

...

*When my soul was embittered,
when I was pricked in heart,
I was stupid and ignorant,
I was like a beast toward thee.
Nevertheless I am continually with thee;
thou dost hold my right hand.
Thou dost guide me with thy counsel,
and afterward thou wilt receive me to glory (Psalm 73:16-17, 21–24).*

Worship can change how we think about everything. In the words of the Orthodox liturgy, the “Heavenly King, the Comforter, the Spirit of Truth,”

can change beasts into men and women.

Sometimes the moral imagination is formed and informed by *action*. When Jesus was asked, “Who is my neighbor?” He responded with the story of the “Good Samaritan,” as we know.²⁰ There is a “moral” that can be derived from that story, beyond the virtue of helping somebody in need: It was the despised *Samaritan* who did what God approved, and whom we are to imitate. So my neighbor is my traditional enemy, or as current fashion has it, “the Other.” What is interesting for us is that the Lord Jesus Christ did not answer the question. In place of the abstract, theoretical “Who is my neighbor?” he asked his interlocutor in turn, “Which of these . . . *proved neighbor* to the man who fell among the robbers?”

We have learned that people who are not yet “pro-life” in their thinking, but do something supportive for a pro-life cause, will bring their thinking on abortion into line with what they have done. Our thinking about abortion can be informed by *moral action*.

There are about 2,700 pregnancy help organizations in the U.S., most of them run by Evangelical Protestants. Women get information, free pregnancy tests and ultrasounds, the facts on pregnancy and abortion, and practical and material help with becoming mothers. (Incidentally, it is quite common for women, when they see their children on the ultrasound screen, to say, “I had no idea.” They are surprised at how developed their children are, even at 6 weeks. About 80 percent choose life.) The counseling the women get informs their thinking about pregnancy and abortion with morality, obviously. They also are helped to *imagine being mothers* of these children. They give these centers the highest satisfaction ratings. They are deeply grateful for the help they received in having their children, rather than aborting them.

A 2018 poll of religious groups showed that 57 percent of U.S. adults thought that abortion should be legal in most or all cases.²¹ The percentages of most Christians were below this: For example, 48 percent of Roman Catholics held this view, while 30 percent of those belonging to the Southern Baptist Convention did. For people who, officially at any rate, believe that God became a man in the womb of the Virgin, the figures are disturbing. These are the young lawyer who asked Jesus, “Who is my neighbor?” The matter is academic, but serious, and they are happy to give their opinion.

Some people can’t see their neighbor in the zygote. They know the issue is “serious,” but they have not become informed about it, nor thought much about it. They have bought the “blob-of-tissue” claim. They also imagine that the woman is simply pitiable, and see abortion as a necessary solution to an unfortunate, pathetic situation.

If they become actively involved in helping women actually facing an unexpected pregnancy, their imagination can be informed with concrete reality. Most women thinking about abortion feel they have no choice. In a 2018 survey, over 70 percent felt pressured to have an abortion, often by their partner.²² In 2020 over 60 percent were mothers of another child or children; over 40 percent had had at least one abortion before.²³ The stories are as varied as the people. Trouble in relationships and financial anxieties are the commonest reasons abortion is pursued. A woman in a situation like this views abortion as *the least bad option*. Often she has nobody who will come alongside her, to help her see—to imagine—a way forward that is right and good, with no regrets, no matter how difficult. The people at the pregnancy centers do this.

So how might we “prove neighbor” to the mother and the child?

- Read stories of women who were faced with an unexpected pregnancy. You can find them on the Heartbeat International website, at <https://www.heartbeatinternational.org/lives-saved>. If you are clergy, share them in your parish bulletin.
- Add a regular petition for women facing a crisis pregnancy to a litany in the Mass, Divine Liturgy, or prayers of the people.
- Get to know a local pregnancy help organization. Take groups from your church there for a tour.
- Educate your parish gradually over time. Invite the executive director from a pregnancy help center to speak at your coffee hour or other parish event.
- Support the local pregnancy help organization materially or financially. (They usually are happy to receive new children’s clothes, diapers, etc.)
- Volunteer or encourage others to volunteer at a center.
- Create a church resource center for women in your community who need diapers, baby clothes, baby food, car seats, and so forth.
- Create a support group for young moms, especially single moms in the community, and involve volunteer moms from your parish to help one-on-one.

Abortion is largely a problem of the imagination. Not everyone sees instantly the reality that children in the womb are our neighbors too, made in the image of God. A woman can’t imagine that there is a way forward if she has this baby. We can *all* see women in need, however. We can help her see that God cares for her and her baby, and that there *is* a way forward. By using your imagination, you may be able to help fellow Christians prove neighbor to both the moms *and* the babies.

NOTES

1. Abortion numbers in China and India dwarf those elsewhere, and the total number of abortions since the 1960s dwarfs deaths from wars (and all other homicides) from the dawn of history. A summing of deaths of combatants (“geometric mean estimates”) in all recorded wars renders 347 million (“List of Anthropogenic Disasters by Death Toll”—Table from “Wars and Armed Conflicts,” Wikipedia, https://en.wikipedia.org/wiki/List_of_anthropogenic_disasters_by_death_toll, accessed 11/18/2023). In 2013, the *Financial Times* reported that “Chinese doctors have performed more than 330m abortions since the government implemented a controversial family planning policy 40 years ago.” See Simon Rabinovitch, “Data reveal scale of China abortions,” March 15, 2013. One source (<http://www.numberofabortions.com>) gives a credible total number of abortions worldwide since 1980 as over 1,715,000,000.
2. “Vacuum Aspiration,” Wikipedia, https://en.wikipedia.org/wiki/Vacuum_aspiration, accessed 11/18/2023.
3. “First of our three billion heartbeats is sooner than we thought,” University of Oxford, October 11, 2016 (<https://www.ox.ac.uk/news/2016-10-11-first-our-three-billion-heartbeats-sooner-we-thought>).
4. Sarah Franklin, “Developmental Landmarks and the Warnock Report: A Sociological Account of Biological Translation,” *Comparative Studies in Society and History*, 61:4, October 2019, pp. 743–773 (<https://www.cambridge.org/core/journals/comparative-studies-in-society-and-history/article/developmental-landmarks-and-the-warnock-report-a-sociological-account-of-biological-translation/BECEB621515E38762B6DFFAF0BDAB0624>; DOI: <https://doi.org/10.1017/S0010417519000252>).
5. Letter 188, “To Amphilochius, concerning the Canons,” <https://www.newadvent.org/fathers/3202188.htm>
6. I am indebted to C. S. Lewis for the observation of the contrast here, though I don’t recall where he draws it.
7. If one conceives of the relation from the start as adversarial, this governs perception: “The author proposed the hypothesis that in the case of mammals, ‘the fetus is essentially harmful to the mother,’ and that the parasitic fetus grows by skillfully evading the mother’s foreign body exclusion mechanism” (Yoshihiko Araki, “Embryos, cancers, and parasites: Potential applications to the study of reproductive biology in view of their similarity as biological phenomena,” in *Reproductive Medicine and Biology*, 2022 Feb 11;21 (1): e12447 [doi:10.1002/rmb2.12447. eCollection 2022 Jan-Dec.]).
8. Judith Jarvis Thomson, “A Defense of Abortion,” in *Philosophy and Public Affairs*, 1971, 1 (1): 47–66, ISSN 1088-4963, JSTOR 2265091.
9. The symbolism of pregnancy and the monstrous in *Alien* has been explored by Barbara Creed, *The Monstrous-Feminine: Film, Feminism, Psychoanalysis* (London: Routledge), 1993.
10. *The City of God*, translated by Henry Bettenson (Baltimore, Maryland: Penguin Books, 1972), Book XII, Chapter 1, p. 472 (emphasis added).
11. *Ibid.*, Chapter 2, p. 473.
12. *Ibid.*, Chapter 7, p. 480.
13. Anselm’s interlocutor in *The Fall of the Devil* asks the question, “What it is that we dread when we hear the name ‘evil,’ and (since evil is nothing) what causes the works which injustice . . . seems to cause” (Chapter 26). Pursuing the question of the source of evil, Anselm makes a tacit admission of evil’s irrationality or surd-like character: The Devil chose evil “only because he willed [it]. For this willing had no other cause (*causa*) by which in any respect to be driven or drawn; rather, it was an efficient cause of itself—if this can be said—and its own effect” (Chapter 27; cf. the existential encounter with the mystery of evil in Romans 7:22ff.).
14. “No-thing—what can it be for science except a horror and a phantasm?” (“Introduction to ‘What Is Metaphysics?: Getting to the Bottom of Metaphysics’ (1949)” in a collection of Heidegger’s writings entitled “(1) *What Is Metaphysics?* (1929) (2); Postscript to *What Is Metaphysics?* (1949 [1943]) (3) Introduction to *What Is Metaphysics?: Getting to the Bottom of Metaphysics* (1949),” translated by Miles Groth (<https://wagner.edu/psychology/files/2013/01/Heidegger-What-Is-Metaphysics-Translation-GROTH.pdf>), p. 37. There is a structural parallel between Augustine’s and Anselm’s treatment of the mystery of the defect of the will, and Heidegger’s treatment of the mystery of “nothing”: “For one last time now the objections of our intellect would call a halt to our search, the legitimacy of which can be demonstrated only through a fundamental experience .

. . of no-thing”; “Dread reveals no-thing”; “That existence is pervaded by nihilating behavior attests to the permanent and indeed obscured manifestness of no-thing that dread originally discloses” (ibid., pp. 41, 44, 53; ellipses represent the original German term). Thus this mysterious *nothing* comes back to haunt us.

15. Michael Ende, *Die unendliche Geschichte* (Thienemann Verlag, 1979).

16. Directed by Wolfgang Petersen, 1984.

17. *Beyond Good and Evil* (1886), Aphorism 146.

18. Church Dogmatics, III/3.

19. “Der Untermensch,” or “The Sub-Human,” was a 50-page pamphlet published in 1942, portraying the Russians (who were understood largely as under the sway of “Judeo-Bolshevism”) as less than fully human. About 3,861,000 copies were printed in German, and it was translated into Greek, French, Dutch, Danish, Bulgarian, Hungarian, Czech and seven other languages (<https://en.wikipedia.org/wiki/Untermensch>).

20. Luke 10:25–37.

21. David Masci, “American religious groups vary widely in their views of abortion,” Pew Research Center, January 22, 2018; <https://www.pewresearch.org/short-reads/2018/01/22/american-religious-groups-vary-widely-in-their-views-of-abortion/>

22. Jonathan Abbamonte, “Many American Women Have Felt Pressured into Abortions, Study Finds,” Population Research Institute, January 24, 2018, <https://www.pop.org/many-american-women-felt-pressured-abortion-study-finds/>

23. CDC, “Abortion Surveillance – United States, 2020,” Surveillance Summaries, November 25, 2022, 71(10);1–27; Tables 8 and 9, https://www.cdc.gov/mmwr/volumes/71/ss/ss7110a1.htm#T8_down



“I begged him not to wear that t-shirt.”

Personhood Refutes Legalized Abortion

Lyle R. Strathman

The joy experienced after *Dobbs v. Jackson Women's Health Organization* refuted and overruled *Roe v. Wade* was quickly dashed when President Biden promptly deplored the Supreme Court's decision, a condemnation that leaders from other democratic nations were quick to join:

Joe Biden condemned the supreme court's decision to overturn *Roe v Wade* on Friday, saying the conservative justices' ruling to eliminate the federal right to abortion access represented "a realization of an extreme ideology and a tragic error."¹

* * * * *

The international community is speaking out after Friday's landmark decision by the U.S. Supreme Court to overturn *Roe v. Wade*, marking a major change in abortion rights in the United States.

UNITED NATIONS: UN Secretary General spokesperson Stephane Dujarric on Friday reiterated the organization's position on abortion: "That sexual and reproductive health and rights are the foundation of a life of choice, empowerment and equality for the world's women and girls." UN High Commissioner for Human Rights Michelle Bachelet called the ruling a "major setback."

UNITED KINGDOM: U.K. Prime Minister Boris Johnson said Friday, according to the Associated Press. "It's another jurisdiction. I've always believed in a woman's right to choose and I stick to that view."

SCOTLAND: "One of the darkest days for women's rights in my lifetime," First Minister of Scotland Nicola Sturgeon said Friday.

CANADA: "The news coming out of the United States is horrific." Canadian Prime Minister Justin Trudeau said. "No government, politician, or man should tell a woman what she can and cannot do with her body," he continued.

SPAIN: "We cannot take any rights for granted," Spanish Prime Minister Pedro Sánchez said, in a tweet translated to English. "Social achievements are always at risk of going backwards and their defense has to be our day to day. Women must be able to decide freely about their lives."

NORWAY: "The right to abortion can either be banned or tightened in several US states after the US Supreme Court has now overturned the historic ruling from 1972 that surely

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American women have this right,” Norwegian Prime Minister Jonas Gahr Støre said, in a tweet translated to English. “This is a serious step backwards for women’s rights!”

FRANCE: “Abortion is a fundamental right for all women,” French President Emmanuel Macron said, in a tweet translated to English. “It must be protected. I express my solidarity with the women whose freedoms are today challenged by the Supreme Court of the United States of America.” “Appalling: the US Supreme Court’s revocation of the right to abortion represents a major setback for fundamental rights,” French Foreign Affairs Minister Catherine Colonna wrote Friday.

BELGIUM: “Very concerned about implications of the decision on *Roe v. Wade* and the signal it sends to the world,” Belgian Prime Minister Alexander De Croo said. “Banning abortion never leads to fewer abortions, only to more unsafe abortions. Belgium will continue to work with other countries to advance Sexual and Reproductive Health and Rights everywhere.”²

These remarks by the leadership of nations with a democratic foundation convey how culturally embedded legalized abortion has permeated the democratic world: *not a single word of consideration for the life of pre-born persons*. That the democratic world so explicitly expressed its indignation with the revocation of *Roe v. Wade*—even representatives from the United Nations governing body joined the democratic throng—indicates just how deeply legalized abortion has infected the soul of humanity. This worldwide spread and acceptance of the *Roe v. Wade* hypocrisy presages that the legalized abortion abomination will not be quickly or easily rectified.

Socially and historically, *Dred Scott v. Sandford* and *Roe v. Wade* are the two most repugnant opinions ever promulgated by the United States Supreme Court. Both represent attempts to appease the want of the people-at-large by democratic decrees that usurp truth—both indiscriminately dismissed the notion of personhood for a vulnerable segment of human society, and each plunged the United States into social convulsion. *Roe v. Wade*—legalized abortion—is the most heinous hypocrisy ever perpetrated against humanity; it is judicially, legislatively, and politically uncivilized; legalized abortion is inhumane.

Inasmuch as the *Roe v. Wade* court denied the personhood of pre-born persons, the *Dobbs* court could have judicially reestablished their natural right to personhood but lacked the courage to do so. Thus, even though *Dobbs* refuted *Roe v. Wade*, it failed to refute legalized abortion. This glaring omission in *Dobbs* left intact some sort of legalized abortion facilitation at the discretion of the individual states or whatever. Sadly, the preamble to *Dobbs* suggests the court had more concern for the appeasement of the people-at-large than for the truth regarding a pre-born person’s personhood and unalienable right to life:

Abortion presents a profound moral issue on which Americans hold sharply conflicting views. Some believe fervently that a human person comes into being at conception and that abortion ends an innocent life. Others feel just as strongly that any regulation of abortion invades a woman's right to control her own body and prevents women from achieving full equality. Still others in a third group think that abortion should be allowed under some but not all circumstances, and those within this group hold a variety of views about the particular restrictions that should be imposed.³

Not addressed in this article, but exemplifying government attempts to appease the want of the people-at-large, is this short list of history's most infamous appeasement attempts:

- The legalized forced relocation of Native Americans attempted to appease the want of invasive immigrant conquistadors. (*The Indian Removal Act*, 1830)
- The legalized enslavement of Black Americans attempted to appease the want of White race supremacists. (*Dred Scot v. Sandford*, 1857)
- The legalized extermination of Jews attempted to appease the want of Aryan race supremacists. (*The Nuremberg Laws*, 1935)
- The legalized abortion of unwanted pre-born persons attempts to appease the want of libertines and the carefree. (*Roe v. Wade*, 1973)
- The legalized usurpation of human rights from any vulnerable segment of any population is an attempt to appease the want of a segment of the people-at-large.

And, so, the stigma and repercussions from *Roe v. Wade* linger on, like the stigmas and repercussions from other malignant appeasement attempts.

This overview of the abortion issue underscores the infinite disparity between the different social stances of the people-at-large in the United States—infinite because there is no compromise between pro-life, i.e., life for all, and pro-abortion, i.e., death for some. Unfortunately, *Dobbs* failed to resolve the fundamental issue that pre-born human beings are *persons* and, therefore, have a constitutional right to life under the Fourth, Fifth, and Fourteenth Amendments to the Constitution of the United States. If this seems reminiscent of and a rehash of the slavery issue of 1787 through 1863, so be it.

I. *Roe v. Wade* Omissions

The first section of this essay underscores some of the readily available knowledge that seems to have been purposely omitted from the pro-abortion rhetoric in *Roe v. Wade*. Such knowledge refutes any notion that might be advanced to perpetuate legalized abortion—such as the notion that “democratic inclinations, i.e., majority opinions, are inherently righteous,” which,

subsequently, propagandizes the people-at-large and their leaders with the false conviction that “democratic decrees, i.e., majority opinions, inherently supersede truth.” The following omissions, then, speak to the twisted rhetoric and hypocrisy of the *Roe v. Wade* court’s opinion and to those who seek to perpetuate its social malignancy.

A. Natural Awareness Refutes Legalized Abortion

In a previous essay—*A Case for the Revocation of Roe v. Wade*⁴—four arguments were presented that debunk *Roe v. Wade*: rational evidence, biological evidence, philosophical evidence, and constitutional evidence.

As for rational evidence, each human conception is an *individualized, living human person*—a living person that exists in a state of being and of becoming, i.e., becoming that-what-it-is, from its first moment of conception until death. Every conceptus—human or otherwise—is of the same *kind*—of the same substance and nature—as the parents: in this case, human persons. There is also the natural awareness that children are frequently born prematurely and, as such, continue their human development into adulthood in the same manner as term-born children; this attests that each human fetus or embryo is a person before birth.

Regarding biological evidence, every living entity is *that-what-it-is*, is becoming *that-what-it-is*, and is *that-what-it-is* becoming from its first moment of life until death; a living creature that makes of itself *that-what-it-is* must have intrinsic to *its self* the substance and nature of that what it makes of itself. In addition, each human conception has a unique DNA code that determines each human conception to be a unique and individualized human person.

Philosophically, “Nothing from nothing ever yet was born,”⁵ that is, *nothing* can neither beget nor transform itself into *something*. Scientifically, inorganic substance can neither beget nor transform *its self* into organic substance, nor can non-rational substance beget or transform *its self* into rational substance. Scientific evidence suggests that because *something* is neither added to nor subtracted from the formulation of a human being after conception, the human characteristic of personhood must be intrinsic to the human conception; not even nothing can be born from nothing. The substantive characteristic *personhood* cannot come forth from nothing.

Constitutionally, the life of every human person is protected by the Fourth, Fifth, and Fourteenth Amendments to the Constitution. The *Roe v. Wade* court, however, selectively singled out pre-born persons to be non-persons simply because they were not yet born, similar to the manner in which the *Dred Scott v. Sandford* court dismissed the personhood of Black Americans simply because they were considered property and, therefore, could not be

considered persons. In short, the court dismissed the fact that every person—pre-born or adult—is a person and has an unalienable right to life and personhood, and every Black American—property or not—is a person and has an unalienable right to life and personhood.

B. Ancient Laws Refute Legalized Abortion

The Code of Hammurabi (circa 1700 BC) is very emphatic in its condemnation of abortion.

209. If a man strike a free-born woman so that she lose her pre-born child, he shall pay ten shekels for her loss.

210. If the woman die, his daughter shall be put to death.

211. If a woman of the free class lose her child by a blow, he shall pay five shekels in money.

212. If this woman die, he shall pay half a mina.

213. If he strike the maid-servant of a man, and she lose her child, he shall pay two shekels in money.

214. If this maid-servant die, he shall pay one-third of a mina.⁶

Similarly, an ancient Assyrian law (circa 1200 BC) condemns to death a woman who willfully aborts her own child.

A50 If a man struck a married woman and caused her to miscarry, the striker's wife will be treated in the same way: he will pay for the pre-born child on the principle of a life for a life. But if (the first) woman died, the man is to be executed: he will pay for the pre-born child on the principle of a life for a life. If (the first) woman's husband has no son, and she has been struck causing a miscarriage, the striker will be executed, even if the child was a girl: he will still pay for the pre-born child on the principle of a life for a life.

A51 If a man struck a married woman who does not rear her children and caused her to miscarry, he is to pay two talents of lead.

A52 If a man struck a harlot and caused her to miscarry, he is to be struck with the same number and type of blows: in this way he will pay on the principle of a life for a life.

A53 If a woman aborts her own pre-born child, and she has been charged and convicted, she is to be impaled and not buried. If she died during the abortion, she is (still) to be impaled and not buried. If some woman hid her when had the abortion, and did not report it to the king⁷

An accompaniment to these ancient laws, the Hippocratic Oath (circa 400 BC), forbids a physician's participation in both assisted suicide and assisted abortion.

I will not give a lethal drug to anyone if I am asked, nor will I advise such a plan; and similarly I will not give a woman a pessary [a stone: a vaginal suppository] to cause an abortion.⁸

Some contemporary intellectuals, including author of *Roe v. Wade* Justice Harry Blackmun, sluff off the opposition-to-abortion phrase in the Hippocratic Oath as being too rigid: “Our law should not be that rigid.”⁹ This theory—surmised by Dr. Ludwig Edelstein (1902-1965) because the oath was not fully sanctioned by *all* Greek intellectuals of the day, nor was it included in Greek civil law—was cited in *Roe v. Wade* by Justice Blackmun, who seems to have had an aversion to rigid law. Thou shall not kill—too rigid? Thou shall not steal—too rigid? Thou shall not commit adultery—too rigid? Thou shall not deceive—too rigid? The Magna Carta—too rigid? The Declaration of Independence—too rigid? The Constitution of the United States—too rigid? Nonetheless, from the earliest known extant written law to *Roe v. Wade*—from Hammurabi (1700 BC) to Justice Blackmun (1973 AD), a duration exceeding 3,600 years—most law seems to have been rigid. Now, then, if law is not rigid, does it not simply proceed toward an opinion of the day? If social law is not rigid, how can citizens know their rights and wrongs? Should they simply follow their impulses? If social law is not rigid, how can law enforcement know what and how to curtail crime? Should they simply react? If social law is not rigid, how can judiciaries know what and how to settle disputes? Should they simply posit whimsy?

Aside from this, it is dumbfounding that the *Roe v. Wade* court could twist the meaning of every person’s constitutional “*right to life, liberty, and property*” of the Fifth and Fourteenth Amendments into a diametrically opposing interpretation that denies to pre-born persons their constitutional “*right to life, liberty, and property*.” Does this perversion of constitutional law by the *Roe v. Wade* court represent what Justice Blackmun recommends by “Our law should not be that rigid”?

Notwithstanding the rigid nature of the Hippocratic Oath rhetoric or that of the Code of Hammurabi or the ancient Assyrian Laws or the Ten Commandments, however, the reader should understand that there seem to be but three humanly intelligible rigidities—certainties or universal perceptions, if you will; all else is relative to our understanding. The first: God is. “I AM.” The second: Something cannot be born from nothing. “Nothing from nothing ever yet was born.” And the third: Truth is intrinsic to real beings: Truth is intrinsic to *all* existents. This last one implies the following derivative: Since every existent acts in a manner determined and dictated by its nature, every existent inherently and unequivocally discloses *that-what-it-is*—the truth of its being; the truth of *its self*. As such, the traits that an existent discloses of

its self are intrinsic truths and thus may not be humanly altered.

Now, that what an existent discloses of *its self*—discloses of itself without any human interaction—is intrinsic truth, where intrinsic truth is substantively embedded in all existents and is humanly knowable by capable human witnesses to the extent allowed by the existent in which it resides. It is this intrinsic truth in every existent that allows human persons to acquire and to disseminate truth. Thus, the best we human persons can do—and what we humans must do—is seek out the intrinsic truth from what existents disclose of themselves and transform that into human understanding—well defined written law—whether social law or physical law. By the way, isn't all physical law rigid? Isn't all physical law a rigid interpretation of the physical traits (intrinsic truths) that physical existents disclose of themselves? To wit: Bridges are designed and built according to physical laws—according to strict adherence to rigid interpretations of the physical traits (intrinsic truths) disclosed by the materials (substances) of which bridges are built.

C. Christian Principles Refute Legalized Abortion

Justice Blackmun seems to have attempted a ruse to entrap the Catholic Church into the pro-abortion faction by incorporating excerpts from some of St. Augustine's writings into the rhetoric of *Roe v. Wade*. In spite of the opinions of some noted Catholics from antiquity and from our own era who through ignorance or wantonness become knowing and unknowing advocates of legalized abortion, however, the Catholic Church has never endorsed abortion, and even less has it ever endorsed legalized abortion. And, notwithstanding the seeming attempt by Justice Blackmun to entrap the Catholic Church into some kind of conciliatory pro-abortion stance, there must be restraint in citing Christianity or any other religion as a crutch to condemn legalized abortion, because opposition to abortion is not a foundation tenet of Christianity or of any other known religion. Opposition to abortion is a derivative from the *right to life*—a *foundation principle* of civilized humanity—and from there inherently becomes an implied precept of Christianity and of all other religions, whether codified by them or not.

Nonetheless, from Christianity's earliest beginning, *The Didache: The Lord's Teaching Through the Twelve Apostles to the Nations* (circa 100 AD) has taught "you shall not murder a child by abortion nor kill that which is begotten."¹⁰ The Second Vatican Council (1962-65 AD) reaffirmed this pro-life teaching: "[51] For God, the Lord of life, has conferred on men the surpassing ministry of safeguarding life in a manner which is worthy of man. Therefore, from the moment of its conception life must be guarded with the greatest care while abortion and infanticide are unspeakable crimes."¹¹

So, why did Justice Blackmun selectively exclude both this earliest and this latest publicized pro-life Catholic teaching from the *Roe v. Wade* rhetoric—the earliest from nearly two millennia before and the latest nearly a decade before *Roe v. Wade* was promulgated? Additionally, the post-Vatican II *Catechism of the Catholic Church* (1992 AD) teaches the following:

Abortion:

2270 Human life must be respected and protected absolutely from the moment of conception. From the first moment of his existence, a human being must be recognized as having the rights of a person—among which is the inviolable right of every innocent being to life.

2271 Since the first century the Church has affirmed the moral evil of every procured abortion. This teaching has not changed and remains unchangeable.

2272 Formal cooperation in an abortion constitutes a grave offense. The Church attaches the canonical penalty of excommunication to this crime against human life.

2273 The inalienable right to life of every innocent human individual is a constitutive element of a civil society and its legislation: Among such fundamental rights one should mention in this regard every human being's right to life and physical integrity from the moment of conception until death.

2274 Since it must be treated from conception as a person, the embryo must be defended in its integrity, cared for, and healed, as far as possible, like any other human being.¹²

D. The Notion of Person Refutes Legalized Abortion

The most basic principle of civilized humanity has always been the intrinsic rights of the individual person—rights that have existed in the form of written law since at least the Magna Carta—where the term *person* has always been considered interchangeable with the phrase *human being*, and where person has always been understood as a creature capable of rationality. During the course of the past several centuries, however, the question of who and what *person* or *personhood* is with respect to human life has been so slovenly bandied about that a clear understanding of personhood has become intellectually and socially muddled. To some extent, it seems to have become fashionable to exclude personhood, not only from pre-born persons and slaves, but also from the insane, from those suffering dementia, from the mentally impaired, from the terminally ill, from condemned criminals, from assumed genetic inferiors, et al. Some of the more radical social forces of modern times have proceeded from the notion that human beings are persons only insofar as they can defend themselves from forced human displacement (the Indian Removal Act, 1830), from slavery (*Dred Scot v. Sandford*, 1857),

from social purges (Josef Stalin, 1936-38), from genocide (the Nuremberg Laws, 1935), from cultural purges (Mao Zedong, 1958-76), from abortion (*Roe v. Wade*, 1973), and from twisted law.

Now, then, Boethius (Anicius Manlius Severinus Boethius, circa 480-524 AD), a Roman senator and a Christian scholar and philosopher, defined a *person* as “an individual *substance* of a *rational nature*.”¹³ The term *substance*, as used in this definition, explicitly declares the rational nature to be innate to each human person at conception, and the term *rational nature* discloses the innate wherewithal to bring about intellectually free-willed rational thought: A rational being is a person.

Boethius’ definition of *person* was quite acceptable to civilized humanity until slavery was jurisdictionally legalized in *Dred Scott v. Sandford* (1857). In *Dred Scott* the Supreme Court cowardly opined that because slaves were property—according to the court’s interpretation of the Constitution—they could not be considered persons, even though slaves were of the same kind of substance as other human persons. In the following century, along came Adolf Hitler and Nazi Germany, where Jews were virtually considered non-persons because they were not of the Aryan race. And, then, of course, *Roe v. Wade* arbitrarily declared pre-born human persons to be non-persons so that unwanted, pre-born human persons could be legally discarded. This was followed by a change in the United States Code (August 5, 2002) regarding the meaning of the term *person* as used by all United States federal government agents and agencies, i.e., all federal legislative, judicative, and executive pursuits. However, because the term *person* was corrupted by the Supreme Court in its 1973 pro-abortion decree, the code’s inferred interpretation of *person* cannot be considered either right or true, given that any interpretation of law by the author of the code—the House of Representatives—is subordinate to the court’s prerogative:

- (a) In determining the meaning of any Act of Congress, or of any ruling, regulation, or interpretation of the various administrative bureaus and agencies of the United States, the words “person,” “human being,” “child,” and “individual,” shall include every infant member of the species *homo sapiens* who is born alive at any stage of development.
- (b) As used in this section, the term “born alive”, with respect to a member of the species *homo sapiens*, means the complete expulsion or extraction from his or her mother of that member, at any stage of development, who after such expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, cesarean section, or induced abortion.
- (c) Nothing in this section shall be construed to affirm, deny, expand, or contract any legal status or legal right applicable to any member of the species *homo sapiens* at any point prior to being “born alive” as defined in this section.¹⁴

Given that personhood is non-physical and invisible, does the Congress—the House of Representatives—really believe that a human person’s possession of a rational nature is validated by or maybe even infused into them by their physical breathing? By their physically beating heart? By their physically pulsating umbilical cord? As absurd as these remarks in the code might seem, the 107th Congress acquiesced to legalized abortion by its purposeful exclusion of pre-born persons from federal government guardianship.

II. Personhood Refutes Legalized Abortion

In what follows, the notion of personhood will be righted and rendered unambiguous. Although personhood is invisible and seemingly abstruse, the concept of personhood will be made intelligibly understood by all mankind: theists, materialists, and, I hope, also by those espousing a laissez-faire philosophy. Much of the following is more timely than when *Roe v. Wade* was decreed, but it attests to the previous remarks in this essay—and vice versa—and to the personhood of pre-born human beings.

Since the 1973 *Roe v. Wade* court opined that pre-born persons are non-persons, thereby insinuating that a human person’s rational nature or *personhood* is separate from their animal nature, it seems appropriate to rebut that opinion in like manner while maintaining Boethius’ definition of *person* as an “individual substance possessed of a rational nature.” It seems the court’s declaration stems from its opinion that pre-born persons spontaneously become infused with their rational nature at birth or sometime thereafter; when and by what means the court neglected to outline. Nonetheless, human persons have both an animal nature and a rational nature; the causation and effects (their bodies) of their animal nature are both physical and visible, whereas the causation and effects (their thoughts) of their rational nature are both non-physical and invisible.

Now, there seem to be times when a human person is not rational, such as when a person is pre-born, or in a coma, or unconscious, or rationally listless, or otherwise mentally impaired; there are times when a human person seems to be active only in animal mode—when only the physical self is in action. Additionally, when an adult person is extremely flustered or in a highly emotional state, the adult’s actions might be considered non-rational; such a person is not in a rational mode. However, when a human person’s actions appear to be in an animal mode only, one may not assume that the person lacks innate possession of a rational nature, only that the rational nature is inactive.

Since everyone has been a student at some time, the evidence of a person’s innate rational nature—and the progression of rational activity from

that rational nature—seems credibly exemplified by the manner in which a student develops rationality; where thought processes are developed from previously attained sensations—attained through their animal nature—that are then synthesized and directed in some orderly manner toward a judgment. From a succession of developed thought processes, then, the student acquires an ability to compare, to solve problems, and to resolve complex issues—to rationalize. But, to begin organized thought processes, the student must first possess a rational nature and have had physical sensations—random at first and then more systematic as further thought processes are developed.

In retrospect, a human person does not immediately think in a rational mode at birth; the rational mode must be activated, perhaps serendipitously at first, and then further by a person's own volition or by governance from other persons (parents, teachers, et al.). It does seem as though physical sensations and perceptions awaken a person's rational nature and activate the rational mode, exemplified by Anne Sullivan's use of physical intervention and interaction to awaken the rational nature and to teach her student, the blind and deaf Helen Keller.

A newborn infant, then, does not perform in a rational mode on his or her own until, perhaps, childhood or maybe even adolescence. For a person's rational mode to be activated, however, a rational nature must first be present. To assume that the infusion of a rational nature and the activation of a person's rational mode are simultaneous at birth or sometime thereafter—as seems to be assumed in *Roe v. Wade*—is absurd and irrational; *the thing that causes an effect must precede the effect*. It further seems irrational for a person's rational nature to be self-infused from the animal nature—which also seems to be inferred in *Roe v. Wade*—because animal nature causation and effects are both physical and visible, whereas rational nature causation and effects are both non-physical and invisible; animal nature and rational nature are genetically distinct. So, it seems that human persons have both an intrinsic animal nature and an intrinsic rational nature; both are present before birth, both are substantive, both seem to be acquired at conception, because no other *something* enters into the conceived substance after conception, and both seem to continue their development side by side after conception.

Now, then, understand that it is impossible for something to be born from nothing: “Nothing from nothing ever yet was born.” Consonant with this observation, contemporary science declares “Deoxyribonucleic Acid (DNA) to be the unique genetic makeup of an individual; DNA is a self-replicating material [substance] that is present in nearly all living organisms as the main constituent of chromosomes and is the carrier of genetic information.”¹⁵ Further, “DNA is a molecule that contains the biological instructions that make each

species unique.”¹⁶ These notions should enlighten the reader that creatures lacking a specific substance and nature cannot—by their own doing—beget or transform their selves into creatures that embody that specific substance and nature. For example, inorganic substance cannot beget or transform its self into vegetable substance, nor can vegetable substance beget or transform its self into animal substance, nor can animal substance beget or transform its self into rational substance, i.e., a human person. Scientifically, inorganic matter cannot self-transform into organic matter; scientifically, lower forms of existence cannot self-transform into higher forms of existence; scientifically, non-persons cannot self-transform into persons.

The reader should further understand that because *something* is neither added to nor subtracted from the formulation of the conceived substance of a human being after conception, and because the conceived substance of a human being grows itself into that living person that-it-is, personhood must be intrinsic to the conceived substance—the fertilized egg—of every human being. The conceived substance of a human being—the human conceptus—is a living human person in microscopic form.

Now, “Is there such a thing as a rational person? The short answer is no. The harder you try to be purely rational the less likely it is you’ll get there. What people have is *the capacity* for rational thought. That capacity exists in human DNA plus a mechanism to enact that DNA.”¹⁷ Scientifically, for the innate capacity of any living organism to come into existence—and to grow—a seed must be present, where the seed is the microscopic embryo of the living organism. The seed of a human person is the fertilized egg—the conceptus—that becomes an embryo at the moment when cell division first begins. And, as each living cell further divides and multiplies itself, the descendant cells must receive their substance and nature from the parent cell, because no other *something* is involved in the activity. As such, the total composition of cells that make a living organism—at any time in its development—must receive its substance and nature from that original seed or conceived cell. Since the *substance* of every living, natural being is formed at conception either sexually (i.e., through two parents producing genetically unique offspring) or asexually (i.e., through a single parent producing genetically identical offspring), the characteristic substance designated as the *personhood* of every human being must be concomitant with conception. As for the nature of human beings—living human persons—personhood must be intrinsic to the conceived cell: the human conceptus:

[F]rom the zygote stage onward, the human embryo has within it all of the internal information needed—including chiefly its genetic and epigenetic constitution—and the active disposition to develop itself to the mature stage of a human organism. As

long as the embryo is reasonably healthy and is not denied or deprived of a suitable environment and adequate nutrition, it will actively develop itself along the species-specific trajectory of development. This means that the embryo has the same nature—in other words, it is the same kind of entity—from fertilization onward; there is only a difference in degree of maturation, not in kind, between any of the stages from embryo, to fetus, infant and so on . . .

Embryos are whole human beings, at the early stage of their maturation. The term “embryo,” similar to the terms “infant” and “adolescent”, refers to a determinate and enduring organism at a particular stage of development.¹⁸

Every human being, then, is a living person in a state of becoming that person that-it-is from conception until death. And, therefore, from conception forward, intrinsic truth confirms every human being to be a living person whose conceived substance—the conceptus—is possessed of *that wherewithal* that capacitates and engenders self-awareness and free-willed rational thought, where *that wherewithal* is the operative *personhood*. Paraphrasing Boethius, a *person* is an individual living entity whose substance is possessed of *that wherewithal* that capacitates and engenders self-awareness and free-willed rational thought; a human conceptus is such a person.

I stated earlier that physical law is a rigid interpretation of the physical traits (intrinsic truths) that physical existents disclose of themselves. I also showed that without rigidity in social law, social law is apt to become “opinion of the day,” “impulsive,” “reactionary,” and “whimsy.” It is patently wrong, then, to decree “diametrically opposing interpretations” of the inherent social traits (intrinsic truths) that social existents disclose of themselves. And, in a manner analogous to physical law—where physical law is a rigid interpretation of the physical traits (intrinsic truths) that physical existents disclose of themselves—the rigid interpretation of the social traits (intrinsic truths) that social existents disclose of themselves demonstrates that human beings are persons at all stages of development; therefore, human conceptuses are persons. Question: Since intrinsic truth denounces abortion and legalized abortion snubs truth, what becomes of pro-abortion societies that supersede truth with hypocrisy?

An overall agreement of the presented evidence—natural knowledge, ancient understandings, Christian guidance, modern science, philosophy, constitutional law, and the concept of person—demonstrates that abortion is immoral and that legalized abortion is criminal. The very phrase legalized abortion is hypocrisy; legalized crimes are crimes whether legalized slavery, legalized genocide, or legalized abortion; crimes may not be legalized.

Not even democracy supersedes truth.

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A Case for Rescue

Stephen Vincent

"You have not yet resisted to the point of shedding blood in your striving against sin."

—Hebrews 12:4

Rescuers are radical realists. It's important to state this up front in the pro-life movement's flagship intellectual journal because some ardent, hardworking, frontline proliferators seem to think rescuers are fringe, largely ineffective figures. Yes, they are admirable characters, full of idealism and holy zeal, yet they undermine their direct action by risking arrest and surrendering their lifesaving efforts to the unjust police arm of the culture of death. Every day they sit in court or in jail is a day they are not praying at the death centers, engaging with abortion-bound women, marching for life, calling Congress, picketing, petitioning, and in manifold ways making the public case against abortion. They also place burdens on spouses, children, and other family members who rely on them for support and fear for their safety.

So the thinking goes, and there's much to be said for such a view. If you have never rescued, you may agree. Or if you're like me, you support rescue from a safe distance, yet are simply too scared of prison time to risk arrest and leave a family that relies on you financially. The case against rescue is wholly rational and acceptable. Yet the case for rescue is rational as well. In fact, it is more in keeping with the reality of abortion on demand up to birth that exists in many areas of our nation, even after the overruling of *Roe v. Wade*.

Listen to this plea:

I know that many in the movement don't agree with rescue and now consider me useless because I am behind bars. This shows once again how our movement often comes off as gimmicky and inauthentic. This isn't a numbers game—this is about love. Loving the most useless, abandoned, and unwanted without fear of punishment. My vocation is to love . . . *not to be reduced down to a function for the "cause."* My time in jail is the alabaster jar of perfume pouring out for the rejected and unloved. . . . It's not just "sad" when an unborn person is murdered; it is acutely devastating. Someone needs to feel and mourn deeply. Someone needs to love to the point of supposed uselessness. Someone needs to Rescue.

Those are the words of Lauren Handy in a statement from a jail cell after she was convicted under the federal FACE Act with eight others who participated

Stephen Vincent writes from Connecticut.

in a rescue October 22, 2020, at a notorious late-term DC abortion clinic run by Dr. Cesare Santangelo. A member of Progressive Anti-Abortion Uprising (PAAU), Handy made headlines a while later, in March 2022, when she and a colleague were witnessing outside the same clinic and obtained a container of aborted babies from a medical waste collection company. Upon opening the container and finding more than 100 discarded babies, Handy noticed that five of them looked so well-developed and intact that she suspected they were delivered by partial-birth abortion in violation of federal law. After calling a priest to offer a funeral Mass for the babies, Handy called the police and handed over the five largest babies, asking the cops to have the bodies autopsied to see if the manner of death broke any laws. Yet, predictably, the police opened an investigation on Handy and not the abortionist.

According to a Department of Justice press release, the DC rescuers were charged with “conspiracy to create a blockade at the reproductive health care clinic to prevent the clinic from providing, and patients from receiving, reproductive health services.” These “health services” were termed “civil rights” by the Department of Justice, even though the Supreme Court had done away with the notion that access to abortion is a constitutional right. Enraged by the *Dobbs* decision, pro-abortion zealots, led by President Biden and Attorney General Merrick Garland, have shown in many ways that they refuse to recognize the court’s ruling.

You may recall hearing about the convictions of Handy and her colleagues and perhaps prayed for the brave men and women who stopped abortions for a few hours in one notorious late-term death center in the nation’s capital, and then thought little more about it. What could you or I do, after all? Immediately following the verdict, after the Clinton-appointed judge ruled them to be violent criminals, the rescuers were carted off to prison, and there they have dwelt for months awaiting sentencing—which as of this writing is to commence in late March 2024!—in which they would face up to 11 years in prison and \$350,000 in fines. We may feel helpless against such draconian legal measures, but we must never forget who these rescuers are and what they did and why. The dates of their convictions must be remembered by everyone in our nation who raises the pro-life banner. On August 29, 2023, a jury convicted Handy, Paulette Harlow, John Hinshaw, Heather Idoni, and William Goodman. (Another defendant, Jay Smith, pleaded guilty and was sentenced to ten months in prison.) In the other jury trial, Jonathan Darnel, Joan Andrews Bell, and Jean Marshall were convicted on September 15. By many accounts from those who attended the trials, the proceedings were grossly unfair, with juries packed with those favorable to abortion and admitted supporters of Planned Parenthood. Even worse were the rulings of Judge

Colleen Kollar-Kotelly, who would not allow defendants to describe the abortion procedure, give medical evidence of the humanity of the unborn, appeal to their religious beliefs, or present the necessity defense, making the case that the lesser offense of trespassing and shutting down the clinic was necessary to stop the greater offense of killing innocent children. From the judge to the jury, there was little the defendants could do to make a viable case for their actions.

But they made a good showing, with adequate counsel from pro-life law firms and even one court-appointed public defender. Now in prison, rather than referring to themselves as the DC 9, they insist on taking the spotlight off themselves and placing it on what they refer to as the DC 5, the five late-term babies discovered by Handy. Again, our hearts are moved by their unusual mix of idealism and humility. We may have thought that rescuers are attention-seeking radicals who like to make a show of their courage, like the Chicago Seven who were arrested at the Democratic National Convention in 1968 and who brought props such as pigs (to reference the inflammatory Sixties radicals term for cops) to trial. Far from it. These men and women rescue to save lives, change hearts, and call attention not to themselves but to the violence of abortion and the plight of the children, such as the DC 5.

In an eloquent essay titled “Personal Interposition: A Case for Reviving the Preborn Rescue Movement,” Darnel lays out the reason for rescue. He challenges every prolifer to summon the courage to peacefully block abortion clinic doors across the nation in an act of life-saving civil disobedience that would call attention to the daily holocaust and prick the conscience of Americans.

He writes:

... let's not forget that there are about thirty million fully anti-abortion adults in the United States. That is more than enough people to shut down every surgical abortion mill in the nation, as well as many of the pharmacies that sell abortion drugs. Even if each anti-abortion adult rescued only once, our criminal justice system would not be able to incarcerate that many people. While civil strife is a possible outcome, a much more likely result would be that our nation would be forced to alter its laws and outlaw child-killing. I realize, of course, that this scenario is unlikely to transpire, but it is unlikely only because proliferers are unwilling to rescue in massive numbers. If they were willing, the abolition of abortion would be practically a fait accompli.

Call him naïve in thinking that there are truly thirty million Americans who are committed proliferers, given the more recent election losses for proliferers in “red” states such as Kansas and Ohio. And Darnel also likely underplays the likelihood of “civil strife” in response to massive nationwide rescues. If I learned anything from years of sidewalk counseling outside of clinics, it's that pro-abortion forces are rabid, fueled by an energy that comes from the

demonic. They will not rest, and if our side pushes harder, they will rush at us harder still. “Civil strife” is a polite way of describing what will happen.

Yet it’s difficult to argue with the logic of Darnel’s appeal. Maybe God will bless our movement with success and peace if enough assemble at the frontlines. To bring about such a scenario, even with a hundred thousand rescuers, we need an organized movement to assure that everyone acts together and thus provides safety in numbers. A handful of rescuers are vulnerable to pre-dawn raids by heavily armed agents only because they are few and easy to track and harass. But law enforcement would be hard-pressed to use such tactics on many thousands of citizens sitting down in protest, and the political fallout of persecuting the leaders of the movement would be greater if an administration knew that a multitude of Americans supported rescue not only with letters and phone calls but with their own bodies planted firmly at the doors of clinics.

Joan Andrews Bell is perhaps the most credible witness to the effectiveness of rescue. She began her pro-life efforts soon after *Roe* was handed down in 1973 and was among the earliest rescuers in the 1980s, suffering more than one hundred arrests and spending years in jail. She took a respite from rescue, as did most others, after the FACE Act was passed and proliferers began to feel the heavy weight of jail time and treble fines. She and her husband, Chris Bell, spent the time raising their family, with a number of adopted handicapped children who would accompany them each year at the March for Life and other public pro-life events. Through the years, Chris has continued running Good Counsel Homes for unwed mothers in crisis.

Yet around 2017, a few proliferers were seeking more direct ways to save lives and change the culture. They started Red Rose Rescue, entering abortion clinics to hand out symbolic roses for life to women awaiting abortion. They were sometimes arrested for trespassing or causing a public disturbance, but the penalties were few under a Republican administration. But with President Biden, a self-professed Catholic, the price of opposing abortion has increased manifold. And as the recent rescuers have stated, the need for more serious and assertive methods is needed. Of course, Joan Andrews Bell has answered the call.

Her husband Chris spoke to me soon after Joan was imprisoned in September in a detention center in Alexandria, Va. She was able to call him every day, he said, and had attended Mass and received Communion. When asked if Joan, at 75, has not done enough over many years and should be able to rest from her pro-life labors, Chris said, “There’s no such thing as ‘done enough’ when babies are being slaughtered. It’s not a matter of who has done

enough or not enough, it's a matter of what you are called to do, how God is calling you."

He added, "I think Joan and I are totally confident in the love of God if we submit ourselves humbly. In prison, she has always been able to witness to the other female inmates and have them pray together. God can use her time there for his own purpose and bring a greater good out of these small sacrifices in reparation for the slaughter of abortion. We hope and pray for that good, for the saving of many babies, more than we hope and pray for her freedom."

It is no easy matter to address the many grave injustices of our world. We are limited, woefully weak, self-justifying individuals who think we are heroes for not cooperating, at least formally, with evil. We can rightfully boycott Target and Disney and Bud Light for their offenses against marriage and morality and vote as pro-life as possible in each election. The United States bishops as a body have once again stated, against those who would water down their witness, that abortion remains the premier issue among many moral and political concerns, thus giving Catholics and others of good will strong support for their pro-life efforts. Yet, as the rescuers plead by their presence in jail, what more is needed besides annual marches, email petitions, state referenda that may go awry, and prayer at abortion clinics, as good and necessary as each one is? What if God is calling me or you to sacrifice our freedom for the unborn? What if the foundational Scripture passage of the rescue movement suddenly strikes us to the heart?

Rescue those being led away to death; hold back those staggering toward slaughter. If you say, "But we knew nothing about this," does not he who weighs the heart perceive it? Does not he who guards your life know it? Will he not repay everyone according to what they have done? (Prov 24:11-12)

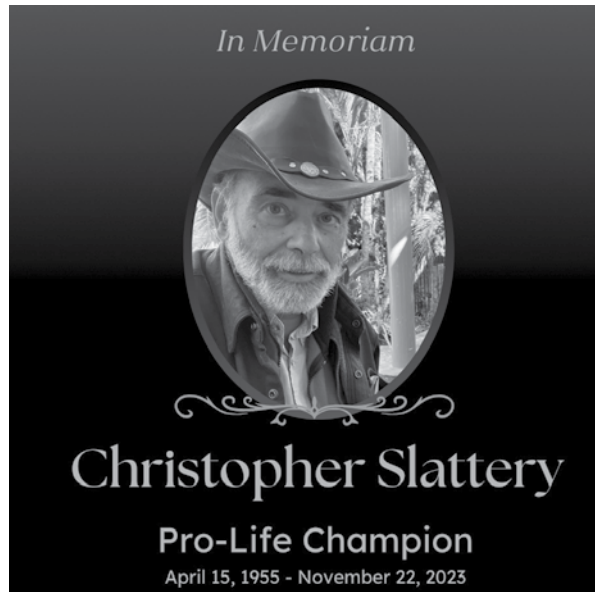
What if this message becomes literal for you on a certain day, at a certain hour, in a particular city and address? What would you do? After all, we have the example of Jesus, who chose arrest and the cross. In this context, the rescuer's challenge is simple: What if we make him our model?

Convinced? Let's roll! But the truth is, I have not even convinced myself. Fear and family obligations keep me on the pro-life sidelines, in the prayer pen, on the marches, on my laptop (using my pen name in this case), supporting pregnancy centers, in the voting booth. There are other ways to pick up your cross and follow the Lord. Rescue is not for everyone. But it may be for you. Pray for guidance, and for those unjustly incarcerated for showing us the more perfect way.

Chris Slattery RIP

Not exactly the John Wayne of the pro-life movement, but something akin to it, Chris Slattery was always easy to spot. A big man sporting a cowboy hat and boots, he was a familiar presence at pro-life events and gatherings, an indisputable movement leader, though at times a controversial one. I can't remember exactly when we met, maybe at an open house we both attended decades ago at a recently opened Sisters of Life convent, where I observed him talking to some of the unwed mothers the nuns were hosting there. His manner could be gruff, but then I once heard from a reliable source that Mother Teresa wasn't all sweetness either. Somewhere along the line, I learned that he—like me—had worked in advertising before committing himself full-time to baby-saving, something he did with unmitigated gusto, pioneering the use of mobile vans to reach women on the streets and ultrasound to reach their hearts. The website of EMC Frontline, the network of 14 pregnancy centers he established in the New York Metropolitan area (now part of CompassCare) estimates the number to be 43,000 unborn children who wouldn't have seen the light of day but for his tireless efforts to protect them from abortion. A couple of years ago, when longtime *Human Life Review* contributor Brian Caulfield told us he'd like to do a profile of Chris Slattery, who, due to a terminal cancer diagnosis, was then fighting for his own life too, both Maria Maffucci and I couldn't say yes fast enough (HLR Spring 2022).

—Anne Conlon, Editor



An Interview with Terrisa Bukovinac:

Progressive Pro-Life Activist and Presidential Candidate

Terrisa Bukovinac, who calls herself a “progressive, pro-life Democrat,” is the founder of Progressive Anti-Abortion Uprising, as well as a Democratic presidential candidate. Her politics, she says, more or less align with Bernie Sanders’, with one exception: She is passionately, unapologetically, pro-life. Bukovinac recently spoke with the Human Life Review’s Madeline Fry Schultz about the reason for her activism, her role in the infamous case involving viable fetuses found at a D.C. abortion clinic, and the real goal of her presidential campaign. This interview has been edited for length and clarity.

MFS: Tell me about the journey that led you to becoming passionate about pro-life issues.

TB: I grew up in the Worldwide Church of God. I don’t remember us ever talking about abortion, but my parents were not very political. So I didn’t really have any kind of political leanings until I got to high school. That’s when I formed some pretty left-leaning views, and I was pro-choice. But when I was a little older, I dated someone who was conservative and agnostic—I was Christian and liberal. I have always had a sensitivity to animal rights, and he would say, “How can you care about the dolphins if you don’t care about unborn children being killed in the womb?” He showed me what babies look like in the womb and what an abortion victim looks like. I was shocked and disturbed, and conceded that, yeah, maybe he was right, maybe there was something bad that happens in an abortion. But there are so many horrible things happening all across the world, and I’m not doing anything about them except praying. I thought, I may be personally pro-life, but it’s not something that I’m willing to get involved with.

I maintained a politically pro-choice position until I lost my faith, which happened over the course of some years. And that’s when I started thinking about abortion again, because I started having to think about all kinds of moral issues. Like animal rights. Killing an animal to have the pleasure of eating its body, I thought, is wrong, because this is its only chance at a cognitive experience. And so, I would think also about the babies: They have a chance to have a cognitive experience, but abortion takes it away from them. And it just seemed much more egregious in my non-Christian worldview. Suddenly, all rights issues were very urgent because I didn’t feel like I could pray about them, or that God was going to fix them.

I did get involved in the animal rights movement. And I still harbored these feelings about abortion, but I didn’t really talk to anyone about it. I knew I wasn’t pro-life because I wasn’t a religious conservative. But then,

around 2011, I saw that a former colleague of mine, Monica Snyder, who is now the executive director of Secular Pro-Life, was posting on a Facebook page called Secular Pro-Life. I thought, “Oh my gosh, secular pro-life? I’m a secular pro-life person.” It totally opened up my worldview. I realized there were other secular pro-life people, and I also met other leftist proliferers through that circle online. I thought, certainly people will understand at some point that abortion is oppression and that it isn’t progressive. But obviously, things haven’t gone in that direction.

MFS: How did you really start to get involved?

TB: I launched Pro-Life San Francisco in 2017, and then in late 2019, I realized that in order to try to make change, I had to do direct action.

The pro-life movement didn’t look like an activist movement. It didn’t look at all like a movement for human rights or social justice or anything recognizable to someone on the Left. And then I eventually discovered the truth about its history. I didn’t even know that the pro-life movement had done rescues, and that 75,000 arrests were made during the rescue era, making it the largest peaceful civil disobedience movement in the history of the country. Finding that out was shocking to me—and motivating. I knew then that I wanted to create a group that would engage in that type of thing. I also realized that it had to be more than just direct action, that we had to be politically engaged, because elections present the best opportunities for us to get our message out and to seize political power from the people who kill babies.

And so, I convinced Democrats for Life to send me a banner—I wasn’t part of that organization except that I was a pro-life Democrat—and traveled to every city where there was a Democratic national debate. I rallied people and protested, and the media got to know me and the group of people that I was mobilizing. And that’s how Kristen Day got that question to Pete Buttigieg about whether or not pro-life Democrats are welcome in the party, and it was this big viral moment. I knew that we had to have representation in the Democratic Party.

Now I’m running for president, and the reason I’m doing so is because I cannot spend another election cycle complaining that we have no representation if I myself am not willing to just do it. When I’m looking at the abortion landscape in America, it’s obvious to me that the Democratic Party is the problem—its relationship with the abortion industry is allowing this widespread killing.

Back in 2021, I wanted to start a truly leftist pro-life organization. The only ones who are moving the party in any direction are progressives. I wanted to assemble a group of progressives that would help put pressure on the party. So in October of that year, I founded Progressive Anti-Abortion Uprising.

Since then, we've spent a lot of time doing direct actions and rescues and standing and mobilizing activists outside the Supreme Court; and we had the unprecedented discovery of fetal remains in Washington, D.C. All those things had a major impact on me. I just knew that I had to take the next step, that I needed to actually run for president to create this space for Democrats—not to win, not to make it to the White House. It's purely about saying, "Look, we are pro-life Democrats. We're not going away. We're still making noise. We're still cool. We're still recruiting more people. We're getting cooler."

As a federal candidate, I can amplify the pro-life message to the American people by running uncensored ads about the babies that I found. Any Federal Communications Commission TV station must run federal candidate ads uncensored.

MFS: Your story about discovering fetal remains at the Washington, D.C. abortion clinic was all over the news at the time. Tell me about it and what happened afterward.

TB: On March 25, 2022, [PAAU Director of Activism and Mutual Aid] Lauren Handy and I went to the Washington Surgi-Clinic to do a pink rose rescue. That's where we go inside, offer roses to the moms, and try to encourage them to leave their abortion appointments. We did a pink rose rescue at the same clinic just a few months before that, and we saved a baby.

But when we got there, we didn't go inside because we saw a medical waste truck parked outside labeled Curtis Bay Medical Waste Services. We walked around to the back of the truck and saw the driver was loading boxes onto the back that said, "biomedical waste — hazard." I said, "Do you know what's in these boxes?" And the driver said no. "It's dead babies," I said. He looked really shocked. Then I said, "Would you get in trouble if we took one of these boxes?" He asked what we would do with the babies, and Lauren said, "We'll give them a proper funeral and a burial." And so he said, "Okay."

We took them back to Lauren's brand new apartment and called everybody we could possibly think of to call who's handled fetal remains. Then we went to the drugstore. We got gloves; we got masks. We were very scared. We set up cameras; we called a photographer. And then we opened the box. Inside were the bodies of 115 aborted babies, all in their own individual containers, each of them dated with the initials of the parent. Except for these five bigger buckets, which were in another bag by themselves.

When Lauren pulled them out of the box, we all panicked because bigger buckets, bigger babies. She opened the biggest bucket first. "This baby's whole," she said. She pulled the baby out, this beautiful baby boy, totally intact. And well past 30 weeks. Right away we could tell what the gestational ages were because we have fetal models with us all the time. We know how

big babies are, at what age, and usually we carry around the 22-week model, which was completely dwarfed by the giant babies that we found in those buckets.

It was absolutely soul crushing, heartbreaking, sobering, disgusting. We wanted to throw up. I was so angry at the world. I've just never seen such horror up close and personal—the moral depravity, almost a hatred for humankind.

I'm an atheist. I don't buy into this whole, "we just have to be there to love the babies." I don't care if they're loved; I'm trying to save their lives. But I really did feel just an overwhelming sense of love and care for them. Just seeing who they were, and their potential and everything that they could have been, all of that taken from them. It's still not my priority to love the babies, but they really are being horribly victimized. And they deserve to be loved.

We open the rest of the buckets. We call everyone; we don't know what to do; everyone's giving us tons of different advice. We have several lawyers; they're all giving us different advice. It was a scary time. We put the babies' remains in the refrigerator in Lauren's apartment to try to preserve them. I went days without sleeping while they were in the refrigerator. But I was on the phone constantly, and really scared. I can't even explain how difficult those days were.

We had to make a decision. Lauren is Catholic. She was very, very concerned about the babies not being buried. I don't care whether or not they're buried; I want justice for them. I don't want to destroy evidence. We eventually came to an agreement. The 110 babies in the smaller containers were to be buried. I didn't want to be involved in it, but I wouldn't fight her on it if she would agree to allow the police to come pick up the other five babies because these were victims of federal crimes. They might actually have a chance of getting justice, and we couldn't find a single private pathologist willing to look at them. Even to this day, a pathologist has not agreed to be involved in this in any way.

So we made those arrangements with the police, and that's when the police leaked the story to the press. It was the same day that Lauren was arrested by the FBI for another rescue [and charged with violating the Freedom of Access to Clinic Entrances Act, or FACE].

The whole world just came crashing in. Once people heard that Lauren was "keeping fetuses in her home," which isn't exactly true, I was kind of erased from the story because they were found in her apartment, and she was the one arrested by the FBI. That's when all the rumors and all the hate for us—in the movement, outside the movement—began. Everyone was like, "fetus freaks." Without even knowing anything about how the babies had gotten there, or anything about what the truth was, it was just horrible being

treated like that by your own movement, without anyone even talking to you.

MFS: People in the pro-life movement were not supportive?

TB: A lot of people attacked Lauren and me online, making up all kinds of lies based on a whole bunch of assumptions. Everyone in the world felt entitled to the details of the story before we shared them. And they were saying we were hiding stuff. That we were obviously covering up something blah, blah, blah, all this stuff. There was more of that after we had a press conference, but in the time between our giving the babies to the police, the police leaking the story, and our holding a press conference, there was this sh** storm on social media. A lot of people in the pro-life movement just cannot fathom the hell that we were in during that time. It was a tremendous struggle for us to get through that. It really felt like the world was coming after us.

Since then, the babies have stayed in the hands of the medical examiner. The only real next step is for Congress to hold hearings for these children. [Abortionist Cesare] Santangelo needs to be called to testify. Congress needs to demand autopsies, but they've kind of dropped the ball.

This is the most significant discovery of fetal remains in my generation. They show that some of these victims were killed illegally. Others were killed legally but past the point of viability. Most Democrats don't even believe that's happening. These hearings are a way to prove it's happening. And that is the pathway to a national ban. I don't see how these so-called pro-life legislators can possibly think that we can pass a national ban if they're not willing to stand up for these specific children and show the American people what abortion did to them.

MFS: And you have a lot of Democratic candidates saying partial-birth abortion, late-term abortion are just talking points, and they're not happening. Here you are with evidence that they really are happening.

TB: Right, and then they'll say, "those were probably babies with fatal anomalies." An autopsy might help clear that up. We should all be for clarifying what happened to these children. It's not just that it had such a profound effect on me personally; it's that I can't see a more important angle to work right now, to show the truth about abortion. Which is also why I'm planning to run the ads. If Congress won't do it, I'm going to do it myself, to the best of my ability and as much as a federal candidate is allowed, but I still will never have the institutional power Congress has to get this done.

MFS: If you did have that institutional power, as president, what policies would you want to implement?

TB: I really want to be clear with people that I'm not under the illusion that I'm going to be president. I am here simply to disrupt the Democratic

Party on the abortion issue and to show pictures of these babies. I do stand for progressive policies. I believe that the abortion crisis can be addressed only through very comprehensive, intersectional, whole-life approaches: addressing social inequalities, addressing systemic racism, addressing houselessness. I don't think that those things can be properly addressed through conservative policies. I believe the wealthy 1 percent has to be accountable to the 99 percent. You can say that my politics are lockstep with Cornel West or Bernie Sanders. But I believe that the abortion issue is a part of that, that abortion is oppression. It is a symptom of unrestricted capitalism, of massive inequality, and income inequality.

I do believe that the abortion crisis can only be addressed that way. People can take from that what they want. I'm not here, necessarily, to enact progressive policy, but I am here to represent people who don't see the GOP being able to adequately address the root causes, or what we believe are the root causes, of abortion, and who don't want to be complicit in child killing. I'm giving them other options. That's what this campaign is about.



"Just between you, me, and the lamp post, could you speak more directly into the lamp post?"

Euthanasia Poisons People and Societies

Wesley J. Smith

In my first-ever anti-euthanasia article, published in *Newsweek* in 1993, I described the suicide of my friend Frances, who killed herself under the influence of the euthanasia-promoting Hemlock Society (since rechristened Compassion and Choices). Toward the end of the piece, I predicted what would happen should assisted suicide become legal and normalized:

The descent to depravity is reached by small steps. First, suicide is promoted as a virtue. Vulnerable people like Frances become early casualties. Then follows mercy killing of the terminally ill. From there, it's a hop, skip and a jump to killing people who don't have a good "quality" of life, perhaps with the prospect of organ harvesting thrown in as a plum to society.¹

I believed my conclusion would be uncontroversial. After all, it was only logical. Once the act of eliminating suffering by eliminating the *sufferer* is redefined from a crime to a beneficent medical intervention, there is no limiting principle. Terminal illness might be the gateway excuse for legalization, but since the real issue is the best response to suffering, I could not see how access would not expand continually over time. After all, many people who are not dying suffer more intensely and for a longer period than those who are. Moreover, once the law accepts the premise that some people are better off dead, a utilitarian calculus naturally follows that sees hastening deaths as beneficial—a "plum to society," as I put it.

Boy, was I wrong! I received more than 150 letters reacting to the column. Most were hateful screeds. (Remember, this was before email, when my detractors had to pay the price of a stamp to wish me a slow and painful death from cancer.) Beyond the hate, almost all of my correspondents accused me of engaging in alarmist slippery slope argumentation. Even those who agreed that assisted suicide should not be legalized blithely assured me that it would never come to organ harvesting or mercy killing of those without a good "quality of life."

Now, more than 30 years later, the facts are in. Euthanasia and/or assisted suicide has been legalized throughout the Western world—including in Australia,

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New Zealand, Colombia, Netherlands, Belgium, Spain, Portugal, Germany (by court ruling), Austria (by court ruling), and (most worrying of all to us in the United States) Canada. In the United States, assisted suicide is now legal in nine states and the District of Columbia. Tens of thousands of people throughout the world have had their deaths facilitated. And—just as I predicted—the practice of what death activists euphemistically call “medical aid in dying” (MAiD) has not only increased in numbers but expanded exponentially in scope, in some places including the instrumental use of those whose deaths have been facilitated. Indeed and alas, rather than being alarmist, my long-ago warning proved prophetic.

Euthanasia without Brakes

Most of the media are euthanasia-friendly, preferring to report on the issue in the glowing, uncritical language of empowered patients “dying peacefully on their own terms,” supported by loving family who are grateful that grandma is no longer suffering.² In contrast, euthanasia abuses and horror stories—an ever-growing list—generally receive little focused media attention and remain outside the notice of people not engaged with the issue. But we now have enough experience with euthanasia/assisted suicide to demonstrate that the “slippery slope” is not only real but has become an avalanche of abuse and abandonment.

Space does not permit a complete recitation of the known examples of abuse or neglect associated with legalized euthanasia. But the following recitation demonstrates the danger:

Euthanasia “Patients” as “Organ Farms”: People killed by euthanasia are increasingly being looked upon by doctors and society as splendid sources of organs. Not only that, but the phenomenon of conjoining euthanasia with organ harvesting—becoming relatively common now in the Netherlands, Belgium, and Canada—is celebrated in the media. Thus, the *Ottawa Citizen* recently depicted the practice as “a growing boon to organ donation,” sighing:

Ontarians who opt for medically assisted deaths (MAiD) are increasingly saving or improving other people’s lives by also including organ and tissue donation as part of their final wishes. . . . According to Trillium Gift of Life Network, which oversees organ and tissue donation in Ontario, the 113 MAiD-related donations in 2019 accounted for five per cent of overall donations in Ontario, a share that has also been increasing.³

Some readers might be asking, “What’s the problem? These are people who want to die, so why not allow them to donate their organs?”

The question itself demonstrates the danger. Imagine a healthy suicidal person asking to be killed and organ-harvested because he doesn’t believe

his life to be worth living and hopes that through his death others—who want to live—can be saved. Would we allow that? No! (At least not yet.) Rather, the humane response would be to offer the person mental health support and suicide prevention to get past the darkness.

Now, notice the difference when a patient qualifies for euthanasia. Not only is suicide prevention not engaged, but in Ontario, once the patient is accepted for a lethal injection, the death doctor informs Trillium Gift of Life Network. In turn, Trillium contacts the soon-to-be-killed person to ask for their heart, liver, lungs, and kidneys. Again, from the *Ottawa Citizen* story:

“As part of high-quality end-of life care, we make sure that all patients and families are provided with the information they need and the opportunity to make a decision on whether they wish to make a donation,” Gavsie says. “That just follows the logical protocol under the law and the humane approach for those who are undergoing medical assistance in dying. And it’s the right thing to do for those on the wait list.”⁴

This is the opposite of “high-quality end-of-life care.” Canada does not restrict euthanasia to the terminally ill, but may include people with disabilities, chronic illnesses—and, beginning this year, the physically healthy experiencing mental illness. (The mentally ill are already eligible for euthanasia in Belgium and the Netherlands.) Thus, many euthanized organ donors would not be dying but for being lethally injected. Indeed, some might live indefinitely.

But because they are qualified to be killed under the law, their organs come to the forefront of policy. An article in the *Canadian Medical Association Journal* recently updated the Association’s “guidelines” for conjoining euthanasia and organ harvesting when the patient is not terminally ill—these are called “Track 2” patients.⁵ (There are even more relaxed standards for “Track 1” patients, those whose deaths are “reasonably foreseeable.” Due to space considerations, I focus below primarily on Track 2 patients.) From “Deceased Organ and Tissue Donation After Medical Assistance in Dying” (my emphasis):

All Track 2 patients who are potentially eligible for organ donation *should be approached for first-person consent for donation after MAiD* once MAiD eligibility has been confirmed, *regardless of when their eligibility for MAiD is confirmed within the 90-day assessment period.*

This means that the death doctor is to contact the organ-donation association, which in turn will contact the suicidal patient and ask for his or her organs (which, as we have seen, already happens in Ontario).

The recommendations also suggest allowing a soon-to-be-euthanized patient to determine who receives organs:

Organ donation organizations and transplantation programs should develop a policy on *directed deceased donation for patients pursuing MAiD, in alignment with the directed donation principles and practices that are in place for living donation in their jurisdiction* Directed donation should not proceed if there is indication of monetary exchange or similar valuable consideration or coercion involved in the decision to pursue directed donation. The intended recipient in a directed deceased donation case should be a family member or “close friend”—an individual with whom the donor or donor’s family has had a long-standing emotional relationship The intended recipient must be on the current transplant waiting list or meet criteria for the same Transplantation will proceed only if the donor organ is medically compatible with the intended recipient.

Do you see the danger? The need for a transplant by a medically compatible loved one *could become the motive* for asking for euthanasia.

The article grouses that waiting for the patient to initiate organ donation conversations means “missed opportunities”:

Given the variation in practices relating to both MAiD and donation after MAiD across Canada, some jurisdictions may be unable to apply the updated guidance. Specifically, *in jurisdictions reliant on patient initiation of donation after MAiD, lack of awareness of the option may result in missed opportunities*. Jurisdictions without central coordination of MAiD may experience similar challenges. There are also jurisdictional variations in the *education, training and support provided to coordinators who facilitate donation* after MAiD.

Now, we can see that once the patient is accepted for medicalized homicide, his or her intrinsic human dignity is diminished—in at least some sense—from that of an equally valuable person into that of a mere natural resource usable for the benefit of others. In other words, the life, wellbeing, and future potential of the patient become secondary considerations to the potential benefit of garnering organs for other patients who want to live.

The impact of this dehumanizing force of gravity became blaringly clear in a recent case out of Belgium. A story in *Le Soir* recounted what happened when a *16-year-old girl* with a brain tumor asked to be euthanized and have her organs harvested.⁶ Doctors agreed. At that point, *she* mattered less than the donation. The girl was sedated and intubated in an ICU for 36 hours before being euthanized and harvested.

The story lauds the girl as selfless. But it seems to me there is a terrible dark side to the tragedy. First, this was a *minor* terrified of decline who stated that by donating organs she believed *she could do some good*. But for that option, she might not have asked to die. Second, as far as we know, the girl wasn’t provided with suicide prevention nor assured that palliative care could alleviate her symptoms. Finally, the lengthy sedation to which she was subjected was primarily administered *to allow her organs to be tested and to allow time*

to find compatible recipients. In other words, at least in some sense, once the girl asked to donate her organs, *they* became the paramount consideration.

Euthanasia as a Substitute for Care: When I first began my work against euthanasia and assisted suicide in 1993, both euthanasia and assisted suicide were permitted in the Netherlands under a decriminalized system that allowed doctors to end the lives of patients so long as there was (supposedly) no other means of preventing suffering and the death doctor reported the details to the authorities.⁷ (That system is now defunct. The Netherlands formally legalized euthanasia in 2003.)

When researching my first book on the issue, I came across data demonstrating that hospice was virtually unknown in the Netherlands. One reason for this deficiency was the Dutch medical system, which depends on general practitioners making house calls and has fewer specialists than the American system. But, I wrote, that might not have been the only reason:

The widespread availability of euthanasia in the Netherlands may be another reason for the stunted growth of the Dutch hospice movement. As one Dutch doctor is reported to have said, “Why should I worry about palliation when I have euthanasia?”⁸

In other words, once medicalized killing becomes normalized, it could eventually become a measure of *first* resort rather than last.

That abandoning paradigm can be seen playing out increasingly in Canada in recent years:

- A VA counselor suggested euthanasia to a military veteran burdened by PTSD.⁹
- A disabled woman with quadriplegia plans to be euthanized because she is destitute and it is easier and quicker to receive euthanasia than obtain disability benefits.¹⁰
- A man with serious disabilities—refused coverage for independent living services—was told that Canadian Medicare would cover the costs of obtaining a lethal jab.¹¹
- A cancer patient decided to be euthanized because he couldn’t obtain the chemotherapy that would extend his life.¹²
- Another cancer patient was offered euthanasia by her surgeon and told it would take months before she could see an oncologist. She chose instead to be treated in the USA.¹³
- An elderly woman opted for euthanasia rather than be isolated from her family during a Covid lockdown. Her family was allowed to be with her when she died but would not have been allowed to visit her room if she continued living.¹⁴

Canada isn’t alone in this. A report out of the Netherlands finds that autistic people are being euthanized in lieu of being provided proper care. From the

AP story:

Several people with autism and intellectual disabilities have been legally euthanized in the Netherlands in recent years because they said they could not lead normal lives, researchers have found. The cases included five people younger than 30 who cited autism as either the only reason or a major contributing factor for euthanasia, setting an uneasy precedent that some experts say stretches the limits of what the law originally intended . . . Eight said the only causes of their suffering were factors linked to their intellectual disability or autism—social isolation, a lack of coping strategies or an inability to adjust their thinking.¹⁵

The same paradigm is seen in Belgium, where a healthy elderly couple received joint euthanasia deaths out of fear of *future loneliness* caused by widowhood—a killing arranged by the couple’s own children.¹⁶ A suicidal anorexia patient, despairing over being the object of sexual predation by her former psychiatrist, was euthanized by her new psychiatrist.¹⁷ A transgendered patient despairing over the adverse results of transition surgery was killed rather than helped to go on living.¹⁸ These kinds of cases are becoming ubiquitous.

Enough. The unintended cruelty of legalized euthanasia is now quite clear. It is about “choice,” they say. It is about *compassion*, they say. Bah. That is just a veneer. Medicalized killing eventually becomes a form of abandonment.

Future Concerns

The societal damage done by euthanasia expands exponentially as time passes and a nation’s population accepts doctor-hastened death as normal. Here are a few of the unfolding harms that have emerged recently.

Euthanasia Deaths, Going Up!: Euthanasia/assisted suicide is sold to a wary public as a last-resort option—a safety valve, if you will—to be rarely applied, and then only in cases of extremis. But in real life, hastened death tends to increase exponentially year by year. For example, in 1998—the first full year that assisted suicide in Oregon became legally available—the state reported 16 deaths from assisted suicide. In 2022, that number had risen to 278, with 431 prescriptions written.¹⁹

The Netherlands has experienced an even more dramatic increase. In 2004, 1886 people were killed by doctors. In 2021, the number had risen to 7,666. Even more notably, that number increased by *more than a thousand in one year*, with 8,720 lethal injections in 2022.²⁰

Canada experienced the most startling death acceleration. The first year of full legalization, 2016, Canadian doctors killed 1,018 patients. The next year the total was 2,828. In 2018, it reached 4,493. In 2022, *a horrifying 13,241 patients were killed*.²¹ (If the same percentage of people were killed by doctors in

the much more populous United States, that would amount to about 140,000 medical homicides annually.) And now that patients with clearly non-terminal conditions are killable in Canada, these numbers will undoubtedly rise to unprecedented levels going forward.

Follow the Money: There is a less visible but perhaps ultimately more dangerous force driving the euthanasia juggernaut: money. Whether in a socialized healthcare system like Canada's, or one with free market elements and incentives as in the United States, once the most expensive-to-care-for patients can be killed—people with long-term chronic medical conditions, disabilities, or the frail elderly—it should become obvious that, over time, billions could be saved in the healthcare system.

This isn't paranoia. Indeed, Derek Humphry, the co-founder of the Hemlock Society, made this point explicitly in his book (co-authored with Mary Clement) *Freedom to Die: People, Politics and the Right to Die Movement*. In a chapter entitled "The Unspoken Argument," the euthanasia advocates write, "Elders or otherwise incurable people are often aware of the burdens—financial and otherwise—of their care." They then get to the ultimate point:

A rational argument can be made for allowing PAS [physician-assisted suicide] in order to offset the amount society and family spend on the ill, as long as it is the voluntary wish of the mentally competent terminally ill and incurable adult. There will likely come a time when PAS becomes a commonplace occurrence for individuals who want to die and feel it is the right thing to do by their loved ones. There is no contradicting the fact that since the largest medical expenses are incurred in the final days and weeks of life, the hastened demise of people with only a short time left would free resources for others. Hundreds of billions of dollars could benefit those patients who not only can be cured but who also want to live.²²

Canadians have already noted the costs being saved for their socialized system from legalizing euthanasia. Back in 2017, a study projected that Canada's socialized medical system could save up to C\$138.8 million annually by not treating patients (less C\$1.1 million for the costs associated with euthanasia). It is worth noting that the authors based their cost-savings projections on more conservative practice than the country's actual experience. They assumed that "40% of Canadians who choose medical assistance in dying would have their lives shortened by 1 week, and 60% of patients will have their lives shortened by 1 month."²³ In practice, many patients do not wait until the very end of their illnesses before being euthanized.

More recently, a 2020 projection found that if some 6,000 Canadians were to be euthanized under a proposed (and now in effect) expansion of death eligibility beyond "death being reasonably foreseeable," the annual net savings would be C\$149 million.²⁴ But *more than twice as many* Canadians

died by euthanasia than was predicted in 2022, with the total cost savings currently unknown. Moreover, with the elderly, people with disabilities, and those with chronic and (soon) mental illnesses now being euthanized, the cost savings will undoubtedly increase, providing a potential incentive to further normalize killing as a “medical treatment.”

Euthanasia Poisons a Nation’s Soul: Transforming killing from a negative into a beneficent means of eliminating suffering changes public morality. For example, when euthanasia began in the Netherlands, it was supposed to be strictly limited to cases of *force majeure*. But after decades of desensitizing the public to doctors causing death, the Dutch people now overwhelmingly support allowing euthanasia for what is known as a “completed life.” From the *NL Times* story:

A massive 80 percent of voters believe that people should be able to get help in dying when they feel they’ve come to the end of their life, Trouw reports based on a Kieskompas poll of almost 200,000 people. Only 10 percent of respondents disagreed with the statement that people who consider their lives complete should be able to end their lives with professional help. The other 10 percent of voters had no opinion on the matter.

The first focus of this idea are the elderly:

The [parliamentary] bill would allow people over 75 to decide when to die with professional help if they feel they’ve reached the end of a completed life. Added to the bill is a six-month process in which they have to meet with an “end-of-life counselor” at least three times.²⁵

Note well that the concept of the “completed life” need not involve any physical illness, disabling condition, or psychiatric malady at all. People could decide they have lived long enough due to loneliness, boredom, fear of future widowhood, death of an adult child, dissatisfaction with living conditions, worries about being unproductive, you name it. In other words, “completed life” euthanasia would allow the *healthy* elderly to be terminated.

Moreover, in principle, why should eligibility be age-dependent? Once the concept of the “completed life” is accepted, why shouldn’t the death option be available to younger people? Indeed, doesn’t every suicidal person believe their useful life is completed? Again, as with many aspects of euthanasia, there is no effective limiting principle.

Meanwhile, in Canada, shockingly large percentages of people now support euthanasia as a remedy for the suffering caused by adverse *social conditions*! According to a recent poll, 27 percent of respondents strongly or moderately agree that euthanasia is acceptable for suffering caused by “poverty,” and 28 percent strongly or moderately agree that killing by doctors is

acceptable for suffering caused by “homelessness.”²⁶

Before the legalization of euthanasia, I’m confident that few Dutch would have supported allowing doctors to kill healthy geriatric patients—any more than (I hope) Americans would. But after decades of euthanasia normalization, only 10 percent think it would be wrong. And can we imagine more than *one-quarter* of Canadians supporting euthanasia as a remedy for homelessness if it had not already become widely accepted for the suffering caused by illness and disability? Do you see what I mean about how euthanasia is poisoning a nation’s soul?

“But Wesley,” some might say, “the same moral decay hasn’t happened in states that have legalized assisted suicide.” As a fact checker would put it, that’s partially true. People aren’t (yet) assisted in suicide for botched sex-change surgeries or for having suffered sexual predation by their psychiatrist.

But that shouldn’t make us sanguine. Almost every state that has legalized assisted suicide already has liberalized its regulations to allow easier access to doctor-prescribed death. Oregon and Vermont have done away with residency requirements, and some states even allow virtual assisted suicide, with doctors examining patients who want to die over the internet. Besides, the people of the United States have only nibbled at—but not yet swallowed—the snake’s proffered poison apple, which is why the death agenda has not yet swept the country. But if we ever do yield to the culture of death, the same tragic trajectory seen so vividly in the Netherlands, Belgium, and Canada will happen here. As I pointed out at the beginning of this essay, it’s only logical.

Conclusion

Euthanasia cannot ultimately be restricted only to the few for whom nothing but death can eliminate suffering. Once medicalized killing becomes normalized, the death agenda spreads, objectifies those who want to die, and corrupts public morality in ways that should shock the human conscience. The same progression will happen here too if we don’t change our current cultural trajectory. And many of those who dismiss the warnings contained in this article as alarmist will applaud when that dark time comes.

Those with eyes to see, let them see.

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**20th Annual Great Defender of Life Dinner
Honoring**

**Thomas Brejcha
and
George McKenna**



October 12, 2023

Union League Club, New York City

Rev. W. Ross Blackburn:

Thank you. Let me briefly give the Invocation. I'm always fascinated by that word—to invoke—especially when you think about what it might mean to invoke God. In effect, an invocation is to ask for the help of the Lord, and not only over this evening, but really for this cause, which is to defend the fatherless and to plead for the widow or, to read it, mothers in crisis and their unborn children. This is why we're here. But to invoke the help of the Lord implies something, and that is that we go about God's work, in God's strength, and in his way. And with that in mind, I want to read Psalm number two:



*Why do the nations rage
and the peoples plot in vain?
The kings of the earth set themselves,
and the rulers take counsel together,
against the Lord and against his Anointed,
saying,*

*“Let us burst their bonds apart
and cast away their cords from us.”
He who sits in the heavens laughs;
the Lord holds them in derision.
Then he will speak to them in his wrath,
and terrify them in his fury,
saying,*

*“As for me I have set my king on Zion,
my holy hill.”
I will tell of the decree:
The Lord said to me,
“You are my son; today I have begotten you.
Ask of me, and I will make the nations your heritage,
and the ends of the earth your possession.
You shall break them with a rod of iron
and dash them in pieces like a potter's vessel.”
Now therefore, O kings, be wise;
be warned, O rulers of the earth.
Serve the Lord with fear
and rejoice with trembling.
Kiss the Son,
lest he be angry, and you perish in the way,
for his wrath is quickly kindled.
Blessed are all who take refuge in him.*

The Psalm describes the world that we live in—a world where those in power, whether elected or not, take counsel together against the Lord. So, you don't have to be a "theorist" to believe in conspiracies. People have from the beginning of time conspired to do evil; it's no different in our day. There are eight [prolifers] that Maria told me about, and I believe you'll hear about it later, who are in prison, and we will pray for them. I suspect maybe Tom Brejcha will speak to this . . . [defending them] is what he does.

This describes the world that we're in, that conspires against the Lord and against his people. So, what does God do about it? Well, he laughs at the pretensions of the rulers of the nations, and he will speak to them; he will speak to the nations in terror and fury and give them into the hand of his king, his Messiah, his Christ who will break the nations. In other words, the shedding of the blood of infants and the violation of their mothers will not continue indefinitely, but woe to those by whom it comes.

So, what is our part, what does it mean to do things in God's strength and in God's way? Well, listen again: "Now therefore, O kings be wise; be warned, O rulers of the earth. Serve the Lord with fear and rejoice with trembling. Kiss the Son, lest he be angry, and you perish in the way, for his wrath is quickly kindled. Blessed are all who take refuge in him."

This is the voice of the church. It's not the *only* voice of the church. For instance, the voice of the church is also a word of forgiveness and peace and new life to the weary and heavy-laden in this abortion-weary world. And only the church can speak that word. But the word of the church is also a word that the Lord's Messiah, his Christ, reigns: "Kiss the Son, lest he be angry, and you perish in the way," which is both a warning but also an invitation to the rulers of the earth. Now speaking such will be counted foolish by some, but many will take it seriously, and it will bring suffering. In fact, the persecution of proliferers is because the rulers of the world take it very seriously. But perhaps some will repent. In Jonah's day, remember, the king of Nineveh repented and perhaps in ours [some will repent] as well, that's God's concern. But we also need to hear it too; that the Lord reigns, lest we get discouraged. See? *Dobbs* didn't make anything easier, did it? We need to walk in hope, as Maria said. Blessed are they that hope in the Lord. We may wonder why God lets these things go on, but he will set things right. And we need to remember.

With that in mind, let us pray: Father in heaven, in the name of your son Jesus Christ, we give you thanks. You are the Lord and you have given us your Christ who will return and set all things right, who will wipe the tears away from the broken, and will set things as they should be. Thanks be to God. We thank you for the Human Life Foundation, we thank you Lord for

their persevering work for nearly 50 years now. Guide, strengthen, protect them. For those who are in prison, suffering for being a voice for the voiceless and many others, we ask your blessing. For the pro-life movement and for the church, grant us strength, we pray, to hope in you and to be faithful in our day. And we also thank you for this food we're about to receive, for those who prepared it, and those who serve it to us. May it strengthen us that we might serve you and one another well. We pray in Christ's name. Amen.

Peter Pavia:

Thanks Maria. Thank you. And thank you ladies and gentlemen for coming together this evening for this elegant but important annual event. Any humbling association I can claim with the *Human Life Review* would be impossible without the tireless work of Mr. and Mrs. James P. McFadden to establish an intellectual community—the intellectual backbone of the pro-life movement. I am sorry I never had the chance to meet JP, but I do remember Faith with great fondness, smoking cigarettes in the kitchen of their rambling apartment up on the East Side. I miss her terribly.



I mentioned our founders not to be maudlin but as a reminder that our inheritance is also our legacy.

It is now my privilege to introduce Professor George McKenna, the first of tonight's honorees. Mr. McKenna is Emeritus Professor of Political Science at City College of the City University of New York.

His startling rhetorical rigor has been spotlighted across the decades in no fewer than 20 articles for the *Human Life Review*. In advancement of this noble cause, this just cause, the cause of life, please help me to welcome George McKenna.

George McKenna:

To all the members and the leadership of the Human Life Foundation, I want to express my deep appreciation for the honor you have given me tonight. For 49 years and counting, the *Human Life Review* has been the leading voice in defense of the unborn and their mothers, and I am proud to have been associated with it for 27 of those years. All of us are so very grateful to Maria McFadden Maffucci, Anne Conlon, and their dedicated team for the wonderful work they have been doing all these years. *Because that work and*

those efforts have borne fruit. At one *stroke*, on one day, in June of 2022, the Supreme Court finally relinquished the power it had seized nearly half a century earlier: It now put the issue of abortion squarely into the hands of Congress and our state legislatures. Abortion is no longer a constitutional right. It can be a right under state law, but it's not *welded* any longer to our beloved Constitution.

I want to turn to some of the implications of that decision and some of the possibilities it opens up for us. But before doing that I want to move the clock back for a moment and tell you something that happened 28 years ago. In September of 1995, *Atlantic Monthly* magazine published an essay of mine pointing out certain similarities between today's abortion controversy and that of slavery in the mid-nineteenth century. A couple of weeks later Anne called me up and asked if the *Review* could publish the piece. I said yes, and that was the beginning of my long association with the *Review* and its pro-life mission.

Unfortunately, there are many people who oppose that mission. The night before my article appeared in the *Atlantic Monthly* my wife and I attended a faculty-and-spouse dinner at City College of New York, where I taught. We sat around for a couple of hours eating, drinking, and shmoozing. Sylvia and I got especially chatty with one of my CCNY colleagues and his wife. We all had a great time.



The following Monday I saw my academic colleague in the hall at City College. He had a mysterious smile on his face. He told me that his *Atlantic Monthly* had landed in his mailbox on Saturday morning, but his wife didn't start reading it till evening because she liked reading her favorite magazine while lounging in bed. Anyway, she finally did pick it up and within minutes came running out of the bedroom asking, "Is this the same George McKenna we were with last night?" When he nodded yes, she shouted, "*And I thought*

he was a nice guy!” (laughter)

The *Dobbs* decision last year probably didn’t do much good for that lady’s blood pressure. Because at one stroke the Supreme Court gave up the power it had to decide whether and in what circumstance abortion is justified. That power was now transferred to the states and to Congress.

Let’s start with the latter, with Congress. Technically, Congress could pass a law banning abortion nationally, but that’s not likely to happen. South Carolina Senator Lindsay Graham tried it last year by introducing a bill to ban abortion anywhere in the United States after 15 weeks of pregnancy. It went nowhere in a chamber dominated by Democrats, but even many Republican senators were happy to pass that hot potato over to the states.

So, practically speaking, it’s really in the hands of the states. OK, so how’s *that* been working out? Well, I do like the law passed just last April by North Dakota banning abortion *throughout* pregnancy, with rare exceptions, before a heartbeat can be detected. Some other states, such as Oklahoma, Iowa, Florida, and Idaho, also have robust anti-abortion laws. But at the other end of the spectrum, we have the abortion laws of California, New York, New Jersey, Illinois, and most of New England, which allow abortions up to the moment of birth. The rest of the states are at various points in between.

Last year’s midterm elections brought some sobering news for our side. Abortion was on the ballot in five states, and in all five, abortion advocates won, and that included Montana and Kentucky, states usually friendly to our side. To be sure, there were some bright spots: Several pro-life governors easily won reelection after backing strict abortion limits. Nevertheless, it’s obvious that we have much work to do in getting our message out there. Along the way, though, we do have some realistic guideposts for measuring our progress.

One was set firmly in the ground some years ago by Pope John Paul II—*SAINT* John Paul if you please: He said it’s permissible for Catholic politicians to vote in favor of laws permitting abortion *so long as the imperfect new law replaces a worse one*. (I’m grateful to two of my colleagues, David Quinn and Wesley Smith, for pointing that out.) I’m convinced that that is doable in the near future in all or most of the 30 states with the worst abortion laws.

Abortion proponents like to cite figures showing that a large majority of Americans want abortion to be legal during the first trimester of pregnancy. What they don’t like to acknowledge is that an *even larger majority* of Americans want abortion banned during the second and third trimesters. So the time is ripe for pro-life groups to bring their fight to the 30 states that permit late-term abortions. Fact-checkers at the *Washington Post*—hardly a conservative newspaper—have concluded that the U.S. is one of only seven countries in the world that allow abortions after 20 weeks of pregnancy. The other six, by the

way, are North Korea, China, Vietnam, Canada, Singapore, and the Netherlands.

So it's the abortion industry and its influential friends on one side and the pro-life movement on the other. I'm going to do whatever I can, from picketing to praying, to help our side, but I can't predict an outcome. The one thing I am sure of after all these years living here is that *Americans love life*. Their social mores have been shaped by their celebration of life as an unalienable right. That is why Americans are so uneasy about abortion. They know that abortion is a killing process. The abortion spokesmen know it too, which is why they go to such great lengths to hide it. Abortion is a "procedure," a "reproductive health measure," a "choice." They don't seem to like the actual word "abortion," which is why they resort to euphemisms so often. The most puzzling euphemism is the term "reproductive care," which they use to describe a procedure aimed at STOPPING reproduction. That's the reason why they won't compromise whenever anyone suggests a ban even on late-term abortions. They know that, *once they do that, they're in trouble*. Why ban very late-term abortions? Well, presumably because there is now, finally, at long last, a human being living in the womb. But if it's a human being at, say, eight months, why not at seven? Or five? Or three? And so on. Keep that up and eventually some genius is going to say, "Hey, maybe it's been a baby all along." *I mean, follow the science, guys!* (laughter) How many times have you heard that? Well, now it works in *our* favor.

That is why I have suggested that the abortion lobby is playing with a weak hand. Americans love life, especially innocent life. They hate to see it destroyed. And yet some states of our nation have on their books laws that permit the killing of children in the womb after 24 weeks of pregnancy, laws comparable to those of North Korea, China, and Vietnam but banned by almost every country in Western Europe.

So we have an anomaly here. We have a nation of people who love life, yet many states in that nation have left their doors wide open to late-term abortions. So, we have our work cut out for us. If anyone ever asks me—and so far no one has—I would suggest this strategy: Start with the worst of these states: California, New York, New Jersey, Illinois, and most of New England—and expose them for all to see. That very exposure can *take on a life of its own* as more and more people hear, *some for the first time*, what the hell has been going on in their legislatures over the past ten years.

But whatever our strategies, we're now in a position to move forward because *abortion is not a constitutional right*. Abortion has been shaken loose from its proud perch in the U.S. Constitution, so we now have it in *our* power to force it out the door in at least a good number of states. Then, in due time, we'll come back for the rest.

Thank you very much.

Ann Scheidler:

Thank you, Maria.

It is such an honor for me to have the opportunity to introduce my dear friend Tom Brejcha.

My copy of *Human Life Review* showed up in my office last week, and so I, of course, went right to the article that he wrote for that edition, and I started reading it. I hope that you have read it. If you haven't, be sure you do. And I want you to know it's about half the length of the original article Tom wrote because he never writes anything short and condensing 28 years of a court battle into like eight pages is, you know, difficult. But if you want the longer version, you just have to contact Tom and he'll be happy to e-mail it to you.

Anyway, so I started reading the article and it prompted me to go back to my husband's famous journals that he used to keep on everyday life—on everything. And I wanted to know: When did he meet Tom Brejcha? Well, it turns out it was August 14th, 1986. And let me tell you how we came to know him. Joe was sued by the National Organization for Women in June of 1986. It was originally an antitrust suit, and we had a couple of different nonprofit law firms that were interested in representing him. It ended up being Americans United for Life, and although they had a lot of experience with legislative work, they didn't actually have litigation experience. So I called my brother-in-law, who was an attorney. I said, do you do antitrust work, and he said no, but a friend of mine just had a case before the Supreme Court. It was Tom Brejcha. So, Tom met with Joe and changed his life forever. He probably has some second thoughts about that lunch, that is, I think it was a lunch meeting.

The first time I met Tom, for some reason I was going to go to court with him to file for—I think it was a status hearing or something. I go to his law firm. In his office, every surface, every chair, the desk—everything—is piled with books. The books are all full of yellow post-it notes, pages of yellow post-it notes. And I find this little, tiny spot on the edge of a chair in front of some books, and on the table is half a muffin. And Tom says, oh yeah, you can sit there, and that's for you, meaning the muffin. The muffin is for me! (laughter)

He's furiously typing because he's, you know, coming up with new ideas



constantly. So last minute, we're due in court at 9:00 in the morning, it's like about 20 minutes to 9:00 and he's still typing away. Then he pulls the document off of the printer, and off we go to court. And that was the first of many, many such days spent with Tom.

Tom is brilliant. And often distracted because he's thinking about new angles to the cases and his brain is totally packed with facts and cases and history and books—he reads constantly. And, as I came to know, he is also a sucker for a person in need. He can't say no, and I am forever grateful for that. Tom Brejcha is the personification of a good man. He's a devoted husband and father, a truly brilliant lawyer and a true friend. When the cost of representing Joe Scheidler became too much for his law firm—we couldn't pay anything—the partners told him he had to make a choice: He had to either quit the firm or quit the case. And he opted to quit the firm.

Now, you can imagine what a huge economic sacrifice that was. I mean he had a relatively steady salary as a business attorney in a law firm in Chicago, and he's stepping down to represent someone who has no money at all with no apparent ability to pay him. But he did it, he stuck with it and along the way, you know, he got a lot of notoriety. And then we established the Thomas More Society to continue representing Joe. And Thomas More, I think, now has something like 120 pro-life clients, defending those whose rights are being trampled on. He's also gotten a ton of wonderful young lawyers who want to work for Thomas More, partly because they really believe in the cause, and partly because they really want to work with Tom Brejcha. Help me welcome Tom Brejcha.

Thomas Brejcha

Thank you very much, Human Life Foundation. It's a wonderful honor you bestowed on us, and on our Thomas More Society, and I accept it with grace. But believe me, it belongs to the heroes whom we represent; many of them are here tonight. I'll mention a few of them as we talk about our cases.

I'm a soft touch for a hard case. You know, who could believe an anti-trust case against a pro-life activist trying to save babies' lives? It was an abomination, you know.

But you can't argue in court that way. We had obvious defenses, thanks to Americans United for Life, a pro-life firm then based in Chicago. They asked me to get into the case. I had great help from people like Clarke Forsythe, Senior Council of AUL, who is here. (applause) Thanks, Clarke. He's another who was given this honor before, well-deserved. And I've had terrific support

from a lot of wonderful young lawyers, men and women lawyers, over the years.

We finally did prevail in *Scheidler*—the article is in the *Human Life Review*. Thank you for publishing it. And it's the short version; the long version went on for 28 years. We lost. The lessons are great: persistence, persistence—we won. We finally got the case thrown out of court on grounds that were obvious after five years. It was affirmed on appeal to the Seventh Circuit Court of Appeals, but oh, heavens, the Supreme Court granted review on the RICO case. We lost 9 to nothing. We didn't give up; it went back down. It was a tough time, and we kept on. We went through a big trial. Racketeering charges were added. Imagine, people at the ABA convention I used to attend would say, Well, what kind of law do you do? I said I'm from Chicago, I do racketeering law. (laughter) And heavens, well, we won—we won 8 to 1. And then, my God, the lower court tried to overturn the Supreme Court.

People look at me like I'm making something up. It's true. It's the reason that Sotomayor is on the Supreme Court—because the head of the panel in Chicago was Obama's first choice to be his nominee, and they said there is something she did in that abortion case in Chicago. Well, she tried to overturn the Supreme Court. It was a good bet because we'd been up there twice.



I don't know of any case—people tell me they've checked—that's been there three times. It was a good gambit that it wouldn't be before them again, but she lost the gambit. We went up again; we won unanimously.

But let me hurry on, I do want to thank Consistent Life. They used to call themselves Seamless Garment Network. Carol Crossed is here from Rochester. (applause) Carol, you won the case, and you know that. Carol put an ad when we lost 9 to nothing in the *New York Times*, and it found its way to me, and there it was upbraiding the Supreme Court decision calling this nonviolent protest racketeering, and my heavens, it was signed by people

like Joseph Lowery, executive Director of the Southern Christian Leadership Conference, Ramsey Clark, former attorney general, and Fr. Dan Berrigan, Jesuit. When it came time to go to trial, I called those people, and they rallied in our support. Thank you, Seamless Garment Network.

A great event happened during the argument before the Court. The Solicitor General of the United States—his name was Ted Olson; you may remember him from *Bush v. Gore*—argued against us, *against* us on the key issue, until Ruth Ginsburg posed this question to him: “Mr. Olsen, could your theory have been used against the civil rights protesters?” And he had to say, “Well, yes it could.” He started to explain, and she cut him off. That exchange was quoted in the Supreme Court report of the case because Ginsburg and Breyer filed a concurring opinion and focused on that response. They also joined the majority opinion of the eight justices, written by Rehnquist. So, it helps to reach out to the other side, if that’s what they are, you know, because now we have these great divisions, and we should be as bipartisan as we can and broad-minded in our advocacy.

You know I’ve got a laundry list of cases and I’m going to jump quickly because you’ve got to get on with the program. But we have probably 10 or 11 cases here in New York. I went to law school here—let me be quick about that, at NYU law school. I had a Root-Tilden Scholarship. They wanted to bring folks to NYU from the hinterland. One of my classmates was a fellow named Giuliani. I think you may have heard of him. Class of 1968. I’m an old geezer. I feel bad for Rudy now, he’s going through a tough time. Another classmate was Norm Seigel, head of the ACLU. And Norm Seigel gave Rudy, when he was mayor here, a lot of trouble about, you know, stop and frisk laws and so forth. That was a different era, was it not? But I didn’t realize at the time that NYU law, when I was there, made me uncomfortable. Why so? I couldn’t put my finger on it. I was elected the class representative, and yet it was difficult. Well, there’s a book by David Garrow, biographer of Martin Luther King, called *Liberty and Sexuality*—I recommend it—about how *Roe v. Wade* came about. Well, guess where it started. At NYU law school. And when was that? In the ’60s. There was a guy, one year ahead of me, that Garrow credits for coming up with the theory of the permutations and the, you know, emanations that formed the swampland basis of *Roe*’s reasoning. So, no wonder it was uncomfortable. But in any event, at the time I didn’t know that, and I went on to be a business lawyer.

But I’m a soft touch for a hard case, so I didn’t go back to my law firm Kirkland, a big firm in Chicago. I went off to, well—I had to fight. Rudy went to Nixon’s law firm; I went to Vietnam. I came back from Vietnam, and there was Rudy on TV as Assistant Attorney General for John Mitchell, a

senior partner at the Nixon, Mudge, Rose, Guthrie and Alexander law firm.

I joined a small firm. The head guy was Barnabas Sears, picked as the special prosecutor in Chicago of the police raiders who killed the Black Panther leaders. So, I had a bit of a background in, quote, civil rights law. It was really criminal law. Sears hit a wall. This was not a case hospitable to the Cook County establishment where I grew up, and where I live now. But in that law firm I had a senior partner, Jim Fox, a true Christian, devout Catholic, and when they asked me if I could help with Scheidler, he said sure, go file on appearance, we'll back you up. Well, it went on for 28 years! After 10 years of, quote, pro bono work, the firm had good reason to say, Tom, you better quit the case or quit the firm. So, you know my dear wife, Debbie, couldn't be here because she's going to have knee surgery; she wanted to come. But she supported me then, although when I told her I resigned from the firm, she said, "Well, Tom, go back tomorrow and you tell him you're un-resigning." We had our older guy who was going to Notre Dame. It wasn't cheap. She had a good, steady job, and we made it. And Ann and Joe came through for us and set us up as a nonprofit. So that's how Thomas More started.

What are our cases? These are very important cases. And I say cases are narratives. They shape the nomos—the normative universe in which we live, which is to say, the culture. So that's the way we pursue these cases, not just to win/lose, but to make some points. The Church at the Rock case—my goodness, it took us a long hearing before the Eastern District of New York and Brooklyn. Leticia James was undercover, getting these people from this beautiful integrated church on video [peacefully protesting outside a Queens, NY, abortion clinic] to show that they interfered with access, violating the law. Well, they did not. The judge had a two- to-three-week hearing; ruled for us. It went up on appeal; Guido Calabresi, former dean of Yale Law School, took a year to rule that the judge was wrong. We disagreed. We filed a motion to reconsider by all the judges on the Second Circuit down at Foley Square. And, well, guess what, Judge Calabresi himself wrote a new opinion and said, you know, I made a mistake, I was wrong. And we won. And then Leticia James gave up. But she's still at it. There's the Boss Bill, and we're happy that Chris Slattery and his wife, Eileen joined us. (applause) I hope they're still here, maybe they couldn't stay. But Chris has been stricken. He runs Expectant Mother Care here in Illinois—New York, sorry—a big chain of pregnancy resource centers, and they took three years to decide that case. But they held that requiring pregnancy resource centers to hire people who have had abortions or advocate for it was indeed a violation of First Amendment rights. And now it's on remand to the trial court again and will also be up for consideration of the New York City version of the Boss Bill. So even

when you win, the cases sometimes go on.

Our wonderful lawyer Chris Ferrara is now going after Westchester, which passed a terrible law limiting sidewalk counseling, which is a last-minute plea to moms to save their children. We're going to win that case. We're fighting the Reproductive Health Act with Feminists Choosing Life of New York, in *Smith v. Hochul*. We're on appeal on one issue, we lost on some others, but the case is still going on. We keep beating these drums because you can't stop beating the drum. When you beat it loudly and long enough, people hear, and they hear this message of life, that is a winning message. It's a winner, so we have to keep at it.

Now, Leticia James is after the Red Rose Rescue people—Ferrara is defending that for us. She's trying to shut that down, she's not going to succeed. Jim Havens of Rochester runs the Men's March down in DC, maybe elsewhere too. He was our lead plaintiff, and he just defeated, again in the Second Circuit—we do a lot of business up there in Foley Square—where they said an old ban on picketing against Operation Rescue, which goes back to my era, could be applied to Jim, who had nothing to do with Operation Rescue back then. So, our gentleman litigator Tom Olp took on that case. We call him a gentleman warrior. It took three and a half years for the Second Circuit to rule in that case. Jim Havens won. Why did it take three and a half years? Something is going on. These things are percolating, even among the justices of our courts of appeal. Something is changing. Keep beating that drum.

The pregnancy resource centers in New York, generally, have now been attacked by, guess who, Leticia James. And she sent a questionnaire that's a Trojan horse. She's obviously about to pounce on them and we're helping the PRCs together to fight off that attack. There's violence against the pro-life people, a firebombing in Buffalo. CompassCare was bombed in the middle of the night. Thousands of dollars in damage. Jim Harden—Reverend Jim Harden—has our support. In any event, they [CompassCare] are suing two people who were found on the security cameras defacing the sign outside his clinic. We call that a violation of the FACE Law, impairing access, because if you can't have a sign, your access is impaired, is it not?

So that brings us to the FACE cases, and you know we have these people who are now in jail, including Joan Andrews whose husband, Chris Bell, is here. We're praying for you, Joan, and for the others. And my tiger litigator, Peter Breen, who's here, tells me that the other side has filed their brief. We're trying—to use the old term from Cook County—to spring them. They were incarcerated immediately; we think that was in violation of the law. And, of course, we think the FACE Act is unconstitutional and we're going

to press that on the appeal of the merits, if there is a sentencing which will be coming up after this initial appeal is resolved. Now we have so many other cases—I can't tell you about all of them.

But let me tell you, there are attacks going on against pregnancy resource centers that are just abominable. In Illinois, Peter Breen just defeated a law brought by our version of Leticia James, Kwame Raoul, Attorney General. The judge said this was a stupid law and plainly (at least we think it looks like it will be found) unconstitutional. But the whole case isn't over. Now Peter just told me on the phone they said they're going to take 25 depositions regarding NIFLA (National Institute of Family Life Advocates) PRCs in Illinois. Well, see what they're trying to do. They're going to wear us out. They're going to raise the price of defending these people, and we're going to get our judge to stop it. It's an abominable effort to fight people trying to save lives and they're using money to do it.

In California, now—and this is the end!—Heartbeat International has been sued by their version of Leticia James, Rob Banta, the Attorney General there, and we will defend Heartbeat. They're saying that it's wrong and a fraud to the people of California to say the abortion-pill reversal will save lives. Well, the short answer to that is that it has saved many lives. And to hear more about it, read the *Human Life Review*.^{*} So, we'll have expert witnesses in there and we're going to have, maybe, some of the moms whose babies were indeed born by means of abortion pill reversal. What better evidence that this is not fraud. This is the truth. And the truth will prevail. So, thank you, thank you very, very much, and let's keep fighting.

^{*}See Julia Duin's Spring 2023 article: "Internet Giants Censor National Abortion Debate."



Sylvia McKenna with daughters Laura McKenna (l) and Maria McKenna Brockmeier



Dominique Cognetti and Anna Maffucci greet Rev. W. Ross Blackburn and son, and Clarke Forsythe



Pat O'Brien and Maria chat with NEWSworthy's Madeline Fry Schultz



Thomas More Society Attorney Peter Breen (center) with associates Joe Barnas and John Phillips

20TH ANNUAL GREAT DEFENDER OF LIFE DINNER



*Catherine Dillon (r), with
Mary Lou and Marc de Venoge*



Congratulations Tom Brejcha!



Congratulations George McKenna!



*Cecile Thompson, Rev. Victor Lee Austin,
Rev. W. Ross Blackburn, and Rose DeMaio*

George McKenna: A Coda

Anne Conlon:

Alas, Covid sent me to bed—and to sleep—for several days last October, causing me to miss both our annual dinner and the pleasure of introducing honoree George McKenna, a brilliant champion of the unborn and cherished friend. I “met” George back in 1995 when I called to ask permission to reprint his *Atlantic Monthly* essay “On Abortion: A Lincolnian Position” (Winter 1996). J.P. McFadden had recognized its importance and wanted it in the *Human Life Review*, the journal he founded because, as he put it, there had to be a record of the abortion debate so no one could say they “didn’t know” what was going on.

At a National Review Institute dinner in D.C. last spring, one of my tablemates was Michael K. Bishop, a Lincoln historian and former executive director of the congressional Abraham Lincoln Bicentennial Commission, who told me he well remembered the jolt George’s *Atlantic* essay gave that debate back in the nineties. “Mr. McKenna’s policy recommendations,” Mr. Bishop subsequently wrote me, “were Lincolnian in both their moderation and moral clarity. Any politician who followed them faithfully could, like Lincoln himself, expect to be attacked from both sides of the political spectrum. But the ultimate goal would be worth the slings and arrows along the way. Congratulations to George McKenna for having successfully recruited the greatest American president—the Great Emancipator—to another noble cause.”

A decade later, another essay of George’s, this one written for us, caught the eye of the late Fr. Richard John Neuhaus, as eloquent a prolifer as ever was. “It’s galling,” he admitted in *First Things*, “when a good friend submits to another publication an article that we would have loved to publish.” The piece was “Criss-Cross: Democrats, Republicans, and Abortion” (HLR, Fall 2006), which, Fr. Neuhaus wrote, was “about as fine a treatment of important aspects of how we got to where are as I’ve ever read.” In his most recent essay for the *Review*, “Getting There,” written after the 2022 *Dobbs* decision overturning *Roe*, the seasoned political scientist outlined a bracing strategy for taking the fight for life to the states.

“Man in full” is an overused epithet but not when the man is George McKenna. One of George’s several books, a debate-style reader (with Stanley Feingold) titled *Taking Sides: Clashing Views on Political Issues*, went through 18 editions and has helped scores of college students learn not only how to think about controversial topics like abortion but also how to respect the thinking of others. George, along with his wife Sylvia—also a friend—attended the March for Life for decades and often prays outside a local abortion clinic with one of their daughters. After forty years in academe, Professor Emeritus McKenna spent the next seventeen volunteering at Office of Concern Food Pantry in Englewood, N.J., from which he retired as director in 2019. We pray that George doesn’t entertain the idea of retiring from writing for the *Human Life Review* anytime soon.

BOOKNOTES

TO DIE WELL: A CATHOLIC NEUROSURGEON'S GUIDE TO THE END OF LIFE

Stephen E. Doran

(San Francisco: Ignatius Press, 2023, paperback, 219 pp.)

Reviewed by John M. Grondelski

Writing about how people died alone during the Covid pandemic, Stephen E. Doran cites *Ars Moriendi* (The Art of Dying), a 15th-century work intended to help people in the age of bubonic plague “die well,” alerting them to life’s temptations and traps as they head down the path toward death: the defining moment of their existence.

That death defines the person hardly seems to be in dispute. Euthanasia advocates, even those who are agnostic or flat-out deny that an afterlife exists, call for “death with dignity,” assuming that a person’s “autonomy” is encapsulated in the final moment of life. The Judeo-Christian tradition, while affirming “life is changed, not ended,” nevertheless holds that post-mortem life is fixed by what a person was at death. So the “art of dying” remains a vital proposition, even if our culture generally surrounds death with an evasive silence.

Doran’s *To Die Well* could be considered an *Ars Moriendi* for our day. Though written for a popular Catholic audience, confessional considerations should not limit this book’s reach, which is broadly Christian. It has something for all people of good will, since much of Doran’s discussion about ethical issues connected with dying is rooted in natural law principles accessible to all.

The breadth of this book—encompassing bioethics, medicine, theological anthropology, spirituality, sacraments and liturgy—defies pigeonholes, while matching the scope of its author’s expertise. Stephen Doran is a Nebraska-based neurosurgeon with almost 30 years of medical experience who writes about bioethical issues. He is also a deacon of the Catholic Church.

To Die Well is divided into two parts, “Morality” and “Spirituality.” The first lucidly explains circumstances imposed on death by modern medicine: medically assisted nutrition, withdrawing care, palliative and hospice care, pain control at the end of life, advance directives, brain death, perinatal death, euthanasia, how people died during Covid, and what he calls “deaths of despair.”

While each of these topics could be a book, Doran sticks to the essentials

within the grasp of a non-technical audience. A chapter on “Medically Assisted Nutrition” explains why nourishment and hydration, even if a feeding tube is necessary, is not an “extraordinary” means of prolonging life. “Withdrawing Care” explores the ordinary/extraordinary care distinction, stressing that an individual’s medical circumstances may make the same treatment “ordinary” for John but not for Joe.

Another important chapter deals with “palliative” and “hospice care,” along with “pain control at the end of life.” Fears about “unbearable suffering” are stoked by proponents of euthanasia to justify medical interventions designed to cause death. That modern medicine can ameliorate, or at least “manage” pain reveals many of their arguments to be less fact-based than ideological.

Doran distinguishes among “advance directives,” “living wills,” and “POLSTs” (Physician Orders for Life Sustaining Treatment). He is inclined to favor “advance directives,” coupled with a durable power-of-attorney that designates a delegate to make medical decisions for an incapacitated person. Of course, he wants that delegate to be someone with whom the patient has shared his concerns *and* who shares an ethical commitment to Catholic teaching. He prefers the delegate over living wills and POLSTs (or even a simple advance directive) because ethical medical decisions must be made when there is a concrete medical situation, something about which an *a priori* document may either be ambiguous or cannot countenance.

“Brain Death” explains how this definition of death emerged and how it differs from the traditional one involving cardiovascular cessation. Doran also notes the wildcard that causes some (like this reviewer) to be suspicious of “brain death” definitions: organ transplantation. Organ donation can be a noble act, but sometimes it seems our technological mindset may be ready to declare John dead before his time in order to harvest fresher organs to help Jim. “Perinatal Care,” which discusses the whole complexus of medical care involving mother and child during pregnancy, is extremely timely, given the effort to portray post-*Dobbs* pro-life laws as threats to maternal life. The chapter covers a variety of prenatal issues, typically addressing them through the Double Effect Principle. I would have liked to see the argument here expanded, though, because it presupposes *two* patients, while pro-abortionists insist there is only one.

“Euthanasia” tackles the two forms it assumes in today’s world: “physician-assisted suicide,” where a medical worker simply provides lethal drugs, and “active euthanasia,” where the worker administers death. Doran argues that, in the end, they are indistinguishable: Both are tarred by a common intention: effecting someone’s death.

Doran's chapter on Covid focuses on how people died—socially and medically isolated—during the pandemic. It's his opportunity to introduce discussion of *Ars Moriendi*, preparing for death. It's also the chapter I was least satisfied with, as I would have welcomed some post-pandemic assessment of whether the inhumane protocols (you can guess where I stand) then put into place around the dying were really justified.

"Deaths of Despair" addresses an underdiscussed contemporary phenomenon: the high number of people dying from addiction or taking their own lives due to an underlying sense of meaninglessness or loneliness. The spike in suicide among young people, the rise in opioid-connected overdoses (fentanyl), and the stubborn persistence of slow death by alcohol all point to a public health *and spiritual* crisis among our contemporaries.

Part II ("Spirituality") of *To Die Well* focuses on more explicitly Catholic (though in many respects also broadly Christian) aspects of approaching death. Topics addressed include "dying well," "dying to the world," the last things (death, judgment, heaven, hell), the meaning of suffering, the last sacraments, the celebration of Christian death, and cremation.

This is where Doran lays his spiritual cards on the table. In contrast to the worldly view that dying well means choosing the manner of one's death, Doran writes this:

As the end of life approached, family was once again allowed to visit. Periods of smiling wakefulness were increasingly replaced by sleep. Judicious doses of morphine helped ease her pain but precipitated even more somnolence. Once she was no longer able to eat or drink, death was imminent. Small groups of family huddled at her bedside, whispering decade after decade of the Rosary. With family beside her, she literally breathed her last seconds after the final decade of the Glorious Mysteries were recited. A good death indeed. (pp. 140-41)

In a society where the inevitability of death is rarely acknowledged let alone discussed, this book fills a real niche, specifically for Catholics but also for everyone concerned with "dying well."

—*John M. Grondelski (Ph.D., Fordham) was former associate dean of the School of Theology, Seton Hall University, South Orange, New Jersey. All views herein are exclusively his.*

WHAT THE BELLS SANG: ESSAYS AND REVIEWS

Edward Short

(Gracewing, 2023, 508 pp.)

Reviewed by Ellen Wilson Fielding

The author of this hefty collection of essays and reviews will be well-known to readers of the *Human Life Review*: For a number of years now Edward Short's finely articulated essays, weaving great literary illuminations and their works together with themes common to Western Civilization's fast-dissipating deposit of wisdom, have appeared with welcome regularity. *What the Bells Sang: Essays and Reviews* is a compilation of work originally composed not only for the *Human Life Review*, but for *The Catholic Herald*, *The Bulletin* of the New York C.S. Lewis Society, the *Weekly Standard*, *City Journal*, and *Catholic World Report*; our readers will not only have the benefit of reacquainting themselves with old favorites but of dipping into many pages of fresh material.

Short breaks up *What the Bells Sang* into genre categories: Poets (including Hardy, Kipling, Eliot, and Auden), Moralists (including Abigail Adams, C.S. Lewis, Samuel Johnson, and Edmund Burke), Historians (with reappearances by Burke and Hardy among others), Novelists (including Trollope, Henry James, Huysmans, and Evelyn Waugh), and Biographers. Near the end there is a special category of seven pieces exploring aspects of Short's beloved Saint John Henry Cardinal Newman.

In Short's introduction, which he titles "Confessions of a Catholic Essayist," he defends himself against the charge of viewing his subjects through a biased religious lens:

... my answer to that is that all writing is biased, and certainly a Catholic bias is better than a Marxist or, indeed, a secular bias. ... Catholic bias, after all, ... puts one beyond the pale of fashion, which is a good place to be, when so many within that pale spend most of their days following the silliest or, as the case may be, the most sinister hula hoops. The good Catholic essayist is a sign of contradiction; a just, sympathetic, generous guide to the good work of others; but always a defender of the good, the beautiful and the true, even when being so exposes him to opprobrium or marginalization.

And "a just, sympathetic, generous guide to the good work of others" Short repeatedly proves himself to be. For what he shares in these appreciations of literary masters is that the vantage point of each—the soil in which they grew and the spiritual and psychological roots from which they sprang—was the goodness, beauty, and truth of Western Civilization's Christian heritage.

Most (though not all) of Short's authors were themselves late-blooming products of that civilization, plying their writing trade from the early 1800s through the mid-twentieth century. That means that secular currents of thought were already running strong, and that scientific and mechanistic challenges to traditional religion and morality (including Darwinism, new geological estimates of the Earth's age, and the deconstructing of the Bible by German skeptical scholars) were making shipwreck of the faith of many Victorians.

As a "good Catholic essayist," Short can be trusted to tease out all the layers of religious, non-religious, or antireligious sentiment in a Hardy poem or elucidate the extreme domestic challenges through which and within which Christian moralists like Samuel Johnson and C. S. Lewis astringently defended family life. About the latter topic, Short astutely observes, "Yet it is worth noting that, despite all of their familial woes, neither Johnson nor Lewis ever had anything but good things to say about the primacy of the family" (p. 144). Good things—but not trite or treacly or sentimental things. For example, among Lewis's principles that need to be followed to convert and redeem family life—for, he notes, "like everything else that is human, it needs redemption" (p. 144)—is his fifth principle on the necessity of proper family rules, because "The alternative to rule is not freedom but the . . . tyranny of the most selfish member" (p. 144).

Short's trustworthiness as both a moral and literary guide makes *What the Bells Sang* a perfect "dipping" book—readers can confidently follow their fancy in reading this or that essay or review in any or no order, and they will be sure to find gold, as well as learning more about authors they may have thought they knew very well indeed. I found this to be true with many of my favorites, including Samuel Johnson, Henry James, C. S. Lewis, T. S. Eliot, and Cardinal Newman. Short serves up "Evelyn Waugh's Displaced Persons" (devoted to Waugh's *Sword of Honour* trilogy) as the Epilogue of this volume, and surely only a "good Catholic essayist" could do such justice to both its lighthearted farce and its moving profundity. So well does Short convey the effervescent comedy of the characters in Waugh's trilogy—including the "prodigal, promiscuous, ingenuous" Virginia—that the reader may not initially be aware of the wisdom being absorbed about the ways of God and man and the immeasurable value of the human person that God so unaccountably loves.

The meanings Short apprehends from the works he presents throughout *What the Bells Sang* are particularly pertinent to those of us dealing with the carnage of the current age. Reeling from the clash between timeless truths and modernity's destructive iconoclasms, we can fall victim to a kind of

moral vertigo. But we are in good company. Most of Short's authors were also attempting to salvage the good, the true, and the beautiful from the mental and moral compromises by which we human beings convince ourselves to snatch what we want, regardless of the fallout to others.

—*Ellen Wilson Fielding is a senior editor of the Human Life Review.*

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FROM THE WEBSITE

SCARECROW AND TIN MAN

Diane Moriarty

After the successful overturn of the national abortion mandate known as *Roe v. Wade*, the next battle for pro-lifers is “winning hearts and minds.” The problem is, when it comes to hearts and minds, someone else got there first. Or something. The unhinged behavior coming from women on the abortion-rights side doesn’t add up, since they’re doing well at the voting booth. So, it’s not about being very passionate about politics. This goes deeper. It goes to places in the heart and mind where intellectual insecurity and sexual frustration dwell, and both are a prescription for derangement.

The intellectual chafe arises when they are called upon to present a rebuttal to the pro-life stance. In my experience the women who react violently when they come face to face with pro-life sensibilities are both intelligent and educated, so it’s not because they are incapable of argument that they don’t have one. It’s because for fifty years they didn’t need one. The 1973 *Roe* decision was considered “settled law.” And they had a lovable munchkin of a pro-choice jurist named Ruth Bader Ginsburg, who they turned into an abortion culture icon—the Notorious RBG.

It must have been flattering to be a woman of a certain age and have college kids wearing T-shirts with your face on it. And Justice Ginsburg did believe abortion should be legal. But she was no fan of the “breathtaking” and “extraordinary” *Roe* decision, which, she also believed, had “halted a political process that was moving in a reform direction,” and, as a result, “prolonged divisiveness and deferred stable settlement of the issue.” Ginsburg’s life was the law. She was strong-minded. If she had lived to be on the Court when the *Dobbs* case came up, how would she have voted? RBG as abortion culture icon? Or RBG as Hamlet? Suffer slings and arrows, or play nice? Perhaps she would have honored the Law she loved and voted to overturn one she didn’t, one where, she said, “the Supreme Court step[ped] boldly in front of the political process” and “seemed entirely to remove the ball from the legislators’ court.” If so, it would have been a clarifying moment for those buying into the too simple narrative that *Roe* was challenged only by “bible thumping” Right Wingers. Or perhaps not—in the blink of a venomous eye Justice Ginsburg would have gone from Media Darling to Wicked Witch threatening their inner Dorothy.

The “prolonged divisiveness” that troubled her grew deeper and wider as time went on, and now, with the overturning of *Roe*, it’s a bitter chasm; we have angry pinched minds behind angry pinched faces, lifelong friendships strained, families torn apart. Recently someone I trusted, someone who sent me birthday and Christ-

mas cards, spitefully informed me that every time one of my pro-life blogs gets posted she retaliates by using my name—without my permission—to make a donation “in my honor” to the murderous organization known as Planned Parenthood.

If the mental exertion needed to support the progressively flailing logic of the pro-abortion argument is exhausting (first it was the rusty coat hanger hyperbole, then emancipation, then it’s not really a baby, and now it’s just plain no apologies), challenging one’s comfort zone about sex begets sexual frustration: If you can’t be 100 percent sure that having sex will be inconsequential, one way or another, and since it’s necessary for one’s enjoyment, then interfering with that equals sexual repression. This mindset exists in women past child-bearing age too, so it’s not the actual possibility of becoming pregnant that rattles them. It’s the pesky intrusion of procreation into the beloved concept of sexual freedom, even when procreation is hypothetical. And so we have stampedes on voting booths to enshrine abortion through the ninth month (Let’s not take any chances!) in state constitutions. But it’s not just the sex-equals-babies downer in play here. Fear of pregnancy is being promoted.

A month or so ago I was watching a morning news program on broadcast television. They have a resident lady doctor who gives medical advice. Blonde hair; wears a white coat. The issue was how some over-the-counter pain medications, when taken by women using birth control pills, greatly increase the incidence of blood clots. She allowed that birth control pills alone can also cause blood clots. Then, as if she had been hit by a political correctness thunderbolt, she suddenly looked directly into the camera and, while wagging her finger, exclaimed: “But not as much as pregnancy does!” So, pregnancy itself is now a disease (ergo abortion is health care).

Wow. That sure throws a wet blanket over the poignant family moment when a young woman shares her news that she’s pregnant for the first time with the rest of the clan. Do the grandmas and aunties gather around and kiss her cheek and pat her back and chirp their delight? And when the young woman shyly wonders what it’s like—“Does it really hurt? Will I be okay?”—do they say: “Don’t worry, women have been doing this since time began, you’ll do fine, we all went through it ...” Or do they clutch their pearls and yell: “You’re gonna DIE of blood clots!” How many homes did this very well-known New York City television program beam into that morning? How many young women expecting for the first time were watching? Hearts and minds? More like heartless and brainless.

At least Dorothy’s friends had aspirations.

—Diane Moriarty is a freelance writer living in Manhattan. She previously wrote an art review column for Able Newspaper as well as articles outside the column. At the close of the last century DISH!, an independent film she wrote, produced, and directed was given a run at Anthology Film Archives by Jonas Mekus.

FORWARD INTO THE CULTURE OF DEATH

Brian Caulfield

The March for Life never disappoints. No matter the state of the union, the status of legislation at the federal and state level, or the twisted rhetoric of Planned Parenthood and the mainstream media, there is no denying the joyful, dauntless witness of tens of thousands of proliferers joining voices and forces in the nation's capital. This year's theme, "Pro-Life: With Every Woman, For Every Child," underscores the focus in the post-*Roe* fight, when the energies of the movement must be concentrated on the states and the individual woman in a crisis pregnancy. With some 100,000 marching in D.C. on Jan. 19—along with the important work of pro-life pregnancy centers, prayer groups, and sidewalk counselors outside abortion clinics—it is evident every day that this theme is more than rhetoric. It is an ethic to live by.

True, the nation has not moved in a decidedly pro-life direction since *Roe* was overruled in June 2022. Some politicians and leaders have seemed caught on their heels by the Dobbs decision, uncertain of the best strategy and message going forward. Should they take the principled stand and push states to ban all abortions because it's the right and just thing to do? After all, how could proliferers, who for 50 years had railed against *Roe* with heartfelt appeals and proofs of the humanity of the child in the womb, suddenly compromise on the issue? Or should they recognize the political reality in most states and settle for imperfect laws that allow abortion up to a certain stage in pregnancy?

We also seemed to lose the early debates to the pro-abortion media machine by failing to explain clearly to the public the difference between abortion and miscarriage, and how medical treatment can be provided for pregnant women with a cancerous womb or an ectopic pregnancy under the principle of double effect. Of course, these moral issues are difficult to explain even in scholarly journals, never mind in making appeals to short attention spans in a culture of sound bites and memes.

Still, despite missteps and opposition, the March for Life goes on, now 51 years old and joined by state marches. It continues because human life—always perpetuating new life and reproducing itself in new hope and energy—cannot be suppressed. Proliferers march for something that cannot be denied, even by our adamant opponents: We all treasure our lives because life is, ultimately, something good. The right to life is the most evident of the self-evident truths our nation is founded upon. That is the force behind the March that transcends any agenda on either side

of the debate. Without life—nothing. And so, we march—forward into the culture of death.

At the Mass for Life the evening before the March, thousands filled the Basilica of the National Shrine of the Immaculate Conception to hear Bishop Michael Burbidge of Arlington, Va., set the tone for the event: *Roe*, the original reason for the March, is no more, but Dobbs does not mean the end. There is more work to do at state and personal levels. “Our message must be uncompromisingly true and unfailingly charitable,” said Bishop Burbidge, chairman of the U.S. Bishops’ Secretariat on Pro-Life Activities.

Last Friday was cold and snowy, yet spirits were high, as always. The enthusiasm of the young people was infectious and the speakers at the noon rally on the National Mall were both informative and inspiring. March for Life President Jeanne Mancini was as upbeat and telegenic as ever, telling marchers they were involved in history’s largest and longest-running civil rights event. Politicians, famous athletes and coaches, religious figures, and stalwart pro-life leaders took the stage. House Speaker Mike Johnson of Louisiana revealed, “I am the product of an unplanned pregnancy,” explaining that he was born to teenage parents who chose life. Looking out at the crowd, he said he saw “a beautiful picture of America,” with tens of thousands gathered to “celebrate life and what it means to be an American.”

New Jersey Rep. Chris Smith reported that the House just passed a bill to prevent the Biden administration from cutting off federal funds to pro-life pregnancy centers offering alternatives to abortion, pointing out that they have the support of a large majority of Americans.

Yet despite some promising polls and having the truth—and so many young people—on our side, the fight for life will always be an uphill battle. Our opponents, in the grip of an evil we dismiss at our peril, will not rest. Far from suffering a setback with the *Dobbs* decision, they used the occasion to galvanize support and spread fear into even so-called red states that should be a bulwark for the pro-life movement. As Senator Marco Rubio reminded us in his memo on pro-life strategy released last week, our cause has lost seven of seven state ballot initiatives since Dobbs. He proposes a reset of political, communications, and cultural strategies, summed up in three simple steps: 1) “develop and fight for a compassionate, pro-family agenda that counters caricatures of our beliefs and makes life easier for mothers and their children”; 2) “put Democrats on the defensive about their extreme support for abortion” up to the time of birth; 3) “tell the truth about what abortion is—the taking of innocent life—and advocate limits to the practice.”

Of course, for many years multitudes of proliferers have been doing all three at both the personal and grassroots level. Now it’s time for national and local

legislators to back up the people on the ground with appropriate legislation and uncompromising principles. Nothing less than human life hangs in the balance.

—*Brian Caulfield writes from Connecticut.*



Maria McFadden Maffucci outside the White House, the night before she snapped these pictures at the March.



APPENDIX A

[Tom Shakely is Chief Engagement Officer at Americans United for Life. The following book review was published April 29, 2023, on the website of the American Conservative (www.theamericanconservative.com) and is reprinted with Mr. Shakely's permission.]

“Mere Natural Law” and the Anchoring Truths of Constitutional Order

Tom Shakely

The American political class appears hopelessly compromised by corrosive self-interest and divisive partisanship. Our elites swear an oath to uphold and defend the U.S. Constitution, yet strangely lack consensus on the nature of that document. All the while, despite apparent political faction and multigenerational culture war, the basic governing philosophy of our elites appears oddly fixed, with the American people merely allowed to choose the speed at which they hasten political disorder but prohibited from correcting course.

What if there were another way? What if we could recover a true constitutional consensus that was not only more faithful to America's Founders, but also consonant with the pre-Enlightenment classical legal tradition? Can we imagine our political class, once more able to fulfill their oaths to the constitution, exercising power not for the private good of some but for the common good of the whole political community?

In *Mere Natural Law: Originalism and the Anchoring Truths of the Constitution*, political philosopher Hadley Arkes argues persuasively that America's constitutional past, our once robust practice of the classical law, offers a better guide for restoring our constitutional order than the false binaries of left-positivism or right-positivism that have made our present debates so tiresome. In effect, Arkes wants to emphasize that the classical legal tradition is at once more capable of delivering the justice purportedly sought by living constitutionalists and more faithful than Originalists to original public meaning, the letter of the text, and the legitimacy of the regime. “Mere Natural Law” is Arkes's appeal to a rising generation of American lawyers, judges, and political theorists to discover that our classical legal tradition makes true political order possible through the harmonious unity of moral reason and the positive law.

Michael M. Uhlmann praises Arkes in his foreword for showing “how comfortably the language of law and morals intersected in an earlier era” and why this must be so, for “the positive law in each instance presupposes a certain kind of moral logic.” Arkes, Uhlmann writes, reveals “the nature of positive-law reasoning before Oliver Wendell Holmes, Jr.”—the U.S. Supreme Court Justice who infamously declared, “[I]f my fellow citizens want to go to Hell I will help them. It's my job.”—and before theorists like H.L.A. Hart and Arthur Allen Leff came to

dominate mainstream legal thought.

American law and politics, as much as the culture they shape, are no longer generative because we have come to accept a false binary of morally unbound left-positivism on the one hand, and morally indifferent right-positivism on the other. Arkes points out that each are, in practice, little more than factions within a single ideological uniparty. These factions fail to nurture the roots of political order because each is rooted, in different ways, in Melian-style majoritarian assumptions where the “strong do what they can and the weak suffer what they must.” Natural rights and natural law thus find themselves scorned by left and right alike, which settle into agreement with Leff’s conclusion that “there cannot be any normative system ultimately based on anything except human will.” Arkes, by contrast, shows why the natural law and the classical legal tradition make possible a constitutional order, one based on substantive and universal moral truths pertaining to all human persons in every era. A jurisprudence of natural law will “be simply anchored in the laws of reason,” which start with the conscience’s innate apprehension of the first principle of practical reason, to do good and avoid evil, and follow by deduction to provide the super-structure of political order.

Arkes cites *Bostock* as an inspiration for “Mere Natural Law,” writing of his surprise that “what was missing was any recognition that this decision struck at the very meaning of ‘the human person’ as we are constituted by nature as males and females.” In *Bostock*, right-positivists and left-positivists alike collaborated to enshrine a morally substantive, albeit fundamentally disordered, view of the human person into law. The *Bostock* majority’s refusal to acknowledge the fundamental reality of human persons as male and female neatly captures the positivist delusion that sheer human will can remake reality by unmaking nature.

First-time readers will savor Arkes’s unmatched talent for so lightly carrying the reader through practically the sweep of American constitutional law while drawing out its underlying moral axioms. And longtime readers can look forward to his reintroduction of James Wilson as natural law proponent *par excellence* among the American Founders, as well as his revisiting of Lincoln’s role as perhaps America’s most successful expositor of natural rights and natural law in facing down the evil of slavery.

As timeless as Arkes’s latest contribution to natural law and the classical legal tradition is, it is Arkes’s penultimate chapter on *Roe* as well as his concluding chapter on *Dobbs* and the future of abortion jurisprudence that are perhaps his most instructive. Arkes endeavors to re-establish “the classic connection between the logic of morals and the logic of law,” to accept that “[w]hen we come to the recognition that it is wrong for anyone, for everyone, to torture a child, we lay the groundwork for forbidding that wrong to anyone, to everyone.” Arkes laments that abortion remains so constitutionally contentious, particularly to purportedly conservative jurists who, in effect, should judge with greater confidence precisely because they know better.

While praising so much of Justice Alito’s majority opinion in *Dobbs*, Arkes laments the Supreme Court’s affected uncertainty about human life and natural rights.

“Lincoln famously said, of the gravest issue of his day,” Arkes writes, “that the question was ‘whether the black man is not or is a man.’” The resolution to this question turned on acceptance of the moral truth that all men are truly created equal, yet today the Court professes agnosticism over whether the preborn child is a person. Despite reversing the injustice of *Roe*, the majority in *Dobbs* tacitly affirmed the pro-abortion view that abortion and constitutional justice are compatible. Worse, the Court made abortion into a political issue to be resolved on the basis of “value judgments” untethered from any anchoring truths concerning the reality of “when that life in the womb becomes fully human.” In this way, *Dobbs* is illustrative of Arkes’s conviction that “Originalism is not enough.”

The majority in *Dobbs* could have affirmed that “law finds its justification in protecting human life” and that the preborn child, in fact, exists. “To say such a thing,” Arkes writes, “. . . offers nothing that does not flow from the very rationale and character of law.” Yet the Court “carefully avoided” stating a simple sentence of fact along the lines that, “the offspring in the womb cannot be anything but a human being from its first moments, and not merely a part of the mother’s body.” Arkes points out that by avoiding this anchoring truth in *Dobbs*, the Court failed to supply “the ground of justification for the states in casting the protections of law on the unborn child.” Consequently, federal and state lawmakers have been left to contend over competing “beliefs” concerning the preborn person in a debate that can only turn on the political recognition of a final truth concerning the rightness or wrongness of abortion. As Arkes shows, the Court has routinely pronounced on issues of moral substance in landmark cases ranging from *Brown* to *Griswold* to *Loving*—but not in *Dobbs*, where it feigned a sudden indifference to the beating heart of the case. Arkes believes, nevertheless, that Justice Alito has supplied the “rudiments of a principled argument on abortion” that may yet “awaken again the powers to think anew, even in the blue states.” It will be necessary, however, to reject the “simple vulgarity” implicit in *Dobbs*, “that there is no truth on this matter for judges to declare, and so we simply respect the laws that the people in the states have enacted for themselves, almost regardless of what they are.”

Arkes wants to awaken the conscience to a higher conception of our constitutional order. By rejecting the view that law is merely “the decree of those with the power to make it,” we open ourselves to a rediscovery of universal truths concerning rightness and wrongness, concerning human life rightly lived in political community, embedded in the very fabric of our reality.

Arkes’s *Mere Natural Law* may be profitably read alongside Adrian Vermeule’s recent “Common Good Constitutionalism,” as respectively pre-liberal and self-consciously post-liberal contributions to a political thought capable of restoring coherence to our political order.

APPENDIX B

[*Marvin Olasky is the co-author (with Leah Savas) of The Story of Abortion in America: A Street Level History, 1652-2022. The following was first published on the Human Life Review's website.*]

Who Cares about Britney Spears?

Marvin Olasky

Why should pro-life people care about singer/sex symbol Britney Spears? Sure, her memoir *The Woman in Me* sold 2.4 million copies last fall in its first week of release. Sure, *Time* named her one of the 100 most influential people in the world, and she placed first in a poll of *Time* readers. But shouldn't we care about more important things, like elections and ballot measures?

No. We need to understand that the cultural battle is at least as important as the political battle, and chemical abortion—the hardest to stop, since it's doable at home—is now more common in the U.S. than surgical abortion. That's why what Spears wrote in her memoir about a tragedy two decades ago, when she was dating singer/heartthrob Justin Timberlake, may end up saving some lives.

Here's the beginning of her story: "I became pregnant with Justin's baby. It was a surprise, but for me it wasn't a tragedy. I loved Justin so much. . . . But Justin definitely wasn't happy about the pregnancy. . . . I didn't feel like I had much of a choice. I wouldn't want to push him into something he didn't want. . . . Abortion was something I never could have imagined choosing for myself, but given the circumstances, that is what we did."

Let's stop for a moment and contemplate Lie #1. Abortion advocates say they are pro-choice, but abortion's acceptance deprived Spears of her choice: "If it had been left up to me alone, I never would have done it." Polls showing that more men than women support abortion are not surprising. Playboy Foundation grants to feminist groups were rational.

Spears herself is accurate in reporting Lie #2: "I was told, 'It might hurt a little bit, but you'll be fine.'" That was the advice two decades ago, yet Planned Parenthood still minimizes the physical effects on women (while ignoring, of course, the effects on a child). The Planned Parenthood website merely says, "You may feel tired or crampy for a day or so, and you'll have bleeding and spotting for a while."

Other information sources for many young women regarding chemical abortion are similar. *Teen Vogue* decided to "demystify what the process actually entails and what it can feel like" by quoting one woman who felt "some cramping" and others who "experienced discomfort or a general 'icky' feeling." *Teen Vogue* did report that some "said their abortion caused a lot of pain," but its writer did not offer specific detail, and said most women stayed home "watching TV and eating snacks."

Cosmopolitan, explaining "What It's Really Like to Take the Abortion Pill," quoted three women. The first spoke of "a gradual increase in cramps and bleeding. . .

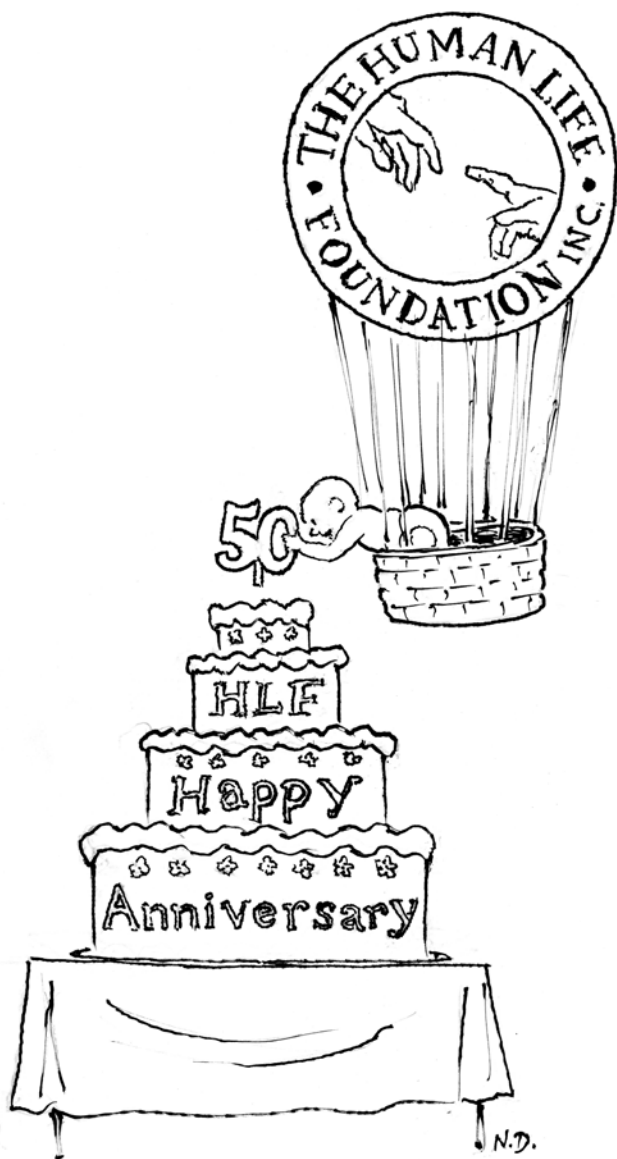
I never took anything for the pain or discomfort. . . . No nausea at all.” The second used codeine and went to sleep for four hours, then woke up bleeding and “passed the fetus. . . . I felt relief and nothing else. . . . After that, the pain subsided quite a lot and I was able to clean up and go back to sleep.” The third had moderate bleeding, then light bleeding: “It truly was no more painful than cramps on a medium day. I was floored. Easy and almost painless. I couldn’t have asked for more.”

But young women reading *The Woman in Me* may ask for more after they read the different, vivid story Spears tells: “I took the little pills. Soon I started having excruciating cramps. I went into the bathroom and stayed there for hours, lying on the floor, sobbing and screaming. . . . I was so scared. I lay there wondering if I was going to die.” The pain, Spears says, was “unbelievable. . . . I kept crying and sobbing until it was all over. It took hours, and I don’t remember how it ended, but I do, twenty years later, remember the pain of it, and the fear.”

Next came what is common after breaking a baby: breaking the relationship. Following the abortion Spears said she “was messed up for a while, especially because I still did love Justin so much. It was insane how much I loved him, and for me it was unfortunate. I should have seen the breakup coming, but I didn’t. . . . When he left me, I was devastated. When I say devastated, I mean I could barely speak for months. Whenever anyone asked me about him, all I could do was cry. . . . I lay in my bed and stared at the ceiling.”

Spears, in reporting the tragedy of one death, may get some young women to think twice: *Do I want to go through that, based on what my boyfriend wants? Will that salvage the relationship?* Guy Blackman in *The Age*, an Australian newspaper, wrote that Spears’ biggest songs, “no matter how committee-created or impossibly polished, have always been convincing because of her delivery, her commitment and her presence. . . . Spears expresses perfectly the conflicting urges of adolescence, the tension between chastity and sexual experience, between hedonism and responsibility, between confidence and vulnerability.”

Abortion PR and abortion reality are also in conflict.



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Enough. The unintended cruelty of legalized euthanasia is now quite clear. It is about “choice,” they say. It is about compassion, they say. Bah. That is just a veneer. Medicalized killing eventually becomes a form of abandonment.

—Wesley J. Smith, “Euthanasia Poisons People and Societies”