



## ◆ FEATURED IN THIS ISSUE ◆

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David Quinn on  
**LOOMING ABORTION IN IRELAND**

Vincenzina Santoro on  
**RECEDING ABORTION IN ITALY**

William Murchison on  
**THE AFFABLE ABORTIONIST OF LANCASTER AVENUE**

Paul Benjamin Linton on  
**SHOULD WOMEN BE PROSECUTED FOR ABORTION?**

Brian Caulfield on  
**STEVEN MCDONALD'S "LIFE WORTH LIVING"**

Stella Morabito on  
**A TRIBUTE TO FAITH ABBOTT MCFADDEN**

Donald DeMarco on  
**WHO ARE THE REAL TROUBLEMAKERS?**

Charles K. Bellinger on  
**RELIGIOUS ARGUMENTS AND THE ABORTION DEBATE**

Mark S. Milburn on  
**THE ABOLITION OF CHILDHOOD**

Chris Rostenberg on  
**THE DAY SOCRATES MET A PRO-CHOICER**

## ◆ ALSO IN THIS ISSUE ◆

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*Film/Booknotes:* Jason Morgan reviews *Me Before You*  
Maria McFadden Maffucci reviews *You Carried Me*

*From the HLR Blog:* George McKenna • Nicholas Frankovich

*Appendices:* Harold Cassidy • Kelsey Hazzard • Sister Mary Elizabeth, SV

. . . “What do you call someone like Kermit Gosnell? How about serial killer?” So I posited in these pages six years ago, having read the stunning grand jury report which laid out the late-term abortionist’s crimes against infants in harrowing detail (“A Philadelphia Story,” HLR Spring/Summer 2011). Now Irish journalists and filmmakers Ann McElhinney and Phelm McAleer have published *Gosnell: The Untold Story of America’s Most Prolific Serial Killer* (Regnery). Finally, I thought when I saw the title, “Dr.” Gosnell is being branded the depraved murderer he was. That it took foreign journalists to write a book broadcasting this ugly truth attests to America’s aggressive indifference to the abortion regime it harbors. In “The Affable Abortionist of Lancaster Avenue” (page 21), senior editor William Murchison reviews “their intense and thorough account of a case that rightly shocks and horrifies.”

The book was widely promoted by proliferators, but given the mainstream media’s lack of interest, it wouldn’t be a surprise if you haven’t heard of it. McElhinney and McAleer also made a film about Gosnell; it might be harder to ignore, that is, if they ever find a distributor. What we usually get from the global entertainment complex, when it treats life issues, is progressive propaganda like *Me Before You*, a recent British paean to euthanasia, reviewed by Jason Morgan in this issue (page 78).

The culture that salutes assisted suicide and abortion understandably seeks to censure religious authority. Charles K. Bellinger, a new contributor who teaches theology at Texas Christian University, makes a strong case here against the current fashion—indulged by many proliferators—to argue only from secular principles (“Religious Arguments and the Abortion Debate,” page 51.) Another new contributor, Vincenzina Santoro, who represents the American Family Association at the UN, shares encouraging statistics on Italian abortion rates (“Abortion Receding in Italy: Heightened Anxiety in Europe and at the UN,” page 12). Mark Milburn, a midwestern businessman who vividly recalls growing up in the ’50s before “the Pill” (“The Abolition of Childhood,” page 59), is also new to these pages. Welcome all.

There’s something else new to these pages: FROM THE *HUMAN LIFE REVIEW* BLOG (page 80). Beginning now each issue will feature a selection of pieces written originally for our website ([www.humanlifereview.com](http://www.humanlifereview.com)). While we encourage our print subscribers to activate a free digital account, we see from the numbers that some of you haven’t done so and therefore may be missing excellent pieces like the two reprinted here, one by long-time *Review* contributor George McKenna, the other by Nicholas Frankovich, who started writing for us last year.

As for other reprints, our thanks to Public Discourse for permission to include “Remembering Jane Roe and Mary Doe” (page 85); Secular ProLife for Kelsey Hazzard’s “Explainer” on defunding Planned Parenthood (page 89); and Sister Mary Elizabeth of the Sisters of Life for “The Need for Witnesses” (page 91). Thanks, too, to Nick Downes, whose inimitable humor we delight in sharing with you.

ANNE CONLON  
MANAGING EDITOR



# the HUMAN LIFE REVIEW

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## INTRODUCTION

**I**rish journalist David Quinn leads our issue with a plea for the international pro-life movement to pay great attention to the ramped-up, massive effort to legalize abortion in Ireland. “Ireland is a last legal bastion of pro-life values in the West,” he writes, in “Abortion Looming in Ireland.” This fact is well-known by the pro-abortion forces who are agitating for repeal of the so-called 8th amendment of Ireland’s constitution, a strong pro-life clause voted in by referendum in 1983. And the pressure is coming from activists at home and overseas: Quinn reports that billionaire George Soros has given \$500,000 to three pro-abortion groups. A leaked memo from Soros’ grant-making network, Open Society, says a win in Ireland “could impact other strongly Catholic countries in Europe and provide much needed proof that change is possible, even in highly conservative places.” Imagine, Quinn writes, “how the *New York Times* will gleefully report this should it ever happen. The thought ought to send a shiver up the spine of every American who cares about the right to life.” As we go to press, the news has just come in—the Irish Citizen’s Assembly has just voted in favor of a 2018 referendum to change the 8th amendment.

Meanwhile, another “Catholic” European country, Italy, is making different abortion headlines. Vincenzina Santoro, an international economist, describes “Heightened Anxiety in Europe and at the UN” over the steadily *dropping* Italian abortion rate. Though upon legalization in 1978 “the numbers immediately skyrocketed” for a few years, “since 1982 abortion has declined yearly except for two small increases in 1997 and 2005.” The “vast majority of Italian doctors are conscientious objectors,” a fact that caused “the powers that be at the Council of Europe and at various human rights bodies at the United Nations” to accuse Italy of discriminating against women who seek abortions. But the Minister of Health “ably refuted” these claims “with detailed data” showing supply is meeting the demand. Santoro explains that in Italy legal abortion was “never presented as a ‘right’ but rather something to resort to ‘in extremis.’” It is possible for a country to have “access to abortion on demand—and then find out that the ‘demand’ may not be so compelling.”

Santoro notes that in 2015, the annual report from the Minister of Health stated that “The prevention of abortion is the primary objective of the public health system.” How foreign that sounds here, where *promotion* of abortion is the norm, and “health” authorities often refuse to enforce safety standards at abortion clinics. A gruesome example? The free pass given by the Pennsylvania Health Department to Kermit Gosnell, whose crimes are the subject of *Gosnell: The Untold Story of America’s Most Prolific Serial Killer* (by Irish documentarians and investigative journalists Ann McElhinney and Phelim McAleer). In “The Affable Abortionist of Lancaster Avenue,” senior editor William Murchison discusses the “chilling new book” in the broader context of the “moral wasteland of the 21st century,” where desire—for money, for power—has “come to overrule obligation.” The Gosnell

clinic “is the natural outcome, in human terms, of the Supreme Court’s grant of supernatural power to humans: the power of life and death, according to will and inclination.”

We all remember the March 2016 brouhaha that followed then-candidate Donald Trump’s statement on MSNBC that “there has to be some sort of punishment” for women who have abortions. The pro-life movement reacted swiftly to counter this claim, and the candidate himself backtracked; still, the incident “generated a wave of synthetic hysteria,” writes attorney Paul Linton in “Should Women be Prosecuted for Abortion?” The “specter of women being prosecuted, convicted, and sentenced for abortion is a figment conjured up in the imagination of abortion advocates whose intention is to scare the public into believing” there is a real threat. Linton sets the record straight with a comprehensive review of the law both pre and post-*Roe*: He explains why “the reluctance of the law to punish women is grounded in sound reasons of both principle and practicality.”

**I**n a change of pace, our next two articles are personal tributes in memory of notable pro-life figures. This past January, New York City lost a beloved hero: Steven McDonald, the policeman who was shot on duty in 1986 (at barely 30 years old) and left a quadriplegic. Despite his grievous injury, McDonald was a tireless advocate for the sanctity of life and the necessity of reconciliation (he forgave the man who shot him) as the path to peace. Contributor Brian Caulfield writes (“Steven McDonald’s ‘Life Worth Living’”) that he was blessed to have known McDonald as a fellow New Yorker and to have reported on his activities for years while Caulfield wrote for *Catholic New York*. Caulfield includes here a moving story about the McDonald family which is not widely-known. Next, Stella Morabito writes of her transformational friendship with someone beloved to us, the late senior editor of the *Human Life Review*, Faith Abbott McFadden. Morabito shares the moving story of her friendship with my mother Faith, which grew through a rich correspondence (actual letters!), weaving in a profound reflection on how the abortion culture works against the uniqueness of each human encounter, and the great “mystery of our interconnectedness.” The need for connection is also pondered by Donald DeMarco in the following essay; he quotes St. Thomas Aquinas: “There is nothing on the earth more to be prized than true friendship.” “Who are the Real Troublemakers?” is a delightful reflection on the difference between *naming*, which should correspond with reality, and name *calling*, which can distort the truth. DeMarco declares pro-lifers true friends to the unborn—and for that they are often called troublemakers and censored. But the *real* troublemakers are those “who do not see any good in goodness,” those who do not see that “human life is the central good that elicits our love.”

In “Religious Arguments and the Abortion Debate” Charles K. Bellinger lays out, with increasing depth, his conviction that keeping religion *out* of public debates on abortion is a mistake. Most of us at one time or another try to stick to “secular arguments” to convince “secular people”—however, Bellinger argues persuasively

## INTRODUCTION

that “secularism” itself is the “major unacknowledged religion of our day.” For example, when a “secular” person uses the rhetoric of “rights” while believing that rights have no connection to religious ideas, “he is on shaky ground,” as scholars usually trace the roots of the concept of rights to the Bible. Bellinger’s essay is also a fascinating discussion of religion and violence, and the powerful urge to scapegoat in a quest for control. Your editor will admit here that the childhood violence in the engaging memoir by Mark Milburn which follows gave me pause, but I realize that my children are of the generation Milburn calls the “new, altered species”—kids who go on “play dates.” This evocative essay raises a provocative question: Is the “Abolition of Childhood”—and the loss of an openness to “the stranger”—a consequence of the introduction of the Pill?

Our final article is part one of an imagined dialogue on “The Day Socrates Met a Pro-Choicer,” by contributor Chris Rostenberg. It’s a clever way of illustrating what happens so often in “debates”: When faced with facts and logic that are undeniable—i.e., if the fetus is not human, what is it?—the abortion advocate will respond with slogans, unrelated claims, attacks on the speakers, etc. But true Socratic dialogue depends on examining logic! Pro-choicer “Diane” does not rise to the occasion.

In “Filmnotes” Jason Morgan reviews *Me Before You* which is—he tells us—a glossy propaganda film supporting euthanasia. Its fictional protagonist suffers an accident which leaves him a quadriplegic—like Steven McDonald. But unlike our real-life hero, Will can’t accept his new life and is determined to go to a Swiss death clinic. The film works to bring the audience along to approve of Will’s choice, while refusing to deal realistically with suffering, death—or grace. Morgan writes that “It is the remarkably cold undertow of the film that makes it a suitable anthropological textbook on the state of the Western world.” In “Booknotes” your editor reviews a remarkable book: *You Carried Me, A Daughter’s Memoir*, the story of abortion *survivor* Melissa Ohden (she survived an attempted saline abortion and subsequent premature delivery) and her journey to unravel the mystery of her birth. On the following pages we include two excellent blogs from our website: Professor George McKenna asks why both abortion proponents and presumed *opponents* shrink from the word itself, and Nicholas Frankovich reflects on politics, parties, and personalities in re abortion and life issues.

Finally, our appendices include: a poignant salute by Harold Cassidy to “The Courage of Norma McCorvey and Sandra Cano,” the tragically misused plaintiffs in the *Roe* and *Doe* decisions; Secular Pro Life’s Kelsey Hazzard’s instructive blog post on the ongoing efforts to halt “Planned Parenthood’s days of cruising on the taxpayer dime”; and a profoundly lovely address by Sister Mary Elizabeth, Vicar General of the Sisters of Life, about how a simple but “revolutionary” concept, maternal love, “set free, will change the world—one heart at a time.” An inspiring way to wrap up this issue, as we work to change one heart, one mind, at a time.

MARIA MCFADDEN MAFFUCCI  
EDITOR

# Abortion Looming in Ireland

*David Quinn*

**W**hen last I wrote for this publication, Ireland had been through a huge national and international controversy about the tragic death in an Irish hospital in late 2012 of a pregnant Indian woman, Savita Halappanavar.

The world, and the Irish public, had been led to believe that Savita died because “Ireland is a Catholic country.” Savita had been brought to hospital miscarrying and she asked for an abortion. She was told she couldn’t have an abortion because the baby wasn’t yet dead and because we are a “Catholic country” that does not permit abortion.

Ireland, as you most likely are aware, has a very strong pro-life clause in its Constitution. It has been there since it was voted on in a referendum in 1983, the so-called “8th amendment.” The margin of victory was two-to-one.

This amendment gave the mother and her unborn baby an equal right to life. The relevant section says: “The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right.”

This clause never prevented doctors terminating a pregnancy to save the life of a mother when they felt there was no other option. It did not prevent doctors expediting Savita’s miscarriage if they believed her life was in danger.

Subsequent inquiries found that they did not believe her life was in danger until it was too late. She was succumbing to sepsis and her medical team did not spot this until she was past the point of no return.

Pregnant women have also died from sepsis poisoning in Britain and America and in other jurisdictions where abortion is freely available. These tragic events sometimes happen, unfortunately.

However, because the death of Savita was successfully blamed on our pro-life law, legislators soon passed a law which ensured there could be no further confusion in cases like this in the future (all they had to do was issue clear guidelines), but in addition the new law allowed for abortion in cases where a pregnant woman was deemed to be suicidal. Thus was a psychological ground for abortion introduced for the first time.

That law, passed in 2013, is euphemistically called “The Protection of Life During Pregnancy Act.”

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The passage of this law, and the case of Savita more generally, have given the pro-choice movement in Ireland huge added impetus. Since then, it has trained its sights more than ever on repealing the 8th amendment.

In truth, pro-choice advocates have been seeking to repeal this clause ever since it was passed 34 years ago. They know it is a huge obstacle in their way. It was passed for two reasons. The first is that only ten years before, the American Supreme Court created a right to abortion out of almost nothing in the case of *Roe v. Wade*. Pro-life campaigners did not want the Irish Supreme Court to ever do anything similar. So the passage of the 8th amendment was a preemptive strike.

It was also passed to ensure that our legislators could not do something similar to what had happened in Britain in 1967 when that country's abortion law was massively liberalised. Without a strong, pro-life clause in our Constitution, too much was being left to chance.

As a result of the 1983 referendum, the legislature cannot legislate for abortion and a court ruling can't take the matter out of the hands of legislators à la *Roe v. Wade*. This means pro-abortion campaigners must have a referendum—and win it—to get their way.

The Irish battle should be of immense concern to the pro-life movement worldwide. Ireland is a last legal bastion of pro-life values in the West. To a lesser extent, it is a last bastion of pro-life values socially as well as legally, although social support for a culture of life has eroded substantially in recent years thanks to a constant barrage of pro-choice propaganda, aided and abetted hugely by a willing and compliant and totally biased media. (Media bias is the functional equivalent of fake news. It distorts the public's understanding of any given issue every bit as much, maybe more so, because it has a veneer of "objectivity.")

If Ireland's pro-life constitutional amendment is repealed, it will be a huge victory, not just for the pro-choice movement in Ireland, but everywhere. If "Catholic" Ireland can be made to embrace abortion, then so can any country, any society. Imagine, if you will, how the *New York Times* will gleefully report this should it ever happen. The thought ought to send a shiver up the spine of every American who cares about the right to life.

International supporters of abortion recognise the importance of Ireland. This is why billionaire George Soros's Open Society has poured money into the pro-abortion campaign in Ireland. A total of \$500,000 has been given to three pro-choice groups, including Amnesty International's Irish branch.

A leaked memo from the Open Society explained the reasons for the cash injection. It said it was funding the three organisations in order "to work collectively on a campaign to repeal Ireland's constitutional amendment



granting equal rights to an implanted embryo as the pregnant woman.”

The document continued:

With one of the most restrictive abortion laws in the world, a win there could impact other strongly Catholic countries in Europe, such as Poland, and provide much needed proof that change is possible, even in highly conservative places.

The recent legalisation of same-sex marriage offers valuable and timely opportunities to advance the campaign.

Note this passage again: “With one of the most restrictive abortion laws in the world, a win there could impact other strongly Catholic countries in Europe, such as Poland, and provide much needed proof that change is possible, even in highly conservative places.”

From an international perspective this is what it’s all about. Ireland stands out. Pro-life campaigners internationally can point to Ireland as an example of a country with a very strong pro-life law. To make matters much worse from a pro-choice point of view, Ireland also has a low maternal death rate by Western standards, lower than the UK or US rates, for example, with their highly permissive abortion laws.

If abortion is really needed to save the lives of women, as pro-abortion campaigners say, then why do two jurisdictions with liberal abortion regimes have a higher maternal death rate than Ireland with its strongly pro-life law? This is very awkward from a pro-choice point of view. Repeal Ireland’s pro-life law and they don’t have to worry about this anymore.

Ireland also has a very low abortion rate by Western standards. Well, of course it does, you might say, because we have that pro-life law. But then several thousand Irish women travel to England each year to have an abortion (3,500 at the last count).

However, expressed as a proportion of babies delivered alive, this is very low. It means that there is “just” one abortion for every 20 live births in Ireland. Even if you very generously allow that, say, 1,500 Irish women a year are buying the abortion pill illegally online, it is still “only” one abortion for every 15 births. (I pick a figure of 1,500 because until a few years ago, it was roughly 5,000 Irish women a year that went to England for abortions).

In the UK, however, there is one abortion for every four babies born. It is the same in France. In Sweden, it is even worse. In Sweden, there is one abortion for every three babies born. That is horrendous.

This means that by Western standards Ireland is a very safe place for unborn babies. And it is also a very safe place for pregnant women, given our low maternal death rate. So, that is a win-win—something we should be very proud of, and something the entire pro-life movement worldwide should be very proud of as well.

If the 8th amendment—the pro-life clause in our Constitution—goes, there will be nothing to be proud of anymore. In this regard, we will have become another standard-issue Western country. This is why the international pro-choice movement is so keen to see Ireland fall. It is why the international pro-life movement should be very keen to see Ireland stand its ground.

But the pressure to repeal the 8th amendment is being ratcheted up all the time. The pressure is being exerted domestically and from overseas. I have already referred to the money from George Soros. In addition to this, UN committees “find,” with drumbeat regularity, that Ireland’s pro-life law “violates” this or that international treaty or covenant we have signed.

These committees are, of course, effectively gerrymandered, which is to say they have been entirely commandeered by the left and turned into glorified left-wing, pro-abortion pressure groups. Nothing in any UN document creates a right to abortion. No international court that has anything to do with Ireland has ever found a right to abortion.

Still, pro-abortion groups, aided by these UN committees, like to pretend otherwise, and they think that if they keep on saying loudly enough and self-confidently enough that Ireland’s pro-life law “violates” international law, eventually people will believe it. Certainly, our political establishment and uniformly pro-choice media are happy to believe it.

For example, last year the UN Human Rights Committee declared that Ireland had violated the rights of a woman found to be pregnant with a child who had Edwards’ Syndrome, a condition that is usually fatal within days or weeks of birth (although in about 10 percent of cases the child can live a year or more), by not permitting her to have her abortion in Ireland.

The document under which Ireland was found wanting is the International Covenant on Civil and Political Rights.

The committee declared that Ireland had subjected her to “cruel, inhuman and degrading treatment.” Needless to say, the rights of the poor child did not enter the frame at all, nor was a thought given to whether or not abortion is itself a form of “cruel, inhuman and degrading treatment.”

In any event, our Government tugged the forelock to the committee, said it would do what it can to make amends, and paid the required fine of €30,000.

In stark contrast, some years before, this same committee also found against Ireland (I won’t labour you with the details, suffice it to say it had nothing to do with abortion), and the then-Government basically told the committee to take a run and jump.

The case that came before the UN Human Rights Committee is undoubtedly one of those hard cases. Some children are diagnosed in the womb (usually at about 20 weeks) to have a life limiting condition like Edwards’ Syndrome.

Pro-abortion groups prefer to use the term “fatal foetal abnormality” and they give the public the impression that these conditions mean the children in question will be dead upon birth.

The media have adopted the term “fatal foetal abnormality” and repeat it continually even though our health department prefers the term “life limiting condition.”

The reason the more official term is “life limiting condition” is that many of these children last for days, weeks, months, and even in rare cases a year or more after birth. Why do they not have a right to whatever natural span of life they have, however short?

Our Constitution rightly protects these unfortunate children and forbids their being aborted. However, a majority of the public, convinced that these babies will die at birth, or even in the womb, believes it is cruel to make a woman carry such a baby to term and so supports abortion in these cases. This means they support repealing or amending the 8th amendment, because that is the only way the aborting of babies with life limiting conditions can be permitted.

**O**ver the last two or so years, pro-choice groups have focused great public attention, with the full cooperation of the media, on these hard cases. Women who went to England to have these very sick babies aborted have been regularly interviewed. Women who were also told by doctors that their babies were very ill and would not live long past birth, but who carried them to term nonetheless, have been interviewed far less frequently. It’s no wonder public opinion is currently moving in one direction only.

All this pressure has resulted in the setting up by the Government of something vaingloriously called the “Citizens’ Assembly.” This consists of a judge plus 99 delegates randomly chosen from the public by a polling company—but weighted to ensure they represent the socio-economic mix of the population as a whole. How 99 people are supposed to be representative of the public is anyone’s guess. Would you trust a poll of 99 people?

The Assembly has been meeting for one weekend a month since late last year. At each of these weekend sessions it is examining the issue of abortion with a view to eventually recommending to the Government how it might go about approaching the issue. At the time of this writing, it is considering precisely what it will recommend to the Government. No one is in any doubt, or ever has been in any doubt, that it will recommend a referendum.

It is similar in character to the so-called “Constitutional Convention” which was basically called to prepare the way for the referendum on same-sex marriage in 2015.

The Convention and the Assembly were arranged so that the Fine Gael-led Government could say that “the people,” and not it, wanted a referendum on the contentious issues of marriage and the right to life.

Fine Gael, once a Christian Democrat party, is now reliably liberal/left on social issues though some of its supporters remain socially conservative. The Convention and the Assembly were partly a way of telling them that it was not Fine Gael as such that had called for referenda on the two issues and therefore no blame was to be attached to it.

Like the Convention, the Assembly has been hearing from expert witnesses who give presentations and then take questions from the delegates. Some of the experts have been genuinely neutral in their approach, but others have offered what really amounts to a pro-choice viewpoint. I am not talking here about experts who were called in for the express purpose of offering a pro-choice point of view.

Apart from the pro-life advocates who were invited in by the Assembly to offer a pro-life point of view, none of the “neutral” experts spoke about abortion from the point of view of the unborn child. Again and again, things were seen from the point of view of the woman faced with an unplanned pregnancy. This obviously had the effect of skewing things.

In addition, the Assembly heard from someone from the British Pregnancy Advisory Service (BPAS), one of the Britain’s biggest abortion providers, and also from the Guttmacher Institute, a pro-abortion think tank.

They were invited in because some of the delegates asked for their point of view to be heard. This was worrying in itself. Why didn’t some of the delegates want to hear from (say) a pro-life pregnancy counselling agency? If the delegates were truly representative of the public, then several dozen of them ought to have been solidly pro-life.

The Guttmacher expert, among other things, told the Assembly that married women are more likely to have abortions than are unmarried women. It arrived at this totally false conclusion (the reverse is true), by counting cohabiting women as married women.

The representative also said that countries with restrictive abortion laws have higher abortion rates than countries with permissive abortion laws. But as we saw above, Ireland has a far lower abortion rate than the likes of the US, the UK, or Sweden.

Before each session, delegates were presented with a series of questions for consideration. Not one question asked them to consider the moral status of the unborn child. Again and again they were prompted to look at things from the point of view of the woman faced with an unplanned pregnancy.

At the session in March, representatives of pro-life and pro-choice

organisations were invited in to address delegates, including the organisation I head up, The Iona Institute. During questions and answers, delegates fired lots of tough questions at pro-life speakers and almost none at pro-choice speakers.

To repeat, if the delegates were representative of the public, this should not have happened. So either they aren't representative or the pro-life delegates are very, very quiet.

The Assembly is, therefore, all set to recommend a referendum and the only question is, what type of referendum? A referendum to repeal the 8th altogether, or one that will replace it with something less restrictive, but still quite restrictive by international standards?

**I**f the 8th amendment is completely repealed, it will put Ireland in a unique situation. Just like in 2015, when we became the first country to put a right to same-sex marriage into our Constitution by popular vote, next year or the year after (whenever the referendum is held) we could become the first country to vote explicitly to remove the right to life of the unborn from our Constitution.

We would be saying, by popular vote, that unborn human beings have no constitutional right to life. If a somewhat restrictive law was then challenged in court in the name of a woman's right to privacy or health or bodily autonomy, the life of the unborn child, constitutionally speaking, would carry almost no weight at all. Lawyers arguing for a more liberal abortion law could tell the court that the Irish people had expressly decided the unborn should have no rights and no protection.

For what it's worth, my own view is that a vote to amend, but not repeal our pro-life provision would probably pass, depending on the nature of the amendment.

But if it could be made clear to the Irish people what repealing it would really mean—even if the Government was promising an initially restrictive piece of legislation—I think it would be defeated. I don't think Irish people want abortion-on-demand, or a law that would amount to the same thing.

One way or the other, Ireland is facing a momentous decision. It is one the international pro-choice movement is certainly interested in and it is bending might and main to see our pro-life law overturned. The international pro-life movement should be every bit as interested.

If the 8th amendment goes, it will not just be a defeat for the Irish pro-life movement, it will have tremendous symbolic power beyond the shores of Ireland. The international pro-choice movement will carry it around the world like a trophy, just as George Soros's Open Society and many others want. We have to do everything we can to ensure this does not happen.

## **Receding Abortion in Italy:**

# **Heightened Anxiety in Europe and at the UN**

*Vincenzina Santoro*

**I**magine a country where abortion is legal, but very few doctors are willing to perform the procedure. Imagine further that demand for abortion in that country has been falling almost uninterruptedly over three decades. This has been Italy's rather unusual story, where abortion was legalized in 1978, peaked in numbers only four years later, and then began a nearly steady decline that continues to this day.

Because the vast majority of Italian doctors are conscientious objectors to abortion (an officially recognized option in Italy), the powers that be at the Council of Europe (COE) and at various human rights bodies at the United Nations have raised accusations about possible discrimination against women seeking abortions. These accusations have been ably refuted by the Minister of Health, Beatrice Lorenzin, with detailed data demonstrating that "supply and demand" are in fact in balance. Lorenzin also reminded detractors that the Italian law allowing abortion also offers protection for maternity and considers abortion an extreme option. Nonetheless, from the data gathered over the years, we can estimate that Italy's share in the modern-day worldwide death toll of abortion has been between 5.5 and 6 million from 1978 to the present.

### **Spurning Abortion in Italy: The Numbers Tell the Story**

Abortion was formally legalized in Italy by Law 194, which was adopted May 22, 1978. Law 194/78 established norms for the "social protection of maternity and the voluntary termination of pregnancy" and also mandated the Minister of Health to present to Parliament each year a report to cover abortion developments and trends. The latest Annual Report covers developments through 2015 and tells an interesting story.<sup>1</sup>

Once abortion was introduced, the numbers immediately skyrocketed, reaching a peak of 234,801 four years later in 1982. By 2015, however, the number of abortions in Italy had declined to 87,639, down nearly 63 percent from the peak and 9.3 percent from the previous year. In fact, since 1982 abortion has declined yearly except for two small increases in 1997 and 2005.

Interestingly, in Italy abortion statistics are broken down according to whether the woman is Italian or a foreigner. In 2015, approximately one-

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third (31.1 percent) of all abortions were obtained by foreign women, most of whom were residing in Italy—although a small number had come to Italy for the purpose of having an abortion. Those non-residents accounted for 2,358 abortions, or 2.7 percent of the annual total for 2015. Most aborting foreign women were of Eastern European origin, where there is a strong legacy of abortions dating back to the Soviet era.

**Table 1: Abortion rates per 1,000 women aged 15-44  
(2011-2015, latest data available)**

<u>Lowest</u>		<u>Highest</u>	
Switzerland	6.3	Russia	32.9
Germany	6.8	Bulgaria	21.2
Italy	8.1	Romania	21.2
Portugal	8.3	Sweden	20.2
Netherlands	8.5	France	18.1

*Source: National statistics and Eurostat.*

If the number of abortions by foreign women (27,168) is excluded from the 2015 abortion total, the Italian decline is even more pronounced. That total dropped 74 percent from peak year 1982, when it is likely that abortions in Italy were obtained almost entirely by Italian women.

According to the World Health Organization, the most significant indicator is the abortion rate: the number of abortions per 1,000 women in the 15-49 age bracket. The abortion rate in Italy fell from 17.2/1,000 in peak year 1982 to 6.6/1,000 in 2015. In a survey of women aged 15-44 in 20 developed countries, Italy had the third lowest abortion rate. Table 1 presents the five lowest and highest countries according to this indicator.

Before a woman can receive an abortion in Italy, she must obtain a doctor’s approval, undergo counseling, and have a one-week period of reflection. In 2015, just over 73 percent of women who had abortions were experiencing the procedure for the first time, 19 percent were undergoing their second abortion, and the remaining 8 percent had already experienced two or more abortions.

In March 2017 Italian newspapers carried articles about an 18-year-old African immigrant who was given a 15-day suspended sentence by a court in Biella (Piedmont) for having had four abortions in her young life, encouraged by an ex-boyfriend, who instead of assuming responsibility for his actions urged her to abort. Despite what one might conclude from this widely

publicized case, Italy has a very low teen abortion rate compared with other countries. In 2015 there were 2,539 abortions by minors through age 19, of whom 76 percent had received parental consent, another 23 percent had obtained judicial approval, and only 1.5 percent had required no prior approval because they were experiencing some sort of emergency.

Females under age 20 accounted for 7.7 percent of all abortions in 2015. The teen abortion rate per 1,000 was 4.7, down from 7.0 in 2000, versus 9.2 in the United States (2012 data) and 15.1 in Sweden (2014 data).

Teen data also are broken down into Italians and foreigners. Between 2000 and 2015, Italian teen abortions declined steadily, while those of foreigners showed a sharp increase through 2010 but then began declining in the last couple of years. However, in 2015 foreigners accounted for 14 percent of all teen abortions, up from 5 percent in 2000.

**Table 2: Teen (<18 years) abortion numbers by nationality**

<u>Year</u>	<u>Italians</u>	<u>Foreigners</u>
2000	3596	181
2005	3441	605
2010	3091	626
2013	2616	527
2015	2164	357

*Source: Italian Ministry of Health, Annual Report to Parliament, 12/7/16, p. 19.*

Data for 2015 also revealed that:

- About 80 percent of all abortions were performed on women between the ages of 20 to 39 and 11 percent on ages 40 and above.
- Single women accounted for most abortions (53.2 percent), followed by married women (40.1 percent), and then by divorced, separated, or widowed women (6.7 percent).
- The largest share (43.1 percent) of abortees had finished secondary school, while women with post-secondary education accounted for the smallest share (11.1 percent).
- In terms of occupation, most aborting women were employed (42.9 percent), with just over one-fifth (21.1 percent) unemployed. Other categories included housewives (22.8 percent) and students (10.8 percent); most of the rest were classified as first-time job seekers.
- Most terminations occurred before the eighth week of pregnancy (46.8



percent), followed by 9-10 weeks (35.3 percent), and 11-12 weeks (12.9 percent). Only 5 percent of abortions occurred from 13-21 weeks.

- Almost two-thirds of abortions took place within a two-week waiting period and just over one-fifth occurred in 15-21 days. A few women waited nearly a month before having the abortion. Reasons for the delay are not recorded, but perhaps some women needed that much time to think it over, or perhaps they faced a struggle with their husband or partner. In the last few years, the percentage of abortions occurring in the two-week period has been rising, while longer wait periods have declined. Nearly all abortions take place in a public hospital.

- Data also indicate the abortion methods used in the procedure. Most prevalent was the Karman (or aspiration) method (55.6 percent), followed by hypersuction (17 percent); all other abortions were induced by pharmaceutical interventions, including Mifepristone (RU486) and Prostaglandin.

- Women undergoing abortion were generally released either the same day (89.8 percent) or the next day (4.6 percent). Complications can and do occur; in 2015 there were 234 cases of hemorrhaging, 25 infections, and 2,400 unspecified cases.

#### **Abortion versus Contraceptive Use**

As the number, rate, and other indicators of abortion in Italy continue to decline from one year to the next, the question may arise as to how much recourse there is to contraception. The United Nations Population Division report<sup>2</sup> “Trends in Contraceptive Use Worldwide 2015” indicated low recourse to “modern methods” of contraception and more reliance on natural family planning, but data are not current. Italy is a “country come lately” in allowing over-the-counter contraceptives and abortifacients, but they have become more readily available in the last few years. The Italian Health Ministry has gathered some information on the recent introduction and increasing use of self-administered abortifacient pharmaceuticals.

In April 2015, the AIFA<sup>3</sup>, the national regulatory agency for pharmaceuticals, eliminated the need for adult women to have a medical prescription for EllaOne, the so-called “five-day after pill.” At the beginning of 2016, similar restrictions were lifted on Norlevo, aka “the day after pill.”

The actual use and results of self-administered abortifacients cannot be measured with certainty, but the Health Ministry has compiled data on sales, which soared as prescription requirements were lifted. Individual purchases of EllaOne jumped from 7,796 in 2012 to 145,101 in 2015. Will do-it-yourself abortifacients reduce abortion doctors’ overload—or make them obsolete?

### Italy's Besieged Conscientious Objector Doctors

Article 9 of Law 194/78 permits doctors and other medical personnel to declare themselves conscientious objectors regarding the abortion procedure. Today, the vast majority of doctors/gynecologists in Italy refuse to perform abortions, although the percentage seems to have plateaued at a high level in the last few years.

The percentage of conscientious objectors rose from 58 percent in 2005 to just over 70 percent in 2014. In addition, 48 percent of anesthesiologists and 46 percent of other personnel also refuse to get involved in abortions. Perhaps the conscientious objector Italian doctors have a better understanding of the Hippocratic Oath, which stipulates "First, do no harm."

In 10 of Italy's 21 regions the share of conscientious objectors was above the national average, including the region of Lazio (where Rome is located), where the rate is slightly above 78 percent. The rate exceeded 80 percent in six regions, including some of the most populous.

Because so many doctors refuse to perform abortions, Italy's left-wing and largest labor union, CGIL,<sup>4</sup> became alarmed that women might be "inconvenienced" or even "discriminated against" if abortion-performing doctors were not readily available, and that their unionized, abortion-performing doctors might be "overworked." As a result, union leaders lodged a formal complaint against Italy with the Council of Europe (COE) in 2013.

It was not until April 2016 that the COE's European Committee of Social Rights issued its 68-page ruling<sup>5</sup> suggesting that "women's rights" were being violated because so many doctors were refusing to perform abortions. In somewhat strange language, the committee ruled that Italy had "violated" a woman's right to "protection of health" as well as a doctor's "right to dignity at work." (The Social Rights Committee is entrusted with the responsibility of monitoring compliance with the European Charter of Social Rights.)

In the interim, the Italian Government, through the Minister of Health, pointed out that the accusations had no merit. For instance, the statistics show that 88 percent of abortions were performed in the woman's province of residence and 92 percent in the same region. Indeed, some women may choose to abort away from their place of residence for personal reasons. Another argument supporting the Italian position was that, as previously mentioned, a number of women come from other countries to avail themselves of an abortion in Italy.

The latest edition of the abortion Annual Report also included pertinent hospital statistics. In 2015, of 648 medical facilities having an obstetric/gynecological department, 385 (59 percent) were willing to perform abortions. (In Italy, medical facilities with an obstetric/gynecological department are

not obliged to offer “abortion services.”) Furthermore, there were no abortion deaths in Italy through 2013. Two abortion-related deaths occurred in 2014, one drug-related and the other surgical. Both were due to the women’s attempts to self-abort. They developed complications and then sought medical help.

The latest Annual Report on abortion also contains the National Health Institute’s 2012 estimates of clandestine abortions (the National Health Institute<sup>6</sup> is an official research, advisory, and documentation center). They believe that most clandestine abortions likely occur for reasons of shame, privacy, or anonymity, rather than because abortion is not covered by the health system. Using a mathematical model, the National Health Institute estimated an annual range of 12,000 to 15,000 clandestine abortions for Italian women and between 3,000 and 5,000 for foreign women—tending to disprove another United Nations shibboleth, that abortion must be legalized to drive out clandestine procedures. Prior to legalization, abortions were estimated to exceed 100,000, although abortion activists exaggerated the number as part of their advocacy for legalization.

Besides being put under the microscope at the COE, in March 2017 Italy came under scrutiny from the United Nations Human Rights Committee in Geneva, which monitors human rights under the International Covenant on Civil and Political Rights and periodically examines these issues in all member states.

**Table 3: Perspective on the workload of abortion doctors**

<u>Year</u>	<u>Number of abortions</u>	<u># of abortion doctors</u>	<u># of abortions per doctor, per year</u>	<u>Weekly workload per doctor</u>
1983	233,976	1607	145.6	3.3
1992	155,266	1415	109.7	2.5
2001	132,234	1913	69.1	1.6
2011	111,415	1507	73.9	1.6
2013	102,760	1490	69.0	1.6
2014	96,578	1408	68.6	1.6

*Source: Italian Ministry of Health, Annual Report to Parliament, 12/7/16, page 50.*

Italy had dutifully presented its compliance report, as countries are obliged to do, and on March 10, a cadre of deputy ministers and other high-level Italian officials were quizzed before a committee of “experts” who asked a potpourri of questions that included abortion availability, clandestine abortions, lengthy pre-abortion waiting periods, and (of course!) the high numbers of conscientious objectors.<sup>7</sup> One Italian official made it clear that

“the number of abortions in Italy was very low, and that women were using abortion as a last resort.” Defending themselves against insinuating “experts,” the Italians stated there was “no evidence, no litigation or cases brought to account for access to those services.”

In response to COE and UN concerns that women in Italy were being discriminated against due to the many doctors who were conscientious objectors, the Minister of Health included in her last Annual Report (presented to Parliament in December 2016) numbers that showed a declining average workload for abortion doctors, as indicated in Table 3. In addition, the Minister also presented specific statistics by region, demonstrating that no abortion doctor anywhere in Italy is overworked. Overall, the abortion workload in effect was cut in half between 1983 and 2014, from 3.3 abortions per work week to 1.6.

### **Procreation and Population: A Perspective**

The Minister of Health has taken a number of procreative initiatives consistent with protecting maternity and alleviating Italy’s precarious demographic situation. Last year she presided over the first “National Day for Women’s Health,” which was held on April 22, the birthday of Italy’s most famous woman scientist, the Nobel Prize awardee Rita Levi Montalcini. The event and various conferences drew attention to many aspects of women’s health from birth to old age, including maintaining good health during pregnancy.

The following September 22, she introduced a campaign called “Fertility Day,” for which she received much flak for the number of advertisements of questionable taste. These were intended to raise awareness of the low fertility rate and the declining number of births and to publicize programs and policies affecting women of reproductive age.

Through a series of measures adopted with the 2017 budget, the Italian Government approved a sort of baby bonus or “birth premium” (*premio di nascita*) as they called it, of 800 euros to help defray pregnancy costs. Women in their seventh month of pregnancy only need to apply to the National Health Service for this sum. The measure became effective at the beginning of this year.

Minister of Health Beatrice Lorenzin, who has been a cabinet member in three consecutive coalition governments since April 2013, is a member of the Nuovo Centrodestra party (New Center Left—which was renamed “Alternativa Popolare” on March 18, 2017), an affiliate of the European People’s Party (EPP), representing the right in the European parliament. In this capacity Ms. Lorenzin participated in the first ONE OF US Forum, a pro-life conference supported by the EPP in Paris in March 2016.

**L**ife-loving Italians are not sitting on the sidelines and occasionally have come up with innovative alternatives in defense of life. For example, every year in February there is the Italian song festival held in the Riviera town of Sanremo. This year a few enterprising individuals composed a video spot showing the lively movements of fetuses of pregnant women who were listening to music. The fetuses moved arms and legs in an apparent joyous, intra-uterine dance. The video received praise from pro-lifers . . . and scorn from abortion supporters ([http://www.repubblica.it/spettacoli/tv-radio/2017/01/05/news/sanremo\\_spot\\_critiche-155442244/](http://www.repubblica.it/spettacoli/tv-radio/2017/01/05/news/sanremo_spot_critiche-155442244/)).

As abortion numbers have been falling, so too have the number of live births and the Italian population, even though Italy is not unique in the European context. Italy's population was 60.6 million as of January 1, 2017, down 0.14 percent from the previous year.<sup>8</sup> The average age of the population was 44.9 years, seniors over 65 years numbered 13.5 million or 22.3 percent of the population, and life expectancy was 80.6 for men and 85.1 for women.

In 2016, live births were 474,000, down 2.4 percent from the prior year and a historic low. The national fertility rate was 1.34, the sixth consecutive annual decline (the European Union average was 1.5 and replacement level is 2.1), while the average age at maternity has risen annually to 31.7 years.

Birth statistics too are separated into Italian and foreign mothers and reveal that almost one in five newborns has a foreign mother. Foreign women (who number over 2.6 million of all ages) had a fertility rate of 1.95 in 2016 compared with 1.27 for Italians. Foreign women's fertility rate had risen from 1.94 the year before, but the Italian women's rate was unchanged.

### **Conclusions**

While the decline in abortions is encouraging, the drop in births and in the overall population are worrying trends. Minister of Health Lorenzin has referred to Italy as "a dying country." Given today's realities, several factors may come into play in the abortion-population scenario. First, Italy remains much more of a traditional family-centered society, with higher rates of religious observance and intergenerational solidarity, compared with many

other European countries. Hence, the lower abortion rates in Italy relative to other developed countries.

Second, many couples marry late and wait for their parents to retire before having children so that the latter can babysit for their grandchildren while the parents go back to work. Child care outside the home is not readily available, and many working women simply quit their jobs and stay at home. Italy has one of the lowest female employment rates in Europe.

Third, Italians are aware of the high cost of raising children as well as high housing costs and low availability, which discourage family formation. Fourth, since the global economic crisis of 2008, many young Italian professionals—adults of childbearing age—have emigrated from Italy in search of work to more prosperous countries like Switzerland and Germany. Finally, the stagnant Italian economy has discouraged immigration. As a result, the prime age population has tended to stagnate.

Legal abortion in Italy was never presented as a “right” but rather something to resort to “in extremis.” Italian data point out that it is possible for a country to have access to abortion on demand—and then discover that the “demand” may not be so compelling. An earlier Annual Report of the Minister of Health (2015) included this statement: “The prevention of abortion is the primary objective of the public health system.” Given trend data, the Ministry can be said to have achieved rather remarkable results.

## NOTES

1. This report is only available in Italian. All data relating to abortion are from the 2015 Annual Report, issued in December 2016.
2. <http://www.un.org/en/development/desa/population/publications/pdf/family/trendsContraceptiveUse2015Report.pdf>
3. Agenzia Italiana del Farmaco.
4. Confederazione Generale Italiana del Lavoro.
5. [http://hudoc.esc.coe.int/fre/#{"ESCDcIdentifier":\["cc-91-2013-dadmissandmerits-en"\]}](http://hudoc.esc.coe.int/fre/#{)
6. Istituto Superiore di Sanità.
7. Human Rights Committee considers the report on Italy, <http://www.ohchr.org/RU/NewsEvents/Pages/DisplayNews.aspx?NewsID=21347&LangID=E>
8. ISTAT (Italian National Statistical Institute), *Indicatori Demografici, stime per l'anno 2016*, issued March 6, 2017.

# The Affable Abortionist of Lancaster Avenue

William Murchison

The case of *Planned Parenthood v. Casey* (505 U. S. 833) is a convenient place to commence discussion of a chilling new book about “America’s most prolific serial killer,” as the authors call Dr. Kermit B. Gosnell of Philadelphia.

By the reckoning of the Supreme Court plurality that in 1992 reaffirmed *Roe v. Wade*, the decision to abort a pregnancy has about it a kind of tidy, mannered intellectualism. Together with—it can be inferred—the conviction that common decency, as to outcomes, will prevail at the last.

The learned justices filled their complex discourses—there were several—with talk of due process requirements and “undue” burdens upon the exercise of choice. Choice, rational choice, was at the center of the whole thing: the conscience left free to triumph over coercion. “There exists “[a]t the heart of liberty,” according to Justices Anthony Kennedy, David Souter, and Sandra Day O’Connor, “the right to define one’s own concept of existence, of meaning, of the universe, and of the mystery of human life . . .”

So much, at the end of the day, for Pennsylvania’s legislative attempt to circumscribe the newly promulgated right to an abortion. The Court, as a whole, was not going to allow any general escape from the commonwealth’s duty, under *Roe v. Wade*, to enable the prevention of most unwanted births. It said so in the *Planned Parenthood* decision, which reaffirmed *Roe* and overruled a legislative provision requiring notification of the spouse of the woman desiring abortion. All of which doubtless went down well with the proprietor of the abortion operation at 3801 Lancaster Avenue in the City of Brotherly Love—assuming he took time to look up from his labors. Dr. Kermit B. Gosnell had in 1992, and would have for years to come, a sovereign indifference to tidy intellectual arguments as to the propriety of abortion. He wanted his money. Could you pay? Fine. Let’s go. Nothing would impede the process.

Ann McElhinney and Phelm McAleer, a married team of investigative journalists and filmmakers, describe in harrowing detail the look of things at Gosnell’s Women’s Medical Society when police and FBI agents arrived in February 2010 to investigate suspected links to the illegal drug trade and a possible homicide. “As soon as the agents and officers entered the building,”

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they write in *Gosnell: The Untold Story of America's Most Prolific Serial Killer*, “they were assaulted with the rank odor of cat feces, formaldehyde, and human urine . . . Everything was covered in cat hair—the chairs, the blankets, and all the surfaces. Investigators saw semi-conscious women moaning in the waiting room. The clinic’s two surgical procedure rooms were filthy and unsanitary . . . Instruments were not sterile. Equipment was outdated and rusty. Women recovering from their abortions sat on dirty recliners covered with bloodstained blankets that employees said they ‘tried’ to have cleaned weekly . . . Two dusty old portable electric heaters warmed the room.”

In walked Gosnell—“Dr.” Gosnell, it should be emphasized; nominal heir to Hippocrates, Galen, and Harvey. He was carrying his dinner and a bag of clam shells he proceeded to empty into a tank full of sea turtles. The children one patient had brought with her were running wild about the place. One patient demanded to have her abortion straightaway. Pennsylvania Health Department officials, when consulted, gave consent. Gosnell went about his task. Then, wearing torn surgical gloves, he dined on the teriyaki salmon he had brought with him, using chop sticks. While a narcotics investigator questioned Gosnell about the suspicious death of a clinic patient, agents searched the premises, finding, among other items, five jars containing baby feet and containers filled with fetal remains.

**A**mong the debris, had anyone been interested, might have been found the premise that a free society is required to stand by and allow—on grounds the most civil and high-minded—the destruction of unborn life. The consequences of such a formerly outlandish premise were everywhere to be seen at 3801 Lancaster Avenue—amid the cat hair and plastic fetus-filled containers.

The legal case the raid precipitated was not, technically, about abortion. Abortion, under the *Roe* and *Planned Parenthood* decisions, was not up for review; it was perfectly legal under specific conditions. The Commonwealth of Pennsylvania had not offended the constitutional magisterium when it set a time limit for the performance of an abortion. The fetus—or child—if it was to be aborted, could be no older than 23 weeks and six days. Twenty-four weeks; two thirds of the journey from conception to the light of day—nope; too late. What a difference one day made: the difference between life and death. Not that Dr. Gosnell cared in the least. A paying customer was a paying customer. The proceeds became instantly available for purchase of the good things in life, such as cars and a house on the Atlantic shore, far from the smelly confines of 3810 Lancaster Avenue.

It was in the end the late abortions, which Gosnell practiced freely and



without restraint, that brought down his mini-empire. A grand jury indicted him January 11, 2011—less than a year after the clinic raid—on seven counts of first-degree murder, one of third-degree murder in the death of a patient, two counts of infanticide, and conspiracy to kill hundreds of babies born alive. This, in addition to perjury, evidence-tampering, and other non-lethal offenses. The grand jury gave a collective shudder of disgust and scandal.

The broad accusations give no sense of the details that figured in Gosnell's downfall and disgrace. There was the matter, for instance, of the baby feet that Gosnell hoarded for reasons he never made clear. The mother of one such victim, seeing the evidence, attested to her subsequent inability to sleep. But then there were the killings: one after another rendered graphic and horrible at the trial. If the intended victim somehow came out of the womb alive, a Gosnell assistant was on hand to make sure this life business came to an end. Steve Massof, who had been to medical school, told the court: "We had a pair of surgical scissors, and I would take the surgical scissors, and I would . . . snip the back of the neck so that you are snipping right at the top of the spinal cord. We call it a transection. But it's literally a beheading because what you're doing is separating the brain from the body. In other words, if you cut off the head, the body dies. That's as plain as it gets." He went on. "We had to kill. It's as simple as that."

The victim known as Baby D was, as the authors relate, "delivered into a toilet and appeared to swim. [The assistant in charge] described removing the baby from the toilet and severing its spinal cord with surgical scissors. She testified during the trial that she had snipped the necks of at least ten babies during her time at the Women's Medical Society . . ."

"Lynda Williams [another assistant] slit the neck of Baby C after Gosnell delivered the baby alive. Williams testified the baby moved and breathed for twenty minutes before it was killed . . . Baby E was the baby that cried . . . Two of Gosnell's assistants heard it. Gosnell went into the procedure room alone, and the crying stopped. When he emerged, the baby was dead. He put the body in the trash."

The case of Baby A, born at 29.4 weeks, according to the ultrasound, had a special gruesomeness. Gosnell was amused. He joked to one assistant: "The baby is big enough that it could walk to the store, walk to the bus stop." Testified the assistant: "He could have been due any day. That's how big he was to me."

A little of this goes quite a long way, and in *Gosnell* there is almost a plethora of it. McElhinny acknowledges the strain she herself experienced. "Reading the testimony and sifting through the evidence in the case in the research for this book and for writing the script of [a movie soon to come]

has been brutal. I have wept at my computer. I have said the Our Father sitting at my desk . . . I have had a profound sense of the presence of evil in the actions of Gosnell and his staff and their complete lack of conscience. Most disturbing is the banality of the evil; in the clinic they joked and laughed amidst the carnage.”

Gosnell—tall, slick, educated; “chatty and affable,” says McElhinney, who interviewed him in prison—got what you might say was coming to an heir of Hippocrates who had pushed aside ethics for cash and treated life as eminently disposable. The jury found him guilty on capital murder charges. To prevent the endless appeals that tie up death sentences these days, the prosecution agreed to a sentence of life without parole for a man who at all events is in his mid-70s. He continues—affably—to protest his innocence. Ann McElhinney, during the prison interview, found him “playing me, trying to shock or embarrass me.” He persisted in touching her leg, lying repeatedly amid apologetics and personal narratives having to do with classical music and his love of the community. The black community, that is, which produced most of the victims (along with some whites and Asians) who fattened Dr. Gosnell’s wallet. Gosnell, who cites the Irish blood in him, is likewise black. His would seem an odd sense of racial solidarity, what with the conspiracy he pursued to deplete “the community’s” numbers, not to mention undermining its moral aspirations.

The Gosnell case is a landmark in abortion history—primarily because of the horrors for which the law at last held the doctor to account. We can be grateful for McElhinney’s and McAleer’s intense and thorough account of a case that rightly shocks and horrifies. This book is worthy of praise and of careful study.

But not, I might add, solely because of the career of the Mad, Bad Doctor of Lancaster Avenue. Mad and bad he may be; but so is the abortion regime itself, which privileged him, and thousands of other physicians and nurses—yes, and millions upon millions of Americans, male as well as female—to view the extinction of unborn life as a choice no more urgent than any other: a thing you decide and then just . . . let go. The Gosnell clinic is the natural outcome, in human terms, of the Supreme Court’s grant of supernatural power to humans: the power of life and death, according to will and inclination.

Power is everywhere and always a worrisome thing—a thing to fear and to wield lightly. The chance is always present that opportunists—the name Gosnell comes to mind—will see a grant of marginal power as permission to reach for, and to acquire, maximal power. Unborn children (fetuses, if you prefer) less than six months old; the Commonwealth of Pennsylvania, through its legislative arm, says, sure, go ahead, abort them if that’s what you want.

Unborn babies a day older than six months—that’s another thing. Put away the forceps. Such babies merit life.

But why these and none younger? What are the moral grounds, if one may put it thus, for such a preference—such an act, to use a favorite modern word, of discrimination? The coolness, the clinical nature of the Pennsylvania statute—the result of political compromise—is more a matter of housekeeping than of anything else. The cool rationality of the Supreme Court’s findings, in both the *Roe* and the *Planned Parenthood* decisions, suggests confidence that rational men and women will carve out moral domains—pro-life, pro-choice—wherein rational men and women, with judicial guidance, may find peace and happiness.

**I**t has not been so. It was not so on Lancaster Avenue, where the affable Dr. Gosnell held forth; saying, in essence, who cares about age? Who cares about minor matters like sanitation and compassion? There was just one care on Lancaster Avenue—money; the long green stuff; the stuff of commerce. Life on Lancaster Avenue was about commerce, about human transactions—this much for that much, thanks, and sit over there, please, while I count these bills. For its part, state government seemed not to care. Inspection of abortion clinics was rare. “The state Department of Health was absolutely irresponsible, uncaring,” the authors were told by the judge in whose court the grand jury met. You might say indifference spreads like syrup. If abortion in general is recognized as fine, why get in a tizzy about the specific practices of specific doctors?

It was never to be expected that cool suppositions, framed by judges, and having to do with “one’s own concept of existence,” were going to override the itching of outstretched palms and the fevers of desire. The peril of tampering with civilization’s rules and precepts has never been so plain as in the aftermath of the repetitive decisions throughout Western, ah, civilization to discard protections for unborn life. When the principle—in the present case, Life is Good—has vanished, out pop the affable Gosnells, and doubtless many, many more of their like, intent on substituting personal advantage for continued adherence to inconvenient truths. You can’t have Planned Parenthood, in other words, without a certain, and growing, share of Gosnell clinics. You won’t have clean, tidy, hygienic abortions without—somewhere else, to be sure!—the snipping of spinal cords, preceded by the quiet transfer of currency. You won’t, because the principle is gone—the principle that life, on its own terms, is good; not to say, in larger terms, sacred.

The term “sacred” is one we hardly dare use, now that the mere mention of “God” is, in lofty circles, an offense to the ears, and doubtless to the

sensibilities of such as insist on strict church/state separation. As I write, a trio of new books is before me, supplementing each in its own way what McElhinney and McAleer have to say about the affable abortionist of Lancaster Avenue. They are Archbishop Charles J. Chaput's *Strangers in a Strange Land* (Henry Holt), Anthony Esolen's *Out of the Ashes* (Regnery), and Rod Dreher's *The Benedict Option* (Sentinel). They tell, one and all, a melancholy tale of life in what is, more and more, the moral wasteland of the 21st century, wherein desire has come to overrule obligation. I choose at random a passage from Archbishop Chaput's book: "With *Obergefell* [the Supreme Court decision enshrining same-sex marriage], marriage and family no longer precede and limit the state as humanity's basic social units grounded in nature. Instead, they now mean what the state says they mean. . . . Buried in *Obergefell* is the premise that who we are, how we mate, and with whom we mate are purely matters of personal choice and social contract." As are, seemingly, all matters that pertain to the flesh—not least the matter of how to define the beginning of life, and to stipulate the obligations that flow with and from the definition.

The affable abortionist of Lancaster Avenue is tucked away in a solo cell at the state Correctional Institute at Huntingdon, where the food is good and the recreational opportunities ample. Not the slightest doubt should reside in the least attuned consciousness as to whether Pennsylvania—or the United States—or the West—has ironed out the wrinkles in the new abortion culture. There is no prospect of tidiness and clinical order in the dispositions of societies that have invited the moral disorder over which Kermit B. Gosnell presided in the midst of a city dedicated, nominally, to the love of brother for brother. A City of Brotherly Love requires general recognition that love of self is the direct opposite of the love to which the world owes its creation. "God is love," says St. John, across the centuries, "and he that dwelleth in love dwelleth in God and God in him."

We are not done with Dr. Kermit B. Gosnell. Nor he, and his heirs and fellow believers, with us.

# Should Women Be Prosecuted for Abortion?

*Paul Benjamin Linton*

**I**n a March 2016 television interview, Donald Trump, then the presumptive Republican candidate for president, told MSNBC's Chris Matthews that "there has to be some form of punishment" for women who have abortions. Following the inevitable firestorm of criticism, Mr. Trump backed away from his suggestion, claiming instead that physicians (or anyone else who performs an abortion) should be punished, not the women themselves. In a statement posted on his campaign website, Trump said that "The woman is a victim in this case as is the life in her womb." In May, Trump further clarified his position in an interview with *The New York Times Magazine's* Robert Draper. Women, he explained, "punish themselves" in having abortions; he hadn't meant to imply that they should be imprisoned.

Despite his retraction, candidate Trump's exchange with Chris Matthews generated a wave of synthetic hysteria: If he was elected, we were told by politicians, talking heads, and pundits, President Trump would propose federal legislation to "punish" women for having an abortion. Even assuming that under *Roe v. Wade* women *could* be prosecuted for inducing (or attempting to induce) their own abortion (an issue the Supreme Court has not addressed), the overwrought reaction to Trump's remark ignores the fact that Congress has *never* enacted a law prohibiting physicians (or other third parties) from performing abortions (as opposed to one law prohibiting an abortion *procedure*), much less a prohibition that would extend to pregnant women themselves. Nor would it be likely to do so even if Republicans controlled both the executive and legislative branches of the federal government, as they now do. Indeed, the federal "Pain-Capable Unborn Child Protection Act" (H.R. 36, 115th Congress), which would ban abortions after 20 weeks, and the "Heartbeat Protection Act of 2017" (H.R. 490, 115th Congress), which would ban them after the unborn child has a detectable heartbeat, both contain explicit language exempting women upon whom abortions are performed from the scope of the criminal prohibition,<sup>1</sup> as does the "Partial-Birth Abortion Ban Act of 2003," which was upheld by the Supreme Court in 2007 (*Gonzales v. Carhart*).

This article addresses the unfounded fear that women today already face prosecution for self-abortion and, if *Roe* were to be overruled, would face

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prosecution in the future for consenting to an abortion performed upon them by a third party in a State where abortions were then prohibited. Our history and experience indicate that women have *not* been punished for either self-induced or procured abortion. The reluctance of the law to punish women is grounded in sound reasons of both principle and practicality, which explain why women are almost never prosecuted for self-abortion under current law, and would not be punished for abortion, whether self-induced or induced by another with her consent, even if *Roe* were overruled and abortion became illegal in some States.

### **The Pre-*Roe* History**

Contrary to what advocates of legal abortion may believe, women were *not* punished for abortion before *Roe v. Wade* was decided in 1973. There is not one reported case from *any* State, prior to *Roe*, in which a woman was prosecuted, convicted, and sentenced for inducing her own abortion, or for consenting to an abortion performed upon her by a third party. Indeed, out of the hundreds of reported abortion cases, there appear to be only two in which a woman was charged for having had an abortion. In a very old Pennsylvania case, a pregnant woman who induced her own abortion through the ingestion of a drug was found guilty by a jury but the trial judge refused to enter judgment on the verdict, explaining that the statute was not intended to apply to the woman herself. The trial court's order was affirmed by the Pennsylvania Superior Court.<sup>2</sup> In another case, decided in 1922, involving the prosecution of an abortionist, the Texas Court of Criminal Appeals noted that the woman upon whom the abortion had been performed had also been indicted.<sup>3</sup> There is no record, however, that the woman was ever tried, much less convicted and sentenced, for the offense. Moreover, other decisions of the same court clearly held that the woman herself was *not* an accomplice in her own abortion,<sup>4</sup> which implies that she could not be prosecuted as a principal either,<sup>5</sup> and that a woman does not commit a crime by performing an abortion on herself.<sup>6</sup>

The nearly uniform rule followed in the United States prior to *Roe v. Wade* was that, in the absence of a statute making self-abortion or consenting to an abortion a distinct criminal offense, a woman who did either of these committed no crime.<sup>7</sup> And even in those States that enacted such criminal legislation,<sup>8</sup> there is not a single reported prosecution under any of those statutes.<sup>9</sup>

### **The Post-*Roe* Experience**

Since the Supreme Court's decision in *Roe*, women seldom have been prosecuted for a self-induced abortion (or homicide of an unborn child resulting from a self-induced abortion). In a recently published law review

article, which the authors themselves describe as “the most comprehensive accounting of such cases,” Lynn M. Paltrow and Jeanne Flavin were able to identify only eight cases in a 33-year period (1973-2005) in which, according to the authors, “pregnant women were alleged to have self-induced an abortion.” In four of these, the woman “was also charged under murder or manslaughter statutes.”<sup>10</sup> This represents less than *one* case every *four* years since *Roe* was decided (through 2005), but even that number is too high. One of the eight cases Paltrow and Flavin cite did not involve a self-abortion at all, but rather concerned an unsuccessful attempt by prosecutors to force a pregnant woman who had herpes to undergo a Caesarean section.<sup>11</sup>

There *have* been a handful of instances, post-*Roe*, where women have pleaded guilty to a charge of inducing their own abortion. Paltrow and Flavin identify three such cases. In two of these, the defendants were sentenced to time already served while awaiting trial.<sup>12</sup> In the third case, the defendant was originally charged with manslaughter in the second degree and criminally negligent homicide (felonies), and self-abortion in the first degree and self-abortion in the second degree (misdemeanors). The defendant, who was near term (36 weeks), had attempted to induce miscarriage by injecting herself with local anesthetics and using a scalpel to make incisions in her abdomen. Her actions resulted in the premature birth of a live baby who died 30 hours later from loss of blood and oxygen. She pleaded guilty to attempted self-abortion in the first degree and was sentenced to “unconditional discharge,” a sentence that entails no incarceration, no probation, no conditions, and no fines. The other charges were dismissed.<sup>13</sup>

Two cases that arose after Paltrow and Flavin’s article was published should be noted. In August 2013, an Indiana woman who had ingested rat poison in an attempt to kill herself and her unborn child pleaded guilty to a misdemeanor charge of criminal negligence and was sentenced to time served, including good behavior. As part of her plea agreement, the original charges of murder and attempted feticide were dropped.<sup>14</sup> More recently, in a Tennessee case that received major press coverage, a woman pleaded guilty to a felony charge of attempting to procure a miscarriage in exchange for a sentence of one year in prison, which she had already served while awaiting the disposition of her case.<sup>15</sup>

In contrast to the (very few) cases in which women have pleaded guilty to self-abortion (five since 1973), whenever women have challenged the application of an abortion (or homicide) law to their conduct, the charges have been dismissed or, if the charges were not dismissed, the women were acquitted following a trial or, if convicted, their convictions were reversed on appeal.<sup>16</sup> State reviewing courts have uniformly rejected efforts to prosecute

women for self-abortion (or homicide of the unborn child based upon a self-induced abortion).<sup>17</sup> In light of the foregoing, the experience since *Roe* supports the conclusion that pregnant women who induce (or attempt to induce) their own abortions do not face a serious risk of criminal prosecution.

#### Why Were Women Not Prosecuted for Abortion?

There were both principled and practical reasons why women were not prosecuted for abortion prior to *Roe v. Wade*. Abortion was traditionally viewed as an assault upon the woman because, in the words of the Oregon Supreme Court, she “was not deemed able to assent to an unlawful act against herself . . . .”<sup>18</sup> The woman was regarded as a victim of the abortion,<sup>19</sup> along with her unborn child, at least in part because of the relative dangerousness of the operation, especially through the first half of the 20th century. However, by the late 1950s—slightly more than a decade before *Roe*—the overwhelming majority (90 percent, according to one estimate) of illegal abortions were performed by physicians; self-abortions accounted for only a small percentage (perhaps 8 percent) of all illegal abortions (the remainder being performed by persons with some medical training).<sup>20</sup> In order to prosecute the abortionist successfully, the testimony of the woman upon whom the procedure was performed was usually necessary. If she were regarded as an accomplice, however, her testimony could not be compelled (because it would tend to incriminate her in a crime) and, whether she testified voluntarily or under a grant of immunity, her testimony would be viewed with suspicion and would have to be corroborated by independent evidence, which often was not available. Thus, for a very practical reason, she was not treated as an accomplice.<sup>21</sup>

Principle and practicality also apply to self-abortion, an extremely dangerous assault by the pregnant woman upon herself. Given the relatively rare circumstances in which a woman would try to induce her own abortion and the very high risk to her life or physical health such an attempt would pose (other than by using an illegally obtained abortifacient), it is unlikely that a prohibition of self-abortion would have much of a deterrent effect (any more than a law against attempted suicide would deter anyone from attempting to kill himself). And where the woman survives an attempt to induce her own abortion, she should not be deterred from seeking prompt medical care (for herself *or* her unborn child) because of the possibility that she might be charged with a crime.

Moreover, at least in some instances, a woman who induces her own abortion *has* been assisted in some fashion by a third person (other than a physician) who may have provided the means of inducing an abortion (for



example, an illegally obtained abortifacient) or actually participated in the self-abortion. That is the person who should face prosecution, not the woman herself. But if inducing one's own abortion were a crime, then the testimony of the woman herself could not be compelled (in the absence of a grant of immunity) and, whether compelled or volunteered, would have to be corroborated by other, independent evidence that might not be available.

### Conclusion

A comprehensive review of the law reports of all fifty States prior to *Roe* fails to disclose a single case anywhere in the United States in which a woman was prosecuted, convicted, and sentenced either for inducing her own abortion, or for consenting to an abortion performed upon her by another. Nor is there any case in which a woman has been prosecuted for the homicide of her unborn child based upon an illegal abortion (where the child's death was caused by the abortion itself and not by any conduct of the woman after live birth). And while there have been a handful of cases subsequent to *Roe* in which women have pleaded guilty to an abortion-related offense (usually misdemeanors) in exchange for immediate release from custody, efforts to prosecute women for a self-induced abortion (or homicide of an unborn child resulting from a self-induced abortion) have been rejected by state courts whenever the application of the law to the woman has been challenged. As explained above, there were (and are) compelling reasons for why pregnant women were not (and should not be) prosecuted for abortion. That, in turn, suggests that the specter of women being prosecuted, convicted, and sentenced for abortion is a figment conjured up in the imagination of abortion advocates whose intention is to scare the public into believing that punishing women for abortions is a real threat, especially if *Roe v. Wade* were overruled and the States once again could prohibit abortion.

### NOTES

1. H.R. 36, §3, would add a new section to the federal criminal code, 18 U.S.C. §1532, subsection (d) of which exempts pregnant women from criminal prosecution. H.R. 490, §2, would add a new section to the federal criminal code, 18 U.S.C. §1532, subsection (c) of which also exempts pregnant women from prosecution.
2. *Commonwealth v. Weible*, 45 Pa. Super. Ct. 207 (1911).
3. *Grissman v. State*, 245 S.W. 438 (Tex. Crim. App. 1922).
4. *Easter v. State*, 536 S.W.2d 233, 229 n. 7 (Tex. Crim. App. 1976); *Hunter v. State*, 41 S.W. 602, 603 (Tex. Crim. App. 1897); *Watson v. State*, 9 Tex. Crim. App. 237, 244-45 (1880).
5. *Willingham v. State*, 25 S.W. 424, 424 (Tex. Crim. App. 1894): "She, in law, being guilty of no offense (though desiring an abortion and consenting to what was done to produce the same), was the innocent agent of appellant [the abortionist], and he was the principal and was properly prosecuted as such." See also *Watson, supra*, n. 4. 9 Tex. Crim. App. at 244-45 (same); *Miller v. State*, 40 S.W. 313, 315 (1897) (same).

6. *Fondren v. State*, 169 S.W. 411, 414 (Tex. Crim. App. 1914).
7. *See, e.g., Heath v. State*, 459 S.W.2d 420, 422 (Ark. 1970); *State v. Carey*, 56 A. 632, 636 (Conn. 1904) (“[a] common law an operation on the body of a woman quick with child, with intent thereby to cause her miscarriage, was an indictable offense, but it was not an offense in her to so treat her own body, or to assent to such treatment from another”) (emphasis added); *In re Vickers’ Petition*, 123 N.W.2d 253, 254 (Mich. 1963) (under abortion statute, a woman “cannot be held for commission of the crime of abortion upon herself”); *People v. Blank*, 29 N.E.2d 73, 73-74 (N.Y. 1940); *State v. Barnett*, 427 P.2d 821, 822 (Or. 1968) (“[a] reading of the [abortion] statute indicates that the acts prohibited are those which are performed upon the mother rather than any action taken by her”); *Weible. supra*, n. 2.
8. The statutes are cited in the author’s article, XVIII *Planned Parenthood v. Casey: The Flight from Reason in the Supreme Court*, *St. Louis University Public Law Review* 15, 115 (Appendix A), n. 61 (listing statutes) (1993).
9. *Id.* at 115.
10. Lynn M. Paltrow and Jeanne Flavin, “Arrests of and Forced Interventions on Pregnant Women in the United States, 1973-2005: Implications for Women’s Legal Status and Public Health,” 38 *Journal of Health Politics, Policy and Law* 305, 317 & n. 46 (identifying three cases), 322 & n. 66 (identifying five other cases) (April 2013). Regrettably, the authors do not bother to mention the outcome of any of these cases, which are discussed below in the text.
11. *See In re Unborn Child of J.B.*, Docket No. 84-7-5000060, Benton and Franklin (Washington) County Court, April 19, 1984, “Appeals court won’t rule on forced Cesarean birth,” *Tri-City Herald*, April 21, 1984, A3 (appellate court refused to review trial court ruling denying request to compel woman to undergo a Caesarean section).
12. *See People v. Tucker*, No. 147092, Santa Barbara-Goteta (California) Municipal Court (June 1973), Beca Wilson, “.22 Cal. Abortion Brings Prolonged Ordeal,” *Santa Barbara News & Review*, May 3, 1974 (original murder charge against woman who shot herself in the abdomen was dismissed, and defendant pleaded guilty to the offense of performing an illegal abortion, for which she was sentenced to time served); *People v. Flores*, No. H-820216, Lexington County (South Carolina) Court of General Sessions, February 28, 2008 (defendant sentenced to ninety days, time served).
13. *People v. Jenkins*, Index No. 900-84, Westchester County (New York) Court, November 5, 1984. “Court drops charges in self-abortion case,” *Poughkeepsie Journal*, November 6, 1984, p. 11.
14. John Ericson, “Bei Bei Shuai Freed: Murder Charges Dropped Against Indiana Woman Who Ate Rat Poison While Pregnant,” *Medical Daily*, August 4, 2013.
15. Liam Stack, “Woman Accused of Coat-Hanger Abortion Pleads Guilty to Felony,” *New York Times*, January 11, 2017.
16. This includes four of the eight cases cited by Paltrow and Flavin, *see State v. Ashley*, 701 So.2d 338 (Fla. 1997) (common law immunity of pregnant woman for causing death or injury to her unborn child was not affected by the enactment of felony murder, manslaughter, and abortion statutes) (pregnant woman shot herself in the abdomen with a handgun during the third trimester of pregnancy); *Hillman v. State*, 503 S.E.2d 610 (Ga. Ct. App. 1998) (criminal abortion statute does not apply to a pregnant woman’s own conduct in inducing a self-abortion, regardless of the means used) (pregnant woman shot herself in the abdomen with a handgun when she was approximately eight months pregnant); and *Commonwealth v. Pitchford*, No. 78-CR-392, Warren County (Kentucky) Court, Michael Sneed, “Kentucky jury acquits coed in self-abortion,” *Chicago Tribune*, August 31, 1978, A1; *People v. Lyerla*, No. 96-CF-8, Montgomery County (Illinois) Circuit Court, Nancy Slepicka, “Judge Acquits Mother of Attempted Abortion,” *Montgomery County News*, May 13, 1997, p. 1. Efforts to prosecute women for self-abortion were dropped by prosecutors in several other cases not mentioned by Paltrow and Flavin. *See* Andrea Rowan, “Prosecuting Women for Self-Inducing Abortion: Counterproductive and Lacking Compassion,” 18 *Gutmacher Policy Review* 70, 71-72 and accompanying notes (Summer 2015) (citing cases from Georgia, Idaho, Massachusetts, and Utah). Rowan acknowledges that “Women are not commonly charged in the United States for the crime of self-inducing an abortion, and they have rarely been convicted . . .” *Id.* at 70. In another case not cited by Paltrow and Flavin, a Tennessee woman was found not guilty by reason of insanity of murdering her unborn child by shooting herself in the abdomen. Carl Cronan, “Woman ordered to undergo evaluation,” *Times Daily*, October 3, 1987, 1A. *See also Patel v. State*, 60

- N.E.3d 1041, 1055-62 (Ind. Ct. App. 2016) (neither feticide statute nor abortion statute was intended to apply to a self-induced abortion) (reversing defendant's feticide conviction).
17. See *Ashley, Hillman and Patel, supra*, n. 16.
  18. *State v. Farnum*, 161 P. 417, 419 (Or. 1916).
  19. See, e.g., *State v. Carey*, 56 A. 632, 636 (Conn. 1904); *Zutz v. State*, 160 A.2d 727, 729-30 (Del. 1960); *Basoff v. State*, 119 A.2d 917, 923 (Md. 1956); *State v. Murphy*, 27 N.J.L. 112, 114-15 (1858); *People v. Vedder*, 98 N.Y. 630, 632 (1885); *Dunn v. People*, 29 N.Y. 523, 527 (1864); *Thompson v. United States*, 30 App. D.C. 352, 362-64 (1908).
  20. Mary Steichen Calderone, "Illegal Abortion as a Public Health Problem," 50 *American Journal of Public Health* 948, 949 (1960). At the time her article was published, Dr. Calderone was the Medical Director of Planned Parenthood Federation of America and a vigorous advocate of legalized abortion.
  21. The dozens of cases so holding are collected in an annotation in the American Law Reports, Jonathan M. Purver, "Woman Upon Whom Abortion Is Committed Or Attempted As Accomplice for Purposes of Rule Requiring Corroboration of Accomplice Testimony," 34 ALR 3d 858 (1970). The rule that the woman herself is not an accomplice "has been applied even where the woman performed the operation on herself at the instigation of another." *Id.* at 861, citing *Wilson v. State*, 252 P. 1106 (Okla. Crim. App. 1927).

## *In Memoriam*

Judge John T. Noonan, Jr.

October 24, 1926—April 17, 2017

# Steven McDonald's "Life Worth Living"

*Brian Caulfield*

**H**e lived a full life centered on faith, family, duty, and forgiveness. From the moment he fell under the senseless gunfire of a wayward teen in Central Park in 1986, he was in God's hands, and lived on God's time. Confined to a wheelchair, a quadriplegic due to severe spinal trauma, he was yet a man of great grace. As a result of his injury, New York Police Officer Steven McDonald, the grandson, son, and father of city cops, was called from the extraordinary service of his profession to a unique mission in the life of the city and the Catholic Church he loved.

He was a witness to reconciliation and peace in the spirit of St. John Paul II, forgiving his attacker and writing to him in prison, and lived in resistance to the culture of death, lending his voice and efforts to the pro-life movement. His simple presence was the best argument against euthanasia or assisted suicide, as he gave a face to the dignity of all human life, in whatever state of disability. Moving with a breath-activated motor on his wheelchair, speaking softly and taking on each task with determination and humility, Detective McDonald completed his mission well.

He was laid to rest on January 13, 2017, a few weeks short of his 60th birthday, in the presence of his wife and police sergeant son, and was honored by a long, blue line of colleagues, from the police commissioner to officers on the beat. A funeral Mass was offered in a packed St. Patrick's Cathedral by Cardinal Timothy Dolan, who attended McDonald in his final hours after the latter suffered a heart attack a few days earlier. Delivering the homily was Msgr. Seamus O'Boyle, a priest from England with an Irish accent, who is a relative of McDonald's wife, Patti Ann. He also officiated at the couple's wedding in 1985.

Eulogies were offered by New York's Mayor Bill DiBlasio, Police Commissioner James O'Neill, and former New York Ranger Adam Graves, the last of whom told of McDonald's devotion to the hockey team and reported that the Steven McDonald Extra Effort Award will continue to be conferred annually on a player who goes the extra mile. But it was McDonald's 29-year-old son, Sgt. Conor McDonald, who brought teary-eyed congregants to their feet in an extended ovation. Leaving his mother's side in the first pew, and kissing his father's casket on his way to the lectern, the young McDonald

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**Brian Caulfield** works for the Knights of Columbus Supreme Council in New Haven, Conn., where he is vice postulator for the canonization cause of Venerable Father Michael McGivney.

said, “My parents created the most phenomenal life out of such darkness,” due to their “unmatched, unconditional devotion for each other.” The standing ovation was mainly for Patti Ann, in recognition of the faithful devotion she had lived out with her husband. She was pregnant with Conor when McDonald was shot, and she presented their newborn to him months later while he was still in the hospital. By her smile and tears, you could see the pride she had in her son, who looked every bit the image of his father. Respecting his dad till the end, Conor told the mixed congregation of Catholics and non-Catholics that his father’s strength and heroism came from Jesus Christ.

Active in the force till death on Jan. 11, McDonald was a detective assigned to community relations. He spoke to inner-city schools, youth groups, and young imprisoned offenders, attended funerals of slain cops and comforted widows, counseled fellow officers suffering from hardships or stress, and traveled to his hereditary homeland of Ireland to seek peace in that once-troubled land.

I was blessed to have known McDonald as a fellow New Yorker and to have spent time with him and his family while preparing stories on his various activities when I was a reporter for *Catholic New York*, the newspaper of the archdiocese. From the day of the near-fatal attack, there was a spiritual giant at his side—Cardinal John O’Connor. The archbishop of New York anointed him, prayed with him, counseled him and his wife, Patti Ann, and stood by them as they struggled to reconcile their hopes for an active married life together with McDonald’s reduced physical condition. There was no greater advocate than Cardinal O’Connor for the dignity of the unborn, the disabled, the elderly, and people from all walks of life, and he found kindred Catholic souls in Steven and Patti Ann.

On McDonald’s 30th birthday, months after the shooting, his newborn son was baptized by Cardinal O’Connor in the Catholic chapel at Bellevue Hospital. On that occasion, his wife read a letter from McDonald in which he forgave his attacker. “I’m sometimes angry at the teenage boy who shot me,” Patti Ann read. “But more often I feel sorry for him. I only hope that he can turn his life to helping and not hurting people. I forgive him and hope that he can find peace and purpose in his life.”

Although McDonald’s story was covered by all the major New York papers and news programs, and he received headlines around the world for his international pilgrimages for peace and forgiveness, there was an aspect of his life that few knew about. He had grown up in Queens as the third-born and first boy in a large family of seven children. But he later learned that his mother had carried another boy who was stillborn 16 months before Steven came into the world. Again, I was privileged to share a sacred experience

with the family when he, Patti Ann, his parents, and three of his sisters took an ancient ferry to a burial ground on Hart Island, off the Bronx shore, where the stillborn boy's remains were laid to rest in 1955. His mother, heartbroken by the stillbirth, had never mentioned the child to Steven, who found out about him years later when he was researching the family tree. The child was baptized by a delivery nurse and sent to the island's "potter's field," a common practice at the time. As a devoted son and brother, Steven asked his mother if he could arrange for a memorial Mass to be offered for his older brother, whom she named James Conway McDonald. On Sept. 27, 1996, Franciscan Father Mychal Judge, a family friend and Fire Dept. chaplain, offered a memorial Mass for the McDonald child and all the unknown souls laid to rest at the site. This was the same Father Judge who, less than five years later, was the first recorded death from the Sept. 11, 2001 terrorist attacks on the World Trade Center.

It was a memorable, moving occasion, arranged to give McDonald's mother peace and closure. As Steven McDonald sought to do in his police job, he also accomplished with those nearest to him. It showed me that his work was more than a professional act or obligation; it was an authentic witness emanating from a heart open to the suffering of others and looking to the Church and the sacraments for the ultimate source of healing.

To meet McDonald was to experience a change of heart, and an unspoken challenge. If this officer, cut down in his youth and confined to a wheelchair, could forgive his attacker and live with such smiling hope, what I am doing wrong in my life? This question and others poked at you in his presence. Who in my own life must I forgive? What grudges do I hold? What anger at life's breaks and bad luck has brought me down or made me spiritually or emotionally disabled? I remember most the upbeat tone of McDonald's voice, as he spoke with short breaths to deliver a message of hope and healing, or simply to ask about someone's family or job. He only spoke about himself when asked, and always then with a smile. I recall also his eyes, the wonderful, lively eyes that were left to convey the whole of his tested yet peaceful soul. They were listening eyes, understanding, accepting, compassionate, loving and smiling, as his Irish heritage says they should be. I remember also the devoted, stalwart, lifegiving love of his beautiful wife, whose faith and courage were the foundation of his life. An accomplished woman in her own right, for the past decade she has served as mayor of their town, Malverne, Long Island.

Steven McDonald was a beautiful soul of our time, one that was broken by hardship, burnished by love, and raised by God for the world to see that life need not be perfect to be well worth living. May we learn from his example.

## On Sowing Love, Hope, and Faith:

### A Tribute to Faith Abbott McFadden

*Stella Morabito*

**H**ave you ever tried to measure the impact of someone who crosses your path in life? Every single human encounter leaves something of another person within us. Even a fleeting one—a smile from a passer-by, or, conversely, a sharp word—can have immeasurable ripples. The enduring relationships we have—as parent, child, husband, wife, sibling—pattern our lives in ever-deepening and shifting ways which are beyond our understanding. A kaleidoscope of patterns, constantly subsiding and emerging, culminates in a picture only God can see.

One of the tragedies of abortion is that it air-brushes generations of human beings out of that picture. It deprives the living of any experience of knowing that unborn person. And, as the late Congressman Henry Hyde once noted, it not only kills the child in the womb, it also kills off his or her would-be descendants. It's like a reverse butterfly effect.

Every human life plays a critical role in human history, no matter how worthy one life may appear to another. Abortion, then, is the ultimate act of separation, cutting people off from countless relationships and trajectories in their lives, leaving scars that run far wider and deeper than we can imagine. Today's loneliness epidemic may be due in some part to these heavy losses.

My friend Faith understood this. And she imbued me with this perspective, even though we didn't discuss it directly. In *Acts of Faith*, Faith's memoir about her conversion to Catholicism, she describes how she perceived a vast network of human relationships impacting individual lives through time and space:

... all the fragmentary details of my daily life seemed to coalesce, as if there were a hidden connection in all the things happening around me. Conversations I had with people about irrelevant matters—casual remarks people just happened to make—everything seemed to be part of a design.

I was deeply blessed to be part of Faith's world; she surely changed the trajectory of my life as she changed the trajectory of so many other lives, in both large and small ways.

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**My Era with Faith: 1989-2011**

Many readers of the *Human Life Review* remember Faith Abbott as a senior editor at the *Review*, as well as wife of its late founder and editor, James P. McFadden, and mother of current editor Maria McFadden Maffucci. In 2009, Faith was diagnosed with cancer, which had claimed her firstborn, Robert, in 1994, and her husband Jim in 1998.

Faith and I had corresponded for some 20 years before I visited her Manhattan apartment. We had seen each other on various occasions during that time—at the Human Life Foundation’s Annual Defender of Life Dinner in New York and at the March for Life in Washington—yet I had never managed to visit her home despite a standing invitation. After the news of her diagnosis, we made a point of getting together there.

I finally got to see Faith’s home office, a small space off the kitchen, originally a maid’s room. It was high-ceilinged and book-lined and well lived in. An IBM Selectric typewriter sat on her desk, centrally parked. When I asked her to pose for a photo seated behind it, she happily indulged me. I confess that spot felt a bit like a shrine—the place where she transmitted her thoughts in letters to me, as well as to so many other correspondents.

We sat in her living room, near a painting of the McFaddens’ old friend, legendary British journalist Malcolm Muggeridge, and a framed letter from Ronald Reagan, who in 1983, during his first term in office, published an original essay, “Abortion and the Conscience of the Nation,” in the *Review*. Our conversation was rich and wistful.

Faith also walked me through a remarkable gallery of photos and clippings covering the walls, a glorious collage of family, friends, and life events—people she loved, remembered, and prayed for. She pointed out photos of her friend, Mother Dolores Hart. I had not known the story of that gorgeous movie star—famous for being Elvis Presley’s first on-screen kiss. It was Faith who told me how Hart, at 24, had decided to end her skyrocketing Hollywood career and take vows at the Benedictine Abbey of Regina Laudis in Connecticut.

Hart’s decision to forgo the shiny objects of this world in order to embrace the mystery and majesty of her Maker is a modern-day marvel. Here was a woman totally blooming in beauty, youth, and Hollywood success (in 1963, just as the sexual revolution was gaining steam) who stood athwart all of that and yelled stop.

The fascination with Mother Dolores’s seismic decision continues today. After a documentary about her life was nominated for an Academy Award in 2012, she walked the red carpet at the Oscars. In 2013 she published a memoir, *The Ear of the Heart: An Actress’s Journey from Hollywood to Holy Vows*. And she continues to be a voting member of the Motion Picture Academy.



**Events of the Era: 1989-2011**

It would be impossible to list everything that went into our correspondence, so let's just say my hulking box of mail from Faith is like a time capsule covering an astonishing era. Events included five presidential elections; the terrorist attacks of 9/11; several Supreme Court confirmation hearings; the Y2K bug scare, the OJ trial. Many famous giants of our culture lived and died during that period, including Malcolm Muggeridge, Princess Diana, Mother Teresa, Pope John Paul II, President Ronald Reagan, John Cardinal O'Connor, and the McFaddens' dear friend, William F. Buckley, Jr. The partial-birth-abortion ban battles made big news, as did the euthanasia cases of Nancy Cruzan and Terry Schiavo, and the lethal antics of Dr. Jack "Death" Kevorkian. We exchanged thoughts on all of this, and lots more.

About the deaths of Princess Diana and Mother Teresa, which happened in the same week, Faith wrote:

It was horrible, the way Di died—and so unnecessary—but as someone once said (and we've never been able to find the source) "God writes straight with crooked lines." We like to think of Malcolm Muggeridge awaiting Mother Teresa with open arms, and Mother T and Princess Di merrily meeting in heaven. 9/6/97

In a lengthy letter written in October, 2001, Faith filled me in on the aftermath of 9/11. She first recalled how 15 family members and friends had gathered in August, just a few weeks before the attacks, to celebrate daughter Maria's birthday at a restaurant near the impending Ground Zero:

I remember stopping by the Twin Towers, looking up, feeling—for the first time—a fondness for them. They had become personal and friendly. A part of Maria's birthday . . . When daughter Tina and I watched those towers collapsing, on TV, we hugged each other and cried . . . it was so unreal. . . my mind can't grasp tonnage . . . I've heard that the rubble was as high as a 12-story building. Two stories lower than my building. . . the fires are still burning. Yet within the past days whole bodies have been found. (10/23/01)

Faith had a dry and engaging wit. Over the years she took some justified jabs at political pomposity, such as during the Senate impeachment trial of Bill Clinton: "God knows what will come out of Washington by the time you get this. Can Slick Willie slither his way out of this one?" (1/28/98)

Well, yes, but of course he could, and did. And after the 2008 election of Barack Obama as president, Faith noted again how "God writes straight with crooked lines," and then remarked on that year's Democratic Party primary loser: "As for Hillary: Well you know the Biblical 'the poor we'll always have with us.' I'd say 'the poor and the Clintons we'll always have with us.'" (12/4/08)

When discussing the confirmation hearings for Supreme Court Justice David Souter, Faith bust my gut with her observation concerning a certain

habit, which she found fascinating, on display in the then-Chairman of the Senate Judiciary Committee:

Sen. Biden seems to have one of those switch-plate smiles. Do you know what I mean? I don't know if I've got it right yet but I've often tried to find the right phrase to describe those Smiles that emanate not from genuine emotion but from muscular spasm—but not “involuntary.” For a purpose. “Rictus” came into my mind, and I've looked it up—Webster has a definition: “a gaping grin or grimace.” . . . With S.P. Smilers, something good, bad, or indifferent may be going on . . . (9-4-90)

### **Faith and Family**

More important to Faith than current events, however, were matters of family and personal faith. She wrote to me about her past as a member of the Moral Re-Armament movement, and her conversion journey from MRA to the Catholic Church under the tutelage of Monsignor Eugene Clark. This journey is also traced in the remarkable *Acts of Faith*, one of the most intense conversion stories I've ever read. “It seemed I had an obligation to explain what was actually happening to me,” Faith wrote in the Introduction, “that what might seem like a *leaving* was actually a *becoming*; that through the MRA I had found the Catholic Church.” (pg. xvi)

As the mother of five children, Faith blessed me with news about family weddings, holiday gatherings, the arrival of grandchildren, often including photos and the sweetest of anecdotes. Running through all of her letters were personal moments of celebration, which she shared with me. She knew the vicarious enjoyment I got, as a suburban mother at home with toddlers, from her descriptions of events she and Jim hosted, especially their big St. Patrick's Day parties during which revelers could easily go back and forth between the parade route and their Park Avenue apartment. In 2006, when that particular joyful noise had finally died down, she wrote:

We did have some marvelous parties here—I carried on for a few years after Jim died—and I look back with gratitude for what we could do then along with gratitude that I don't have to do it anymore . . . it was exhausting (but worth it).

Amidst all of this, there was also terrible personal loss and grief. Faith and Jim endured the tragic death of their firstborn, Robert, from aggressive cancer at age 34. He died on the Feast of the Holy Innocents, December 28, 1994. Six years later, she wrote: “Undid the tree this morning—always kept it up until Jan. 6., Epiphany, anyway since that was Robert's birthday. He'd have been 40.” (1/8/2000) Even before his diagnosis Faith had described to me what a sweet and happy baby Robert was: “He'd always been ultra-friendly with strangers. In fact when he was more ambulatory we had to keep an eye

on him—he'd happily go off with any drunk who happened by our stoop.”  
(2/4/94)

Then, in October 1998, Faith lost Jim, who died suddenly after a six-year-fight with throat cancer during which time he was unable to eat or drink on his own, or even speak. Faith described the great pleasure Jim took in cooking for her even though he couldn't enjoy the meals he was preparing. Among menu items were perfect sauces, soups, broiled salmon, and pizzas with unpredictable toppings:

Sometimes I feel guilty, sitting here in my “office” off the kitchen typing away and hearing him chopping and banging next door—he always cooks as though approaching a deadline—but he seems to like it and God knows it's a change from what he does the rest of the time—though AS he cooks and creates, he's often mentally writing the next eye [catholic eye] or HLR's introduction.

### **“Casual remarks people just happened to make” Tie into the Design**

I realize I haven't yet said how I got to know Faith in the first place. It was because of an off-the-cuff conversation I had at work. I was an intelligence analyst at the CIA, but had shifted to part-time work in a new office after my first maternity leave and now I was getting ready to go on a second one. I shared an office with a delightful co-worker named Alice Chaffee (née Blake), who turned out to be a childhood friend of Faith's from their days together in MRA.

It was a July day in 1989 when I walked in and heard breaking news coming from a radio on Alice's desk. It was about the Supreme Court's *Webster* decision—the first ruling since *Roe* that would allow states some say in regulating abortion funding and facilities. Alice openly expressed relief that something might be done to stave off the awful “killing of all those babies.”

I was astonished to hear Alice speak her conscience so matter-of-factly. As she kept going, I stood there dumbfounded. She was being *so* politically incorrect. Indeed, abortion is the issue that put political correctness into hyper-drive, triggering the massive polarization in today's culture. By 1989, self-censorship on the part of proliferators was already well entrenched. So Alice's remarks seemed beyond bold to me. They seemed socially reckless.

She didn't know that I had been in the throes of thinking through the abortion issue as I never had before. I was not “pro-choice” nor had I ever had an abortion. But depending on whom I spoke to, I could easily be a shrugging chameleon of the “I-don't-like-it-but-far-be-it-for-me-if-it's-the-right-decision-for-someone-else” school. However, that became a harder stance to maintain knowing there was someone growing in me with a life expectancy of 75+ years. It started to gnaw at me that I had to deny my

unborn child's humanity to appease the culture. Hearing Alice's words, a dam burst. What followed was an intense tête-à-tête.

**"You should meet my friends, the McFaddens"**

Alice mentioned the work of her friends Faith and Jim McFadden in New York. She also remarked on a troubling letter Faith had just received from an old friend who argued that abortion was necessary to control over-population, pollution, and filth. At some point, Alice relayed to Faith my serious interest. Soon after, Faith sent me the current issue of HLR along with a lovely note. A rich correspondence was born.

Take note: The birth of any such relationship is precisely what political correctness is designed to abort. That chance conversation with Alice—brought on by words more cautious folks would have kept to themselves—put my mindset and my life on a whole new trajectory. I was on the cusp of leaving my professional career to stay home full time with a growing family.



My focus was already shifting from Soviet foreign policy to the culture wars in America. The Berlin Wall came down later that year, and I was filling file folders at home with news clippings on abortion, assisted suicide, cloning, family breakdown, cultural turmoil in the churches, and more.

Faith was an inveterate news clipper as well. If she wasn't sending me a long letter on her signature yellow xerox paper, typed on her trusty IBM Selectric, she would bless my mailbox with cards or post-it notes attached to opinion columns from the New York papers (often Ray Kerrison or Bill McGurn) or comics (some of her faves were "For Better or For Worse," "Ziggy," and "The Far Side"), beautiful photos of various family occasions, and always the newsletter from the National Committee of Catholic Laymen, the *catholic eye*. She also passed along books, tapes, journals, event programs, and pamphlets and sent me very funny birthday cards. Faith was a very talented artist with a special gift for woodwork. Some of the pamphlet covers featured her exquisite woodcuts of saints.

During those years I became conscious that the culture was changing in ways far more unsettling than in the past, partly because of the breakneck speed of new technologies. Attitudes seemed increasingly contemptuous of the very existence of children. Hostility to Christianity was gaining steam. Faith's letters were like treasures of sanity in a world going mad.

In retrospect, I can see how much Faith acted on her perception of the interconnectedness of each and every life. Real communication is a matter of sowing ideas, verifying reality with others, and persuasion through civil discourse; it especially relies on building personal relationships. Faith planted her thoughts and witness like the Sower in Christ's parable. There's no telling what fruit will come of it, but our job is to just keep sowing. Faith reinforced this in a letter when I told her how unsettling it had been to have a roomful of people irritated with me after I "came out" as pro-life: "Don't ever think anything is lost," she counseled me, "you have no idea what thoughts you may have provoked in those silent, or issue-skirting, people." (9/4/90)

### **The Mother Connection**

Central to all issues of human life is the vocation of motherhood. My correspondence with Faith helped me in developing an idea that had been incubating over the years, one that would link my study of totalitarian systems to my growing concern about preserving respect for the mother-child bond. The thesis I eventually formulated is that devoted mothers serve as the first and last line of defense against the cruelties of the centralized bureaucratic state. Think "Little Mother versus Big Brother."

But the maternal effect is not simply on the individual level of providing a

sanctuary from the harsh world. It is the influence of devoted mothers—when teamed up with devoted fathers—that *sets all virtuous communities in motion*. Such families—Edmund Burke’s “little platoons”—are under attack by the administrative state as never before. And the mother-child bond is Ground Zero. The capacity for personal friendship is determined by the health of that bond and the value society gives it. When a society consistently devalues a woman’s maternal role, and pushes her ever harder away from her family and home, it ends up, at best, valuing the bath water over the baby.

Faith helped to reinforce the mother-child bond on many levels. I was a new mother trying to figure things out, and she was the mother of grown children. I had a husband in an intense career, as did she while she was raising children. She never pushed advice on me, but I would ask her for it. Her first advice, of course, was to appreciate the moments while we have young children. When my kids were very little, in 1990, and I felt stressed with so little time to myself, she wrote:

I know what it’s like when one child outgrows his afternoon nap. . . . totally distracting your train of thought . . . how well I remember. It didn’t go on so long for me, though, because I just had to give up. When Patrick came along, in fact, I gave up any idea of *schedule* and just tried to hang on. . . . Often I’d appeal to a relevant saint—St. Therese—sometimes known as “the saint of interruptions.” Interruptions were one of her biggest crosses—even there in her Carmelite convent.

How I now wish I could relive some of those unappreciated interruptions. In 2006, when my kids were teens, Faith reminded me: “Little kids, little problems—bigger kids, bigger problems.” (3/16/06)

No doubt Faith transferred many gifts she received through her own beloved mother, Ruth, who died at 100, on Good Friday, in 1996. As I write this I feel the recent loss of my own mother more keenly. She and Faith were about the same age. They never had occasion to meet; however, several times when visiting my family in Southern California, I connected my mother with Faith’s friend Alice, who had relocated there. They hit it off, and my mother absolutely adored Alice. I know she would have loved Faith as well.

### **Beyond Motherhood when the Nest Empties**

I am now older than Faith was when she sent me that first note. My writing career is starting to bear fruit. But there was a time, after 17 years of correspondence, when I wrote to her about my regrets. Despite my overload of ideas, I had written precious little for publication. Most frustrating was noticing moms much younger than I was who were so prolific in such work. The merciless race of time had me feeling dejected. But Faith cheered me on:

There's a lot I regret, but I'm not beating myself up and you shouldn't either. Think of "all in God's good time." The right time did come, for my book; when Jim was first diagnosed with cancer, he began saying "We've got to get that book out." Not that it takes realization that one may not have forever to get something done, but that's what began the serious business of publication in that scenario. . . . So much is a matter of timing that's rightly beyond our control. You are too young to agonize over ending up "where I am, with so much left undone." You're not ending up at all, for goodness sake. I'll soon be 76—closer to ending up—and slowing down but interested in what's around the next corner, so to speak; a good friend of mine was talking about "the next cycle" and I think I know what she means. You've got lots of those ahead. . . . But Yes, there is a second wind. Take heart. (2/11/07)

I held fast to that much needed promise of a second wind. Faith's encouragement—and "Publishing in Due Season," the title of the talk she gave when she finally published her book, years after writing it—still keep me buoyant. I pray other older pro-life mothers who feel hindered about sharing their insights and wisdom will also take heart. The older the better. The world needs you more than it will ever admit.

As I consider our common humanity, I pray every one of us will find such a friend as Faith amidst our neighbors. There's a *cri de coeur* in so many who have been abandoned by a bait-and-switch culture that offers abortion in place of love, separation from others in place of friendship.

Faith's example deeply impressed on me how Christians are called to prepare the ground in others so that the glory God planted in each of us can take root. This mystery of our interconnectedness reminds me of a line from my favorite novel, *Till We Have Faces* by C.S. Lewis: "We're all limbs and parts of one Whole. Hence, of each other." Yes, we all come together in that one Whole, a gleaming part of which is the life and legacy of Faith Abbott McFadden. I miss her, though I know her light shines on.

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# Who Are the Real Troublemakers?

Donald DeMarco

**I**t is a solemn duty of any father to introduce his son, as soon as possible, to baseball played on the big stage. My father took me to see my first major league baseball game even before I could declare that I was a fan of the Boston Red Sox. When we entered the hallowed halls of Fenway Park, my first impression was something that greeted not my eyes but my ears: “Get your score cards! You can’t tell the players’ names without a score card!” They were 10 cents at the time, well within the reach of the family budget. Number 9 correlated with Ted Williams, an association that became permanently etched in my mind.

Later on, when I assumed a more philosophical attitude, I realized that a number was not a reliable way of getting to know a name, even that of a major leaguer. On Jackie Robinson Day, every major league ballplayer wears the number 42, in honor of the first player to cross the color barrier. No one would think that everyone who took the field that day was named “Jackie Robinson.” And those who purchased and donned Ted Williams jerseys were not immediately transformed into the “Splendid Splitter.” There is no natural connection between a number and a name. Nor is there a natural connection between a name and the person it presumably represents. Denomination does not disclose depth of personality. Numbers, names, and titles—as well as honors, accolades, and tributes—are assigned to people from the outside and do not necessarily reveal who they are on the inside. By what barometer, then, do we know who a person really is? Perhaps the most reliable rule of thumb comes from a most reliable authority: “You will know them by their fruits” (Matthew 7:16). We are duly warned, therefore, about false prophets who come in sheep’s clothing but inwardly are ravenous wolves. What is advertised may not be what is delivered.

Years ago I gave a series of talks in Thunder Bay, Ontario, a charming town on the northern shore of Lake Superior, one thousand miles away from my home in Kitchener, Ontario. A popular radio host interviewed me about a book I had recently published, *Abortion in Perspective*. My modest effort was graced with the contributions of two Canadian icons: Marshall McLuhan,

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at that time Canada's best-known intellectual, wrote the Foreword, and William Kurelek, the country's most popular painter, provided seven illustrations. I presented a copy to the Thunder Bay town library and was assured that it would be examined by the acquisitions department. The book was soon mailed back to me, accompanied by a note that had been inadvertently included. It read: "This looks like trouble."

And so, I am a troublemaker! At least that was implied. Perhaps all defenders of unborn life have been, at one time or another, saddled with the same stigma. I had never thought of myself as a troublemaker, but maybe I was guilty of self-deception. I found it amusingly ironic, however, that one reviewer in the United States had a decidedly different take on the book: "The author offers some brilliant new insights into the philosophical and ethical aspects of the pro-life issue. It should be in every library." I suppose we are all subject to contradictory appraisals. Philosophy, since it is a concerted attempt to uncover the truth of things, might be of some assistance in resolving the dilemma as to which side in the abortion debate deserves to be called troublemakers.

**N**aming is essentially different from name-calling. Naming should correspond with being, which is to say, reality. Naming should reveal what a thing is. Name-calling, on the other hand, is a free-wheeling affair and is yoked to nothing more substantial than a person's capricious will. Rectitude in naming is a most important moral obligation. It is absolutely necessary if a genuine debate on the abortion issue is to take place.

A former president of a pro-life group in Calgary, Alberta, sought, though in vain, to present the pro-life view in the *Calgary Herald*. His persistence, however, infuriated the publisher. But the publisher's response, in the form of unrelieved invective, brought into question who was the real troublemaker. A small sample of the publisher's responses reads as follows: "Why don't you throw away your urban guerilla's manual and try to bring some reason into your fevered imagination? . . . I am heartily sick of your bilious utterings . . . It is impossible to penetrate the blockage that walls you off from reason, civility and common sense . . . I don't wish to grow hoarse trying to pound logic and common sense into the closed mind of a fanatic." The prolifer was not without his secular defenders, however. The *Toronto Globe & Mail*, while a staunch supporter of abortion, saw fit to castigate the *Herald* for censorship, thus earning the Toronto newspaper the appellation of troublemaker. The Calgary prolifer went from fanatic to folk hero. Such is life in the world of newspapers. But the question remains. In a sea of alleged troublemakers, how do we begin to separate the sheep from the wolves?

We are faced with the problem of identity. Who am I? And how do I go about discovering my true identity and the identities of others *sans* score cards, name tags, medals, civic titles, press clippings, and vituperative letters from editors?” Was Karl Marx truly a humanitarian? Are those who call themselves “liberal” actually liberal? Do all democrats believe in democracy? Was the Reformation really a reformation? Were the Middle Ages really benighted? Is compassion a justification for abortion? Is “choice” a one-word philosophy? Words can mislead; they can also inform. The words “Know thyself,” carved on the temple portal at Delphi, serve as a mandate for human beings to follow so that they can distinguish themselves from the rest of creation. To be truly human means having a realistic sense of who we are. I will not be a good husband or father if I do not know that each of these roles is a part of my identity.

And what do we learn when we come to know ourselves? We learn that at the center of our being is an inclination to love. But love cannot be exercised in the absence of goodness. For his book, *The Destiny of Man*, the Russian existentialist Nikolai Berdyaev took as its epigraph a saying from Nikolai Gogol’s *Notebook for 1846*: “It is sad not to see any good in goodness.” Berdyaev believed that the inability to see the good in goodness expresses “the deepest problem of ethics.” Surely, if we fail to see the substantive goodness that is inherent in things, we will attempt to build on a platform of nothingness. Goodness, like love, is a generator. It is the soil out of which everything else that is good must grow. The troublemaker, in the strictest sense of the term, fails to see any good in goodness, and tries to assume the impossible (and blasphemous) role of creating something out of nothing. He may be attractive in his presentation and eloquent in his promise, but his work does not live up to its billing if it does not serve the good through love. Human life is the central good that elicits our love. Those who lovingly serve life are not troublemakers, though they challenge, prod, probe, and persist in their efforts to communicate to others the dignity of the human person. They endure being called nuisances as long as they have the opportunity to convey their message, for they firmly believe that what they have to give is far more important than the slander they might receive.

A brief examination of the science of immunology may be helpful. Our immune system consists of billions of immunological receptors that protect the self from the non-self. These immuno-regulatory macromolecules honor the body they protect. In protecting that which is good—the human body and the life it sustains—they form a shield against a certain species of troublemaker, those alien substances that can wreak havoc on the integrity of the

human organism. The immune system offers a parable. By strengthening the health of the body, the immune system does not give the troublemaking alien substances a point of entrance. By living a good life, a person honors his basic nature as a human being and keeps the devil at bay. At the same time, he comes to realize more fully his identity as a person and not as a troublemaker. Our spiritual, or intellectual immune system, protects us from allowing name-calling to form our identity.

**M**y wife and I are of an age when a great deal of our social life consists in attending the 50th-wedding-anniversary celebrations of friends. We, as well as all the other co-celebrators, are happily engaged in singing praises to the many married couples of our acquaintance who have toiled triumphantly within the context of marriage and the family. On such occasions, no disruptive troublemakers are present. They have been long since banished by love, fidelity, dedication, and perseverance. The presence of an abundance of grandchildren testifies to the fruitfulness of marriage and the determination on the part of husbands and wives to sanctify their labor. There are no troublemakers in heaven.

We need friends to affirm us, especially at times when we are at our lowest. “There is nothing on this earth more to be prized than true friendship,” wrote Saint Thomas Aquinas. Without true friends we are prey to troublemakers that hover over us like vultures. Friendship injects love into our being and strengthens us. Pro-lifers are not troublemakers. They are friends to the unborn. Their solidarity with unborn children is critical if we want to protect them, as well as the rest of the world, from all the troublemakers who do not see any good in goodness.

# Religious Arguments and the Abortion Debate

Charles K. Bellinger

The idea that religious arguments cannot be a legitimate part of the abortion debate is widely accepted and adhered to. Should it be? I am skeptical, for reasons I explore in this essay.

I could present examples of persons declaring that religious arguments must be excluded, but that would simply belabor the obvious. Suffice it to say that this ban is repeated often by those on the cultural left, and it is accepted by those on the cultural right, who say: “Alright, even though I am religious, I will make pro-life arguments that are strictly secular. I will meet you on your own preferred turf.”

My central thesis is that this agreement across the cultural divide is part of the reason why the abortion debate is so unproductive and intractable. To have a genuine and lively debate, one that has a chance of moving society in a healthier direction, we must be able to speak freely and unapologetically from within our own deeply rooted worldviews. The permission that is given to honesty, and to owning one’s own philosophical, metaphysical, and religious assumptions, would shatter the notion that everyone who supports abortion rights is “secular” and everyone who supports the pro-life position is “religious.” Real pluralism would entail a roundtable discussion whose participants might include a pro-life atheist, a pro-choice Catholic, a pro-life Mormon, a pro-choice neo-pagan goddess worshipper, a pro-choice agnostic philosopher, an ambivalent mainline Protestant, and so on and so forth. But I am jumping ahead of my argument.

As this essay unfolds, I will begin with some relatively superficial critiques of the ban on religious arguments—attempts to poke holes here and there. As I proceed, I will consider deeper, more root-and-branch critiques.

1. In terms of how democracy actually functions, the ban on religious arguments is a red herring. When a person enters a voting booth to cast a vote for a particular candidate or ballot measure, no election official is in the booth asking: “As you are preparing to cast this vote, can you affirm that your thinking is not influenced at all by religious ideas? If you cannot affirm that, then perhaps you should reconsider.” Likewise, when elected

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representatives cast votes for or against bills, they are not required to swear on a Bible (sarcasm intended) that their thinking is uninfluenced by religious ideas. Legislators simply vote; they don't need to explain or justify their votes by the presence or absence of religious beliefs.

In the United States, there are three main positions on abortion: pro-choice, muddled-middle, and pro-life. Significant numbers of Christians are found within all three of these camps. If such Christians were to meet and discuss the issue of abortion, trying to persuade each other of their preferred position, would it make any sense to mandate the exclusion of any reference to the Bible or the history of Christianity? Of course not; such a prohibition would be absurd. If Christians are trying to persuade other Christians, and the appropriate richness of debate is to be achieved, it is not only acceptable but actually necessary for the debaters to speak about theological ideas. To make this point bluntly: If enough Christians are persuaded (by religious arguments) to move from the pro-choice and muddled-middle camps into the pro-life camp (so that pro-choice candidates become unelectable), then whether the thinking of those who are persuaded is "religious" or "secular" is irrelevant. In terms of how a democratic system of governance works, the religious/secular dichotomy is philosophically worthless.

2. The words "secular" and "religious" are so ambiguous that their use causes more confusion than clarity; this can be illustrated by referring to rights language. Many people (particularly on the cultural left) assume that rights language was invented by "secular" Enlightenment philosophers; they therefore conclude that when it is used in debate to support "reproductive rights," such use is "secular." But scholars writing on the history of the concept of rights in the Western world usually trace its roots back to the Bible. Concepts such as the creation of all human beings in the image of God and the warning not to mistreat "the widow, the orphan, the stranger in your midst" are the fountainhead of Western thinking on rights. The ancient Romans also spoke of rights, but with less emphasis on equality and concern for the weak and more on the right of the powerful to dominate and if necessary kill those under their authority; this is the model mirrored by the pro-choice camp today. To describe the Roman usage as "secular" is anachronistic, however. The worldview of the Romans was polytheistic and *religious*.

Perhaps those who think that rights language was invented by modern secular philosophers have in mind John Locke and Thomas Jefferson. In his *Second Treatise of Government* (§6), Locke wrote that human beings are "all the Workmanship of one Omnipotent, and infinitely wise Maker; All the Servants of one Sovereign Master, sent into the World by his order, and about his business, they are his Property, whose Workmanship they are, made to

last during his, not one another's Pleasure." For this reason, "there cannot be supposed any such *Subordination* among us, that may Authorize us to destroy one another." That the lives of human beings are to be protected by the concept of a "right to life" was clearly, for Locke, a theological idea. Jefferson famously said that "all men are created equal" and are "endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

It is true that since the age of Locke and Jefferson Western culture has become much more "secularized" than it was back then. Nevertheless, rights language, as a phenomenon, is not somehow *intrinsically* secular.

The upshot of this historical observation is that when "secular" pro-choice advocates today use rights language they are doing something that is profoundly ambiguous. If rights language has religious roots, and if the particular moral force of such language derives from the idea that it is wrong for human beings to victimize others, and if that moral force has its source in the Bible, then labeling the pro-choice use of rights language as "secular" is misleading.

**H**ere we note that when a self-identified "secular" person uses the rhetoric of "rights" while believing that rights have no connection to religious ideas, he or she is on shaky ground. Someone with a purely secular, materialistic view of reality will have difficulty explaining how words such as "rights" or "freedom" or "truth" or "person" or "benevolence" can have any real meaning in a world that consists solely of atoms in motion and the biochemical processes of different forms of protoplasm.<sup>1</sup> Such words have rich histories reaching back many centuries, and those histories are saturated with religious ideas. It follows that when such words are used today within "secular" discourse, religious ideas are usually being smuggled in without attribution. "Secular" morality plagiarizes religious morality.

3. My reader may be wondering why I keep putting the word "secular" in scare quotes. I do so because I believe that to a great extent what people think of as "secularity" is similar to an optical illusion. Human beings continue to be religious in the modern world, even if they think of themselves as unreligious. That's because the forms taken by religiosity have become like an underground river, still flowing, unseen by those on the surface. In other words, "secularity" is a form of self-delusion, a lack of lucid self-awareness.

Many people today think of the "secular" realm and its adherents as being essentially peaceful; in contrast, they conclude that "religion" leads people to fanaticism and violence. For example, Mark Juergensmeyer's *Terror in the Mind of God*, a widely read book on religion and violence, includes a

chapter on Christianity in which he discusses the anti-abortion violent acts of Michael Bray and Paul Hill. (Hill shot and killed an abortion doctor and Bray bombed abortion clinics and has served as a key intellectual leader for other anti-abortion activists willing to employ violence for their cause.) Juergensmeyer seeks to understand how such marginal characters, in Christianity and in many other religions, can reconcile in their minds an apparent concern for morality, love, compassion, and justice with their willingness to kill other human beings. What is missing from Juergensmeyer's mental radar screen, however, is the idea that performing an abortion is itself a form of violence. If he were to take that idea seriously, then he would have to view the anti-abortion fanatics as reactive, revealing in their own pathology the moral pathology of the practice of abortion; he would have to interpret violence as a phenomenon of *reciprocity*, an observation made repeatedly by the French critic and anthropological philosopher René Girard. This idea does not occur to Juergensmeyer, because he simply *assumes* that the practice of legalized abortion in the modern Western world is rational, moral, progressive, normal.<sup>2</sup>

4. But is it actually true that there is no violence in the practice of abortion? If one reads what can be called the standard propaganda pieces of the pro-choice position, one gets the impression that no violence takes place. Phrases such as “a woman should be able to control her own body” ignore the fact that another body—another human life—is being controlled by her decision to abort it. That's because the preferred stance of the pro-choice position is to rhetorically erase from reality the very existence of the inhabitant of the womb, thus covering up the violence of abortion. And that is why, when it must be mentioned, the entity being killed is described as “a potential person, not an actual person,” to avoid contravening the law against homicide that is basic to every society. However, the complicated philosophical gymnastics needed to dehumanize the inhabitant of the womb are themselves a form of unacknowledged rhetorical violence.

Nevertheless, here and there in the interstices of the pro-choice literature, one finds glimpses of the truth—that which cannot be mentioned in the standard propaganda. For example, in *Why I Am an Abortion Doctor*, Dr. Suzanne Poppema describes the results of a suction abortion: “To the untrained eye the tissue possibly resembles the residue that would approximate the color, texture, and volume of a single puréed strawberry.”<sup>3</sup> When the pregnancy is farther along, and suction cannot be used, then dismemberment is usually employed. Dr. Lisa Harris presents a harrowing account of her dismembering an eighteen-week baby while feeling her own eighteen-week baby move in her womb, and then asks this powerful question: “In general



feminism is a peaceful movement. It does not condone violent problem-solving, and opposes war and capital punishment. But abortion is a version of violence. What do we do with that contradiction?"<sup>74</sup> She provides no answer, other than to carry on.

5. John Rawls is one of the heavyweight voices arguing that it is wrong to use religious arguments within the abortion debate. As he has expressed it, for religious people to object to the legitimacy of legalized abortion ". . . would mean attempting to impose by force their own comprehensive doctrine that a majority of other citizens who follow public reason, not unreasonably, do not accept."<sup>75</sup> This phrase, "not unreasonably," is the Achilles heel of the pro-choice worldview. Of course the pro-choice camp thinks of its ideas as being reasonable—but are they? Everyone considers his or her own way of thinking as rational, but a way of thinking is not rational simply because those who support it say it is. Did the defenders of slavery think their way of thinking was rational? Of course. Karl Marx? He was a brilliant philosopher. Fascism and Communism have had their intellectual leaders, who have assumed their own superior rationality.

At the heart of the abortion debate we find two alternative historical narratives, each of which seems rational to their supporters. The pro-choice camp favors a narrative of emancipation. The Enlightenment and the development of modern science have freed human beings from the shackles of blind religious dogmatism. Slavery and racism have been discredited, emancipating oppressed peoples. Women have developed a feminist consciousness that has allowed them to get out from under the thumb of patriarchy. And so on. The pro-life camp favors a narrative of human fracturedness, with the ever-present possibility of redemption. Our persistent violence as moral agents arises out of our belief that we need to kill to manage the difficulties and challenges that life presents us with. In different times and places the forms of violence change and the ideologies used to defend it adapt, but the need is constant. Violence is a theme with variations. What is needed is emancipation from that *theme*; this is the central insight that the pro-life camp believes the pro-choice camp is missing. Absent this insight, the pro-choice ideology becomes an exercise in trading places. Just as Lenin and Stalin traded places with the czar, while leaving the structure of tyranny intact, so the pro-choice worldview gives women the place of lethal sovereignty traditionally occupied only by men. According to this mindset, "equality" for women is advanced if they too can be violent, such as by exercising their right to kill their own children in the womb.

If "reason" is nothing but the faculty of thinking, then the defenders of slavery, the Nazi ideologues, and the Stalinists all qualify as "rational." If,

however, we sense a problem at this point, then we may be in a position to understand what René Girard meant when he said that “reason itself is a child of the foundational murder.”<sup>6</sup> In the ancient world, Girard argues, cultures arose and continued in the wake of acts of scapegoating violence. The memory of those acts formed the basis for mythologies and theologies. In our day, the violence we engage in forms the basis for our “reason.”

Pro-choice philosophers have gone to elaborate lengths to justify the act of abortion, but none of their writings lucidly articulate the true dynamics of the situation. What is required for a deeper understanding is the idea that violence is a theme with variations. The variations are shaped by the three main dimensions of reality as lived by human beings: the vertical axis, the horizontal plane, and individual selfhood. The vertical axis, traditionally called the Great Chain of Being, spans the field between the poles of God and nature, the spiritual and the physical. The horizontal plane is the sphere of society, culture, relationality. Individual human beings are unique and have their own internal psychological life as they journey through time.

**I**n different times and places these three dimensions shape worldviews in different ways. Slavery divided the human race into higher and lower “races,” with the lower being viewed as just barely above the level of agricultural animals. The *vertical othering* that formed the basis for the oppression of the black slaves construed whites as participating in a *culture* while the blacks were mired in the shame of *nature*.<sup>7</sup> In the twentieth century there were many different forms of *horizontal plane othering* that separated the human race into social groups: Aryans vs. Jews, the proletariat vs. the bourgeoisie, Serbians vs. Muslims, Hutus vs. Tutsis, and so forth. Those carrying out the violence against the hated other always justify it by alleging the crimes or unworthiness of the other. The individual selfhood dimension also functions to shape violence. Here the process at work is *temporal othering*, the notion that those human beings who are older are the legitimate “owners” and potential (justified) killers of those human beings who are younger, the embryos and fetuses. The three dimensions of reality shape how human identity is constructed, and the act of construction has built into it the ejection of the *other* from the *self*. This is the similarity that we need to see without being distracted by the dissimilarities of the different social imaginaries. The moral lesson that we ought to draw from this is that to claim that *I am a person*, while the human entity I am killing *is not a real person with the same value and dignity that I possess*, is a violent way of thinking. It is a form of “reason” that is enmeshed in the foundational violence of human culture. This is not genuine reason, but a false and corrupted form of “reason”

that functions to rationalize the deep impulse toward violence that lies buried within the human psyche.

6. The upshot of this analysis is that the simplistic notion that the pro-choice worldview is “secular” while the pro-life worldview is “religious” is a sham. Human beings are always religious, in that we find ourselves thrown into a world that overwhelms and overawes us. If we do not consciously worship God, then we unconsciously turn either our social group or our individual selves into transcendent entities that claim to rightly possess a godlike power over life and death. We need this power and control, we tell ourselves, to manage the difficulties of life and reinforce our constructed identities. We need to be able to sacrifice other human beings to assert this control.

The pro-choice worldview is a form of individualistic Gnosticism. In the ancient world, Gnosticism was a path of escape from the enslaving chains of material existence. In our day, the notion of flying away into a transcendent heaven has been replaced by a this-worldly path of escape through which the isolated self seeks to create its own sense of salvation by being able to choose to kill an unborn child if its existence is not desired. Unfettered abortion is necessary to free women from enslavement to nature, to the binding chains of material existence; that is what pro-choice intellectuals themselves argue in utterly clear language. I present just one example out of many that could be given: “You cannot separate women’s rights from their right to fertility control. The single biggest factor in women’s liberation was our newly found ability to impose our will on our biology. . . . As ever, when an issue we thought was black and white becomes more nuanced, the answer lies in choosing the lesser evil. The nearly 200,000 aborted babies in the UK each year are the lesser evil, no matter how you define life, or death, for that matter. If you are willing to die for a cause, you must be prepared to kill for it, too.”<sup>8</sup>

This religion of individualistic Gnosticism is capably articulated by Ronald Dworkin, who says that if *Roe v. Wade* were overturned: “That would be a bleak day in American constitutional history, for it would mean that American citizens were no longer secure in their freedom to follow their own reflective convictions in the most personal, conscience-driven, and religious decisions many of them will ever make.”<sup>9</sup> Justice Anthony Kennedy, in his *Casey* decision, argues along similar lines: “At the heart of liberty is the right to define one’s own concept of existence, of meaning, of the universe, and of the mystery of human life. Beliefs about these matters could not define the attributes of personhood were they formed under compulsion of the state.” The way of thinking at work in the pro-choice worldview has been aptly

described by Richard John Neuhaus as “the religion of the sovereign self.”<sup>10</sup>

The ascendancy of this religion in our day was indeed made possible by what is described as the secularization of thought in the modern world. But in contrast with the pro-choice narrative that views this process as “emancipation,” the pro-life worldview unveils the unacknowledged violence at the heart of this “emancipation.” Eric Voegelin is one of the masters of this unveiling, as we see in this quotation: “Historically, the murder of God is not followed by the superman, but by the murder of man: the deicide of the gnostic theoreticians is followed by the homicide of the revolutionary practitioners.”<sup>11</sup> “Secularism” is the major unacknowledged religion of our day, and its self-asserted claim to be a force for peace in stark contrast with the violence of religious fanaticism is a sham. This is also why the demand “secular arguments only!” can be viewed with skepticism.

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# The Abolition of Childhood

Mark S. Milburn

Childhood's not what it used to be. In fact, when I recall my own I have to wonder if childhood hasn't been engineered out of existence. I don't think I've seen a child behaving like a real child in decades.

Back in, say, 1963, if a real child wanted company he would scratch the screen door of his neighbor's house until an overwrought mother shoved any child within her reach out the door. The little heathens would do something bad, like sneak into a storm sewer and crawl through it until they came out on a creek full of crawdads and small frogs. They would bring the crawdads home in jars and maybe try to eat one. Or, they would smash the pollywogs in their hands to make a green jelly and rub it on the kids they hated. Being professionals at the job of childhood they would get all this done before lunchtime.

In the afternoon, they would ride their bikes in feral little packs until they got somewhere they had no business being, like West Alton, Missouri. In West Alton—just over the Missouri River—you could buy firecrackers that could blow a finger off. A real child would ride his bike to West Alton just to get his finger blown off. If he didn't succeed, he would tell the story of a kid who *did* get his finger blown off. Or, he would tell about a friend who had lost an eye to a cherry bomb.

That's what a real child would do. What the new, altered species does is have "play dates."

A play date is a form of behavior supervised by adults, and as such is not the proper habitat of children. It lacks the nurture of a forbidden environment. On a play date, a young cohort of two plays video games within earshot of a mother. Perhaps they kick a ball around in the backyard. If adventure is yearned for, they climb a play set made of engineered lumber and steel, an OSHA-style safety rating on the ladder and on the slide.

When these habitat-altered children need more adventure, they play sports on "select" teams that require they attend camps run by unemployed former athletes. They start camp at age five, and start thinking of themselves and the children chosen for them to play with as "select." Most importantly, they learn the value of being around people who are "select."

For a long time I was sure that real childhood had ended when some parent

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invented the play date. However, I've since concluded that the end of childhood, as I remember it, began in 1965.

That was the year the birth-control pill received FDA approval.

In the winter of 1965, "The Pill" was all our priests and parents could talk about. We children paid it little mind, however, because on Preakness Lane we had a governmental crisis to manage.

The Behnan brothers had humiliated us in a violent snowball fight. I mean truly humiliated: dirty ice shoved in your mouth, two guys on your chest, one poking icicles in your nose. They had ambushed us, with the help of their cousins from the *other* Behnan family in the next neighborhood. Now, to be defeated by the Behnan boys was a Cuban-missile-sized crisis because they had cooties and were strange.

The Behnan boys were the progeny of two Behnan men, twins, who married two women, also twins. The result was sixteen Behnan cousins with red hair and fierce freckles. Thus any Behnan boy, with his Howdy Doody grin and his air of being the eerie double of the last Behnan you had punched, seemed, when all his cousins were handy, like a private in a clone army. There were just too many Behnans.

"We need more guys," I told my friend Denny.

Joe, my other friend, said, "A lot . . . a lot more guys."

Denny had been held back a grade; but for reprobated conniving he was the brains of our operation. He dropped his chin on his caved-in chest—he was a victim of birth defects—and closed his eyes. At last he said, "I got it."

The next day we stood at the top of the street just across from the convent. Denny flicked open a folded sheet of ruled notepaper, covered with signatures in wildly different hands. "How many?" I asked.

"About fifty, if they all show."

They showed. All of them. Then guys from the next, and then the *next* next neighborhood showed up too.

The snowball beat-down didn't last long. In a minute we had driven the Behnan boys into their car port, then down into their basement. After an hour of pounding their tract home with hard-packed snowballs—some watered and iced the previous night, each volley launched a hundred at a time—Mrs. Behnan emerged. We had dented the new aluminum siding on her house in several places, and she was calling the police.

So we quit. Fifty of us stood in the street with nothing to do. In a minute, ten or eleven Behnan boys came out to stand around with us. Their mother wouldn't let them stay inside. Now, we and the Behnan boys, and twenty immigrants, that is to say Protestant kids from the public schools, and another thirty "foreigners" from faraway subdivisions, had nothing, absolutely nothing to do.

Suddenly, a Ford Fairlane's tire chains jangled as the car crunched through a fresh foot of snow. Denny hit it with a snowball, then the rest of us hit it with fifty, then another sixty snowballs. The car stopped. The driver got out. We ran. In a minute we were behind bushes waiting for the next car on which we would loose an avalanche. One was an old Plymouth two-door owned by the finickiest man in the neighborhood—a WWII veteran who came back from the war *changed*, or so his wife told my mother. He also threatened to call the police. A rebuilt Packard owned by a young hood with a Brylcreem pompadour got buried in snowballs next. The greaser caught one of our buddies and made him eat a menthol cigarette.

We did all this until that forlorn moment when the crisp winter light vanishes and the frigid darkness summons you home. No need to wait for our mothers' calls. The most beautiful afternoon of the winter had evaporated, and God had vacated the lane as the gloom enveloped us. The icy night air gripped our bodies like clamps.

Once home, I found that although I was freezing, underneath my coat I was soaked in sweat. I hustled up to the kitchen table for a dinner of grilled cheese and bacon sandwiches, and Campbell's Tomato Soup. The meal seemed a Thanksgiving feast, because Mom and Dad and all six children were there—our non-contraceptive family being still relatively small. And we, the children, with the help of fifty strangers, had just invented a secret weapon against the world: snow bombing. Everything had been so perfect that when I went to bed, I felt sad that such a day should die without sacraments, or eulogy. I wanted to hold a funeral for it.

**T**hat was in December, 1965.

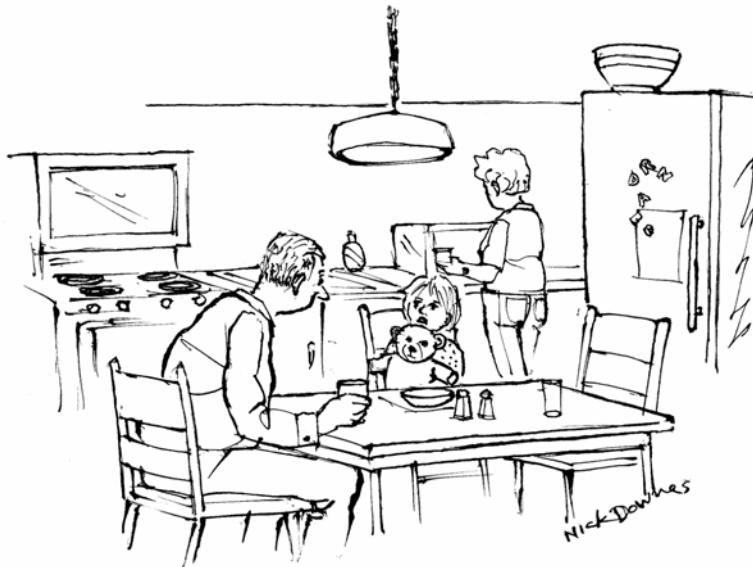
Neighborhood kids do play dates now, with one or two other kids. They face their twilight moments of victory or defeat huddled in carpools returning from “select” baseball, or “select” soccer. Always, they are in close sight of adults: protected and coddled by parents who have fewer children, and who thus have more money to devote to them, and more time to see that their friends are attractive . . . and acceptable.

I can't help but think all this has something to do with the pill.

Oh, I know we are told that the pill has done so much for women. Respectable opinion insists that the pill is progress, capital “P.” Still, in my childhood, mothers with six, ten, or twelve children entrusted a wonderful world to their runts. A world of freedom, with no need for arranged play dates. There were always too many children to efficiently keep track of, and under such lax government, each child experienced firsthand Rousseau's “state of nature.” We were ever busy creating half-block-sized city states,

and designating ice-packing guards for the common defense. Each day, we played at making social contracts, and rebelled against authority. On Preakness Lane, the Fifties baby boom had spawned a world of mean little factions, deliberation, policy, and compromise. Mostly, the boom taught us the rough-and-tumble joy of living with “The Other.” Even those with cooties. It was a middle school of do-it-yourself immigration policy.

Coincidentally—or perhaps not—after fifty years of chemical contraception our country’s citizens seem to know less than American children once did about assimilation. Could it be that we have lost the confidence to engage each fresh mess of newcomers with the wisdom of alley brats: brats who were privileged to have been born into neighborhoods with too many children? What are the “culture wars,” if not our unwillingness to mix it up? Did the pill make us forget how to salute the advent of the stranger, whether he comes from an odd family, an unfamiliar culture, or from a dark hidden place in the womb?



*“You really shouldn’t look Teddy directly in the eyes, Dad.”*



# The Day Socrates Met a Pro-Choicer

Chris Rostenberg

**O**ne day not long ago, Socrates was walking down the street and came to an abortion clinic. The building was surrounded by dueling protesters bearing signs and shouting slogans testifying to either pro-life or pro-choice convictions. Curious, Socrates introduced himself to a young woman named Diane, who was holding a sign reading, “Keep Your Rosaries Off My Ovaries!” Socrates spoke up.

**SOCRATES:** Diane, why don’t you think unborn human beings deserve legal protection from people who want to abort them?

**DIANE:** Socrates, you and I can have different views on abortion and I can respect that, but you want to impose your morality on me!

**SOCRATES:** No, I want to impose *your own* morality on you. You oppose bigotry, so you know the unborn is equal to you, and you know killing children is wrong. Aren’t you just violating your own beliefs?

**DIANE:** You don’t respect women’s reproductive rights!

**Socrates:** Condoms are reproductive rights—abortion is homicide.

**DIANE:** When a woman terminates a pregnancy, that is her right!

**SOCRATES:** Birth terminates pregnancies—you promote child killing.

**DIANE:** The fetus is not a child.

**SOCRATES:** Well, before I was born, I was still me, wasn’t I?

**DIANE:** You didn’t exist until you were born.

**SOCRATES:** In that case, I was never inside my mother’s body!

**DIANE:** I want to empower women!

**SOCRATES:** Empower them to do what to whom? Barbarians were powerful—is that the kind of power you want? Tyrants are powerful. Nuclear weapons are powerful. And how much power does it take to kill a baby? Pro-abortion people don’t want to empower women.

**DIANE:** I’m not “pro-abortion.” I’m only pro-choice.

**SOCRATES:** Were the people who wanted slavery to be legal pro-slavery?

**DIANE:** Of course.

**SOCRATES:** Slavers wanted white people to have “the right to choose” to own black slaves. So were they “pro-choice” on slavery?

**DIANE:** Yes.

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**Chris Rostenberg** is a “pro-compromiser,” opposing late prenatal homicide while remaining silent on early abortion and the hard cases. The first question we need to ask, he believes, is not, “When does life begin?” but rather, “At what stage in the pregnancy should the killing stop?” He has a BA in political science and intends to write a graphic novel (adult comic book) on pro-choice baby-killing.

**SOCRATES:** So being “pro-choice” on slavery means you are pro-slavery and being “pro-choice” on abortion means you are pro-abortion.

**DIANE:** No it doesn’t.

**SOCRATES:** The norm is for all human beings to be protected under law. You are making an exception to that rule for abortion. That makes you pro-abortion.

**DIANE:** I’m against abortion. I just think it should be left up to the woman.

**SOCRATES:** You are talking as though “pro-choice” is a compromise between pro-abortion and anti-abortion. But if you don’t want children in the womb to be protected, you are responsible for opening them to attack. Too many people say, “I’m against abortion, but it should be legal.” That’s sophistry. When it comes to abortion, even allowing the choice is abetting child abuse. If you help destroy an unborn baby by keeping prenatal homicide legal, why should anyone care if you say you are “against” it? You are in collusion with the killers of each child.

**DIANE:** Well, I think you should find out more about the pro-choice position before you start telling women what they can do with their bodies.

**SOCRATES:** My friend, I think you’re a little confused. “Pro-choice” is the politically correct term for the politically correct position, the position disseminated by the Establishment. It is the anti-abortion position that is not widely understood.

**DIANE:** Do you support those anti-abortion terrorists who kill abortion providers?

**SOCRATES:** I don’t, and I resent that question. After all, pro-choicers support violence by definition. Anti-abortion terrorists, on the other hand, are an aberration, a tiny minority of disturbed people who show by their actions that they are only selectively pro-life.

**DIANE:** Well, women shouldn’t have to deal with unplanned pregnancies and unplanned children!

**SOCRATES:** But life doesn’t always go as planned, and women can experience unplanned joy when the child is born.

**DIANE:** But it is cruel to bring unwanted children into the world.

**SOCRATES:** They are already in the world, even in the womb. Birth is just a change of address. And unwanted pregnancies do not mean the children are not wanted at birth. Many loved and cared-for children were “unplanned” and initially “unwanted.” And it is wrong for you to imply that children might be better off dead. Even if some of them would be so unfortunate, it does not excuse laws that render all unborn babies killable.

**DIANE:** You people say you want to defend the defenseless and voiceless, but almost none of you are vegetarians. A cow suffers way more than a fetus.

**SOCRATES:** I think animal rights activists have legitimate arguments. I feel

for all those animals. I am not a vegetarian, but maybe someday I will be. But if you want animals to be considered as people, then you are adopting an inclusive understanding of personhood. So it does not make sense for you to then exclude some human beings from the definition. Or, if you are regarding human beings as animals too, then that means the unborn is an animal as well, right? So you should be as eager to protect unborn human beings as you are to protect animals. But a society that puts animals ahead of children, born or unborn, is sick. I suggest you get your priorities in order.

**DIANE:** You should show more compassion for women.

**SOCRATES:** Anti-abortionists have compassion for both women and their unborn babies. Pro-choicers act to defend themselves; anti-abortion people act to serve the “other,” the child. That is why the pro-choice position is inherently selfish, even when someone holding it intends to “help” someone out of an unwanted pregnancy. The anti-abortion position, however, is inherently altruistic, since everyone holding that position has already made it out of the womb and is in no danger of abortion. It is easy to empathize with the women we can see, harder to empathize with the unseen babies in the womb.

**DIANE:** You don’t want women to have power or sexual pleasure! Sex isn’t just for procreation, it’s also for recreation. Women have the right to enjoy themselves, and for that they need abortion available as a backup. Women have the right to control their bodies.

**SOCRATES:** Are pregnant women’s bodies out of their control?

**DIANE:** No.

**SOCRATES:** Is pregnancy naturally reversible?

**DIANE:** No.

**SOCRATES:** Do wombs come with a kill switch? Can a woman just press her belly button and make the child disappear?

**DIANE:** No.

**Socrates:** Do pro-choicers accept this?

**DIANE:** No, I guess they don’t.

**SOCRATES:** Pro-lifers accept women’s bodies the way they are. If we are going to embrace women, we need to celebrate the irreversibility of pregnancy as natural, meaningful, and good. That’s the way wombs work. But today it is countercultural to view sex this way. When people have sex, they need to understand that if a child is created, birth is meant to happen. Casual promiscuity is not consistent with respecting women and children.

**DIANE:** But abortion doctors can provide surgery to fix the problem of unwanted pregnancy.

**SOCRATES:** To every serious, complicated question, there is a simple, easy

answer . . . and it's wrong.

**DIANE:** I still think you don't respect women's bodies at all.

**SOCRATES:** You had a body before you were born, and abortion would have torn your little body to bits. You are assuming that because abortion is a liberty, you are serving women by defending their "right to choose."

**DIANE:** Of course. And here you are, a man, wanting to deny women a choice! How paternalistic and patronizing!

**SOCRATES:** Liberties are not always beneficial or desirable. Some liberties exploit those who have them. Prostitution is a right-to-privacy issue, but you wouldn't say women have the right to control their bodies to prostitute themselves, would you?

**DIANE:** There's a big difference between abortion and prostitution.

**SOCRATES:** Yeah, in prostitution there is no dead child.

**DIANE:** Men can walk away from sex worry-free, but women have to worry about pregnancy. It's not fair.

**SOCRATES:** No, it's not fair. But it's not discrimination, either, because it is not a man-made situation. Not woman-made either. It certainly isn't fair to take it out on the child. You are fighting the human condition.

**DIANE:** Men just cannot understand this issue and you have no right to talk about it.

**SOCRATES:** Actually, I understand abortion better than any woman who denies it is homicide. And all those children have fathers who have the right and duty to defend them.

**DIANE:** You would feel differently about abortion if you weren't a man.

**Socrates:** Do men have the right to kill their children?

**DIANE:** Do men get pregnant?

**SOCRATES:** If I were thrown into jail for the rest of my life for a crime I didn't commit, and I could get out by killing my own child, would I have the right to do it?

**DIANE:** I don't have to answer that.

**SOCRATES:** You don't have to, but you ought to be willing to change your position when caught in a contradiction. And you should be willing to be caught in a contradiction by answering questions you can answer. That's what I do. My fellow ancient Greek, Plato, invented a cave allegory you should investigate.

**DIANE:** Okay, Socrates, here's a question for you: Where do you get off putting women in prison for controlling their reproductive rights?

**SOCRATES:** I don't want to punish women for having abortions. They are already hurt.

**DIANE:** Then how are you going to enforce your laws?

**SOCRATES:** By going after abortionists.

**DIANE:** Well, I think it is hypocritical of you to protect fetuses while promoting the death penalty for murderers. And since abortion is a legal right, you should accept it as a moral right.

**SOCRATES:** What is hypocritical is killing unborn children, but then protecting convicted murderers. And remember, slavery and the Nazi holocaust were both legal.

**DIANE:** What gives you the right to give the death penalty to doctors who want to help women terminate their pregnancies?

**SOCRATES:** I don't want to punish abortionists under criminal law. I would just use civil law, suspending or revoking their medical licenses and fining them. But abortionists are not real doctors, because real medicine doesn't kill, it heals. My fellow ancient Greek, Hippocrates, developed an oath forbidding abortion and euthanasia: "First, do no harm." Doctors have sworn that oath for 3,000 years. In modern times, it has been abandoned twice—today and in Nazi Germany.

**DIANE:** And you pro-lifers say nasty things about gay people!

**SOCRATES:** For once I agree with you! Too many conservatives are hostile to gays—but I totally accept gay people. Don't forget—I'm from ancient Greece. But I can't see what that has to do with aborting unborn children. Do you think gays choose to be gay, or are they born that way?

**DIANE:** Obviously, they are born that way. It's determined by genetics.

**SOCRATES:** I agree. But if it's genetic, then scientists might someday develop a test for homosexuality. Pregnant women could have their unborn tested, then the doctor could say, "Ma'am, I'm afraid your fetus has a predisposition toward homosexuality. Do you want to abort this pregnancy so you can try again for a normal baby?" Do you think that should be legal?

**DIANE:** It's her body! You don't even believe in condoms!

**SOCRATES:** I believe in condoms.

**DIANE:** Sometimes women get pregnant when they just aren't ready to become mothers. You want to force parenthood on women and men!

**SOCRATES:** The pregnant woman already is a mother and the man is a father. The truth is, if you have intercourse when you are not ready for children, you are planning, on some level, to face crisis pregnancy. Don't have intercourse if you are not ready for children! We would have a lot fewer sexually transmitted diseases and teen pregnancy if we had healthier sexual mores.

**DIANE:** Great. You're going to tell me to be abstinent until marriage. Good luck convincing the world of that.

**SOCRATES:** Actually, there are forms of sex that don't lead to babies, and I am okay with them. And if you think the world is not ready to change its sexual

patterns in the face of death, then you have forgotten what happened in the AIDS crisis, when people definitely changed their sexual patterns in the face of death. Pro-choice-to-kill activists who say people will always need prenatal homicide are fatalistic in more ways than one.

**DIANE:** Some anti-abortionists say abortion is always wrong, some say it is wrong after implantation or when the heart begins beating or when the fetus is viable. In any case, to say when abortion becomes wrong means you must know when life begins. That question is above my pay-grade. Besides, I don't hear you pro-lifers saying how you are going to help women who have children when they are not ready. If you don't like abortion, then you pay for the children. We don't have the maintenance.

**SOCRATES:** Do you think pro-lifers have a greater responsibility to serve women and new families than pro-choicers do?

**DIANE:** Well, you're the one forcing those women to have children.

**SOCRATES:** Nobody is forcing anyone to have children. That's like saying if you oppose guns, you're forcing people to kill with knives.

**DIANE:** How are you going to help all these new mothers with their children?

**SOCRATES:** You are the one who claims to talk for women, and you don't have to worry about unborn children, so it should be easy for you to come up with solutions to crisis pregnancy. When people have the option to kill the child, the public assumes the problem is being addressed. Prenatal homicide is a false pressure valve.

**DIANE:** So you have no solutions. Just as I thought.

**SOCRATES:** I think we need to push adoption more, get fathers more involved. We need better sex education classes for children—and if you don't show big photos of unborn babies in those classes and explain our abortion policy, you shouldn't call it “sex ed.” There should be more affordable child care and parental leave laws. But I think you're making a serious mistake in assuming that pro-lifers have a greater responsibility than pro-choicers to come up with answers for new parents. Pro-choicers see a “problem” pregnancy and wrongly conclude: No more baby, no more problem!

**DIANE:** You are avoiding my point.

**SOCRATES:** Killing the unborn child does not in any way solve the problems that made the woman's pregnancy difficult, and it does not help the next woman who experiences crisis pregnancy. Prenatal homicide is reactionary violence. When we face the term “human problem,” I focus on ridding ourselves of the *problems*—you are eliminating the *humans*.

**DIANE:** Admit it—Democrats are better with social programs for poor new families than Republicans are.

**SOCRATES:** Social programs have to do with pregnancy, and abortion has to

do with pregnancy, but it is a mistake to think social programs have anything to do with abortion. Even if I have no idea about how the government can help new families, that is not an argument for killing children. Imagine if the government made it legal to kill homeless people and I objected. Would you then say to me, “How will you take care of the homeless?” You are changing the topic. Even if I don’t know what the answer is, I can know what the answer is *not*, that is, chopping up children.

**DIANE:** I want to hear you admit Democrats are better at helping poor families than Republicans are.

**SOCRATES:** I admit it. But that is not an argument for voting for pro-choice Democrats, it’s an argument for voting for pro-life Democrats. Republicans have a different approach to helping the disadvantaged. Rather than comparing Democrats with Republicans, you should compare pro-life Democrats with pro-choice Democrats and compare pro-life Republicans with pro-choice Republicans.

**DIANE:** You are going to see a lot more poverty when all those poor, young, unprepared single parents are saddled with unwanted children to care for.

**SOCRATES:** Pro-choicers aren’t concerned *for* the poor, they are concerned *about* the poor. Abortion is a class issue: The upper classes tend to be pro-choice because they intend to go to college and have careers, and crisis pregnancy can upset those plans. Poorer people oppose abortion more, but tragically have more abortions because they see fewer options when they face unplanned pregnancy. When a woman is in trouble, and she cries out for help, it is wrong and obnoxious for society to say, “Sure, lady, we’ll help you—we’ll let you kill your baby.” Killing babies is not in the spirit of helping the poor.

**DIANE:** You believe the fetus has more rights than the woman.

**SOCRATES:** Nonsense. I believe they both have the right to live. And the right to live outweighs the right to privacy. Plus, dismembering the unborn child violates *her* right to privacy! The politically correct bigotry of this era is an adaptation of the politically correct bigotry of prior eras. Anti-abortionists are the descendants of the civil rights activists.

**Diane:** Either way, the fetus does not have the same rights as the woman.

**Socrates:** “Fetus” is a clinical, medical term that is inappropriate when informally discussing human rights, just as “homosexual” is inappropriate when you are talking about “gay.” Call people what they want to be called.

**DIANE:** I wasn’t aware fetuses wanted to be called anything.

**SOCRATES:** We don’t talk about “prepubescent males” or “post-menopausal females” outside a clinical context. Pregnant women who want their children call their unborn “babies” or “children.” If a woman can’t make up her mind

about whether to abort or give birth, does that mean the unborn goes from being a baby, to being a fetus, back again to being a baby?

**DIANE:** I don't care what you say. Whatever is inside the woman's body does not have the same rights the woman does.

**SOCRATES:** Actually, you are going further than saying the unborn is merely inferior to the woman. You are saying the child is worthless. If the child had the status of a dog, there might be some circumstances where you would say abortion is wrong. So I conclude that you're prejudiced. You believe in discrimination, bigotry.

**DIANE:** I wouldn't call it that.

**SOCRATES:** What would you call it?

**DIANE:** Common sense! Whatever you want to call it, there it is: a nonperson.

**SOCRATES:** An *Untermensch*. Well, that definition sets the stage for genocide, a holocaust.

**DIANE:** There's a big difference between killing Jews and terminating potential life.

**SOCRATES:** Oh, I see. So you're saying the Nazis *thought* Jews were inferior, but fetuses *really are* inferior!

**DIANE:** You really think pro-choicers are like Nazis?

**SOCRATES:** No, of course not, but the unborn has the same legal status as Jews did and killing an unborn child is just as evil as killing a Jew. But of course the Nazis' cruelty was much more systematic and extended to many categories of human beings. Pro-choicers would not kill Jews, but Nazis did kill unborn children. I believe that future historians will see the Nazi holocaust as a dress rehearsal for the real deal: the global pro-choice holocaust.

**DIANE:** Nazis were way more destructive than pro-choicers are.

**SOCRATES:** If the worldwide abortion rate is the same as it is in America, then about a billion children have been aborted around the world, because America comprises five percent of the planet's population and we've seen over fifty million prenatal killings. But when we consider that the abortion rate is probably much higher in places like Africa, China, India, and the former Soviet Union, then perhaps two or three billion children have been destroyed, and a stupefying number of women and men have been ravaged by deceptive pre-birth infanticide. Around ten percent of those killings happen in the second and third trimesters.

**DIANE:** Since I think reproductive rights are fundamental, I don't think abortion is genocide.

**SOCRATES:** If, as you say, abortion is a woman's right, then in your opinion, limitations in the female body demand that society tolerate genocide forever. Your view of feminism says women can only be free when children are killed,



while my view of feminism insists that nobody is free unless everyone is free. Our society has yet to recognize the unborn as a class in society, subject like others to class division. We've seen white vs. black, man vs. woman, straight vs. gay, gentile vs. Jew, but in abortion, it's adult vs. child, especially unborn child. That class division has never been acknowledged by society.

**DIANE:** That is why you lose.

**SOCRATES:** No, that is why we will win. Societies are more stable when they include everyone—America has certainly learned this lesson in other ways. When Americans start to apply this to unborn babies, they will find it easier to understand that women don't profit off the killing of their children.

**DIANE:** You're not persuading me.

**SOCRATES:** I don't expect to—I don't have the time. I just hope to make you see you don't know the full picture and you should research the issue more.

*—To be continued in the next issue of the Human Life Review.*



*Socrates by Raphael*

## FILMNOTES

### ME BEFORE YOU

Directed by Thea Sharrock

*Reviewed by Jason Morgan*

For people of religious faith, it can be difficult to comprehend the nihilism that pervades much of Western post-Christian secular culture. While everywhere on display, nihilism's true nature is occluded by many guises, including raunchiness, power-worship, and gratuitous gore. Occasionally, however, cultural products of this nihilism can inadvertently elucidate ways in which a society built upon transcendent religious meaning has now become a vacuum—one which hedonists are rushing to fill. The film *Me Before You*, based upon the 2012 Jojo Moyes novel of the same name, provides a succinct and revealing glimpse into a crumbling civilization's failure of moral imagination.

Directed by Thea Sharrock, *Me Before You* tries hard to be a romantic comedy. Will Traynor is a wealthy but disabled scion who lives in a fairytale castle in fictional Stortford, England. Louisa (Lou) Clark is a quirky, poor, charming, and unambitious waitress who lives with her parents in a row house in the same out-of-the way castle town. Lou loses her waitressing job and is soon hired to be Will's daytime caregiver. The irascible Will and the bubbly Lou are opposites, which in the world of romantic comedy means that inevitably they will fall for each other. In this sense, *Me Before You* reveals nothing new about the casual headiness of modern romance.

But it is the remarkably cold undertow of the film that makes it a suitable anthropological textbook on the state of the Western world. Will—once a hard-charging, high-living, jet-setting businessman engaged to a smoldering blonde—is hit by a motorcycle on his way to work one morning and left paralyzed from the neck down. Lou is Will's mother's desperate gambit: Mrs. Traynor knows that her son, who has already attempted suicide, is in communication with a euthanasia clinic in Switzerland. After making Will promise to wait six months before visiting the Swiss facility, she hires Lou in the hope that the perky, sunshiny young woman will somehow jumpstart Will's manhood and make him want to go on living. After learning of his mother's plans, Lou, already experiencing a budding love for Will, decides to go all in, energetically attempting to convince Will that life is worth his

considerable suffering. The heroine's challenge is to get Will to move on from his old life—his “me before Lou”—and embrace a new one with her in his radically altered circumstances.

Lou tries everything she can think of to bring the grumbly Will back to life. She takes him to Mozart concerts, to horse races, to the wedding of Will's former best friend and former fiancée (both of whom Will pushed away in his cloistered brooding after the accident). She even takes Will to her modest home, where he meets and charms her parents, and meets and needles her boyfriend, Patrick, an oafish clod who is clearly Will's inferior in intellect, talent, and wit. In a dramatic scene which takes place on a beach during a last-ditch vacation to a tropical paradise, Lou confesses her love to Will, tells him that she knows about his Switzerland plan, and begs him to change his mind. But Will refuses.

“I loved my life,” Will explains to her. “I really loved it. I can't be the kind of man who just accepts this,” he says, indicating his wheelchair.

But things are different, Lou counters. She and Will are in love. Surely that changes the equation? “I have become a whole new person these last six months because of you,” she pleads.

“And that's why I can't have you tied to me,” Will flatly responds. “If you feel the things you say you feel, come with me [to Switzerland].”

Lou is heartbroken. Will has taken everything she offered him—respect, admiration, sacrifice, happiness, peace, understanding, love—and thrown it back in her face. In his misguided conscience, Lou's happiness is really her burden (or is it his?). Will chooses the certainty of his life before his accident over the promise of the new life Lou implores him to receive.

“Me before you” thus has a very sad double entendre. Will loves who he was before he met Lou and cannot countenance any other life for himself. But the larger, and perhaps unintended, meaning is that Will puts himself before Lou, before his parents, before his friends, before everyone who reaches out to him in kindness. He also twists Lou's sincere love, pulling it into the black hole of his suffering. If she really feels for him, she must help him to kill himself. That is what love is.

That is what love is for Will Traynor, and for scores of Europeans and Americans drowning in the flood tide of surging liberalism. Me before you. “Put yourself first for once,” Will tells Lou when he learns that she stays in their small town in order to help her out-of-work father support their family. In the end, Lou takes Will's advice. She steels herself, hardens her shattered heart, and holds his hand while his life ends in a sunlit abattoir in the idyllic Swiss countryside. The birds are singing and the linens are clean.

“It's his choice,” Will's physical therapist, Nathan, had earlier explained

to Lou when she expressed horror at Will's desire to die. No matter how it is depicted, the iron link between "choice" (i.e., liberalism) and death can never be broken. *Me Before You* is useful for showing how, under even the best of circumstances, a life lived solely for the good times and snuffed out when things go bad is the kind of life that Western culture increasingly values.

This is not to say that *Me Before You* is unaware of the alternatives to surrender. In a key scene halfway through the movie, after Will begins to respond to Lou's irrepressible cheerfulness, he suggests they watch *Des hommes et des dieux*, the 2010 cinematic portrayal of Catholic monks in Algeria who, in 1996, chose to remain in their monastery despite certain death at the hands of Islamic terrorists. After watching the film, Lou wonders out loud why the monks didn't just leave and spare themselves such a fate. "Being there gave their lives more meaning," Will explains. Yes, religion still exists, *Me Before You* is telling us. But liberalism trumps it. Meaning is what one puts into a thing, not a force that comes in from outside.

Likewise, when Lou's boyfriend Patrick—who obsesses over bodily fitness through endless rounds of cross training but otherwise apparently believes in nothing—hears that the couple's planned trip is to a romantic tropical getaway and protests, "I thought you meant Lourdes or something!" Again the movie makes it crystal clear. In the past, perhaps, those suffering went on religious pilgrimages. Now, they go to the beach. And if that doesn't work, they find a euthanasia clinic on the Continent.

**I**t is an unintentional irony of the film that Patrick, the fitness fanatic, is drawn so unsympathetically. For Patrick's obsession with caloric intake and muscle tone is but another manifestation of the ubiquitous materialism this film—and our culture—proffers as the reward for sacrificing conscience to convenience.

In *Me Before You*, we are given visions of well-groomed, almost runway-quality disability—a materialism of products and fashions—but hardly a glimpse of the true physical dimension of Will's suffering. Despite being a film about a quadriplegic and his suicide, in *Me Before You* hardly anyone is shown to suffer at all. For example, when Lou first learns that she has been hired to take care of a man in a wheelchair, she asks the obvious question: What do I do when he needs to use the restroom? Nathan, the physical therapist, breezily informs Lou that he takes care of all of that. But let us pause here to consider the untruth which enters the narrative at this point. To help a quadriplegic relieve himself must surely be a pressing, complicated, unglamorous affair. And yet, Will miraculously never seems to have to worry about this at all. Even when he and Lou spend a night together in a hotel after

they go to Will's former fiancée's wedding, replete with much drinking, Will apparently does not need to answer the calls of his own bodily needs. We are all spared the reality of Will's suffering. We have tuxedos, red dresses, turns on the dance floor—but an almost frenetic shunning of the true material dimensions of what Will, or anyone in his situation, must face day after day. The shop-window series of scenes shows only the posed vignettes of modish incapacitation. The real, physical indignities which present the non-cinematically disabled with opportunities for heroic suffering are cropped almost entirely from our view.

In their place, we have fine outfits, expensive cars, affluent and attractive people, polished accents, and, in the end, a smiling resignation to Will's beautifully appointed, apparently painless death. Which is really no death at all. So completely does *Me Before You* elide the truth of suffering and death—the agony, the fear, the hopelessness, the grace—that it is no exaggeration to say that Will might as well have let his modeling contract run out and moved on to another agency as hauled his freight of darkness and despair away from the confines of his mortal coil. It is surely one of the most materially rich, and yet strangely unmaterial, death scenes in recent movie history. Will commits suicide, but he does not die—he merely dissolves into his Ralph Lauren ensemble, all fabric and light.

Here we meet the gulf that separates our civilization from the reality of suffering and death. People in wheelchairs may be as handsome and well-dressed as Will, but they do not live as Will does, no matter how rich or good looking. They face physical pain and humiliation at nearly every turn. They do not suffer like movie stars, but like human beings with bodies—and with souls. We are a culture of unbounded materialism, but we cannot even get materialism right. Of all the movie's characters, the only one portrayed darkly is Lou's mother, a Christian woman who wears a crucifix around her neck and who alone mounts a principled opposition to what Will proposes to do. But according to the movie's logic, belief in the man who suffered a horrific death on a cross so that we might have eternal life is the only disqualification for understanding physical suffering and excruciating pain. Materialism is offered as the balm for suffering, but when materialism is caught up in suffering, as it was at Golgotha, it, too, is rejected. Salvation always lies on the far side of pain, but *Me Before You* creates a nicely distracting argument for why this need not necessarily be so. Hence, the Christian woman is mocked as an atavistic obstacle to the easiness of just slipping away at a little chateau in the Swiss countryside.

*Me Before You* is buoyed by a catchy soundtrack, competent acting, engaging cinematography, and witty dialogue, all nicely edited into a well-tuned

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work that cannot be faulted for technical missteps. But the film is also fraught with mendacity—latter-day “survival of the fittest” thinking and romantic self-slaughter are its real protagonists. After the deed in Switzerland is done, Lou, on Will’s earlier urging, visits Paris (Will’s favorite destination; he had refused to go with her out of fear that it might ruin his memories of the place). There, she reads a letter Will wrote to her before his death. He has left Lou some money, and exhorts her to “live boldly. Push yourself. Don’t settle.”

The movie ends here, but one gets the sense that Lou will follow Will’s advice. If only Will had done the same.

—Jason Morgan is an assistant professor at Reitaku University in Japan.



## BOOKNOTES

### **YOU CARRIED ME: A DAUGHTER'S MEMOIR**

Melissa Ohden

(Plough Publishing House, 180 pp., 2017, \$19.99)

*Reviewed by Maria McFadden Maffucci*

The story of an abortion survivor is one “that could not be heard, and therefore must not be told.” This was the lesson learned by then-college freshman Melissa Ohden who, in a discussion with new friends about “every kind of abuse, abandonment and human heartache,” found that confiding she was the *surviving victim of legal abortion* produced an “icy chill” from her listeners. “Abortion on demand was the holy grail of the feminist ideology my classmates adhered to; anything that challenged its essential rightness must be suppressed.”

Ohden, founder of the Abortion Survivors Network and a popular pro-life speaker ([melissaohden.com](http://melissaohden.com)), includes this observation in her recent book, *You Carried Me: A Daughter's Memoir* (Plough Publishing House, \$19.99, [www.plough.com](http://www.plough.com)). She knew she was adopted as far back as she could remember, she writes, in the positive context of being “doubly loved, by the parents who had chosen me as their own and by a mother who had given birth to me and entrusted me to their care.” But when Ohden was 14, a family crisis forced her parents to reveal that the premature, gravely ill baby they had adopted and nursed to health was the tiny survivor of an unsuccessful abortion. The news left her reeling: “In my mind I understood why my parents had not told me the truth—how could a child be expected to understand something like that? But in my heart I felt a deep sense of betrayal. I had been deceived about my own identity . . . the people who had conceived me had also tried to destroy me.” Devastated, Ohden turned to an “unholy trinity of coping mechanisms—bulimia, alcohol and sex.” Forthcoming with her story at first, she soon found it isolated her from her peers, many of whom were making their own reproductive decisions and didn't want to deal with the harsh reality connected to Ohden's birth story.

Melissa Ohden's story could have ended there, in tragedy. Instead, as she neared college age, she pulled away from her destructive behaviors by turning to the things that attracted her most: literature, especially poetry; her Christian faith, which she returned to with anguished fervor; and helping others—she

started tutoring disadvantaged children (and would later go into social work). One day she happened to see on television Gianna Jensen—a 14-year-old abortion survivor herself, whose remarkable words gave Ohden new hope for healing: “It’s not that I’m mad at my birth mother at all. I forgive her totally for what she did . . . This is what God has given me, I don’t feel bad about it. I’m just happy.”

Fortunately for the pro-life movement, Ohden was ultimately spurred to action by the hypocrisy of those whose ideology had led to her near-slaughter. As a graduate student in psychology, assigned to write about a “pivotal” moment in her life, she wrote about how the discovery of the truth surrounding her birth had affected her. She earned an A for her “technical analysis,” but the professor’s comments in the margins were “harsh,” including this one: “This must be a lie. Why would your parents tell you such an awful thing?” Ohden was “floored. I’d been silenced again—this time not by my peers but by a professional, someone esteemed in his field.” But then she saw, with “startling clarity,” that she could either acquiesce in the silencing or force people to “face the contradiction that my existence posed to their ideology.”

Ironically, it was her naiveté about Planned Parenthood that shocked her into joining the pro-life movement. As a newly married woman, Ohden regularly went to a Planned Parenthood facility for contraception. She recalls how “mortified” she was to find out, when she was approached by a man praying outside the clinic, that Planned Parenthood did abortions. As he tried to warn her, she blurted out: “I know about abortion . . . my birth mother aborted me and I lived.” The man was amazed. “You should be here,” he told her, pointing to the people praying on the sidewalk, “not there!”

“You should be here, not there,” pulsed through my pounding heart as I drove home. Beneath my wounded pride was a more deeply wounded heart. I felt stupid for not knowing Planned Parenthood did abortions. I felt guilty for giving my money to an organization that performs them. And I felt challenged by the words of a man who gave his time to try to save lives like mine. I *should* be there.

*You Carried Me* chronicles Ohden’s increasing involvement in pro-life activism as well as her years-long search for her birth parents. She perseveres through wrenching setbacks, such as finding the identity of her birth father only to hear of his death before she had a chance to meet him. She experiences the grief of pregnancy loss when she miscarries her second baby and only son (she and her husband Ryan have two girls). But her long search for her birth mother finally culminates in 2016, with a startling and unexpected twist. And much to the reader’s satisfaction, Ohden is surprised by deep joy after her arduous journey.

*You Carried Me* was released in January 2017, the same month the



virulently pro-abortion Women's March on Washington urged the public to "Hear Our Voices." It's safe to say that Ohden's voice is not one the March's organizers want to hear. But while the millions of victims of "successful abortions" are voiceless, Ohden speaks up to save lives—starting with her own! The medical records she obtained indicate that a nurse heard "a spontaneous weak cry" from the baby supposed to be dead; she went against the abortionist's orders and removed the child to neonatal intensive care. A victim cried out; and though many still respond to Ohden with an icy chill on learning that she is one of only a few human beings who knows what it *feels* like to be a victim of abortion, she will not be silenced.

—*Maria McFadden Maffucci is editor of the Human Life Review.*



*"Sir, do you mind giving up your seat to a worthier human being?"*

## FROM THE HUMAN LIFE REVIEW BLOG:

### Notes from Under the Dome

*George McKenna*

At a family gathering early in the last election season I was asked by a practicing Catholic who reflexively votes Democratic whether, if Donald Trump had gotten the Republican nomination, I would vote for him in the general election. When I said yes, both she and her husband were flabbergasted. In unison they asked why. I said, “Because the Democrats want to support and pay for abortion, the killing of children in utero, and the Republicans are opposed.” Several seconds of silence ensued, until someone said, “How about those Mets?”

I could have given a less shocking answer: “What about Trump’s opponent? Is she really better than Trump?” Then I could have trotted out Hillary Clinton’s long record of lying, destroying documents, rewarding Clinton Foundation donors with State Department access, etc., etc. That might have produced some spirited exchanges—but not stunned silence.

I can cite any number of examples of this silence from my own experience. Here is another one. I once persuaded a pastor to allow a woman who runs a crisis pregnancy center to speak at all the Sunday Masses for a few minutes. After the 8 o’clock Mass the pastor came to me greatly agitated. He said, “She used the word ‘abortion’ seven times!” I had to bargain with him over the number of times she could use the a-word at the next two Masses. He got me down to two.

Why is this? Why should people choke on the word “abortion”?

Abortion supporters have good reason to shun the word. They support a procedure that violently kills a tiny human being before its birth. Knowing this, they use various dodges to hide it, most commonly euphemisms like “termination,” “reproductive choice,” and “women’s health.” They used to say that abortion was a tragic necessity and should be “rare,” but more recently they have taken to depicting it as a perfectly normal procedure undertaken by modern women for their convenience. At the 2016 Democratic Convention the head of the National Abortion and Reproductive Rights Action League (NARAL) announced that she had had an abortion years earlier for no other reason than that “it was the wrong time” for having a child.

But abortion resists normalization. The ghastliness of the procedure was evidenced in the 2015 undercover videos showing Planned Parenthood officials sipping wine and munching salad while discussing the sale of fetal body parts. Even Hillary Clinton confessed that the videos were “disturbing,” and Planned Parenthood president Cecile Richards apologized for their “tone.”

The videos' producers are now threatened with imprisonment but their work remains on YouTube.

But all this still doesn't explain why so many presumed *opponents* of abortion shrink from the word. Why did I have to bargain with a priest over how many times it could be used from the pulpit? Why did I almost ruin a nice dinner party of practicing Catholics by citing the *real* reason I was voting for Trump?

I have racked my brain about this. Here is the best I can come up with: Despite, and in some measure because of, the various "rights" movements of the last half-century, we are now living in a country with extremely rigid cultural borders. Conservatives often accuse liberals of living in a "bubble," but the reality is that conservatives are in the same place. And it isn't a bubble. Bubbles are generally small, but this has enormous reach. Bubbles are also fragile, but this has a hard shell.

In 2009, horror-story writer Stephen King published *Under the Dome*, a novel about a town suddenly trapped beneath an invisible dome, a force-field created by cruel visitors from outer space. It's not a great book but it provides a useful allegory for our predicament. Maybe we're all living under a gigantic dome. It's invisible—people hardly know it's there unless they bump into it—but it encases us, keeps us in line, reminding us constantly of what is acceptable and what isn't.

At its heart are the language rules. I've mentioned some of the abortion euphemisms, "pregnancy termination" and the like, but "abortion" is really a subset under a larger category of "words that wound," some of them in fields far removed from abortion. When Christopher Caldwell, an editor at the *Weekly Standard*, was researching for an article he was writing on opioid addiction, several health professionals sent him "lists of the proper terminology to use" when discussing the subject.

We are not supposed to say "drug abuse"; use "substance use disorder" instead. To say that an addict's urine sample is "clean" is to use "words that wound"; better to say he had a "negative drug test." . . . Bizarrely, "attempted suicide" is deemed unacceptable; we need to call it an "unsuccessful suicide." . . . This habit of euphemism and propaganda is not merely widespread. It is official.

Note that the approved words, far from helping us understand, actually obscure meaning. Their purpose is political—to take off the sharp edges of words so that no one suffers "wounds." Political speech of this kind is found everywhere today in the social sciences, most commonly in the field of race relations. We all know what happened to political scientist Charles Murray, who co-authored a book 23 years ago that discussed (among other topics) racial differences on I.Q. tests.

Usually, though, it doesn't have to come to that. We all know the limits; we've internalized them. It's become a matter of decorum, of proper manners. We can use the word "fuck" in polite society now, but a warning light will blink the moment we start talking about "race" and "I.Q." in the same sentence. For the same reason, we hesitate to use the word "abortion" in public, or to describe the procedure in any detail. We all live under the dome: We all observe the proprieties, and we all know what happens to those who don't.

Who is doing this to us? In Stephen King's book, the dome was the work of sadistic space aliens, but our dome was built by humans. Which ones? You could argue that the language regulations come from academia, the popularizers from Hollywood and the news media, and the enforcers from progressive-minded lawmakers and prosecutors. But the larger truth is that we ourselves keep the dome in existence. We do it by keeping quiet, keeping our heads down for fear of being shamed.

In Stephen King's book the Martians (or whatever) were persuaded by the heroine to lift the suffocating structure, finally letting the townspeople breathe freely. Last November, Donald J. Trump tried a more dramatic approach, swinging a giant wrecking ball into the damn thing. It didn't shatter, but he put a visible crack in it. It is now being hastily repaired and Trump is being targeted for removal. We don't know how that will end, but in the meantime some outside air is starting to seep through the crack. It feels good.

—George McKenna is professor emeritus of political science at City College of New York.

## **The Messenger Is the Message**

*Nicholas Frankovich*

During the last presidential campaign, friends and acquaintances urged me to cast my vote for the Republican Party platform. I didn't, because it wasn't on the ballot.

I wasn't always so clear-eyed. In 1980, being young and both bloodless and woolly in my political calculations, I rallied behind Edward Kennedy in the Democratic Party primaries because, I reasoned, he would advance policies I favored. In fact, I wouldn't have been able to articulate them beyond a few generalities and clichés, and I have since moved to the right, but that's not the point. Many who on the whole shared my political sentiments, including my disapproval of the incumbent president, Jimmy Carter, did not, however, support his primary rival, because Chappaquiddick still loomed so large in the background. My answer to Kennedy's critics on the left was, look, we're not passengers in his Oldsmobile. We share with him first principles that he could be trusted to defend in the White House and to advocate from the bully

pulpit. Forget who he is. Consider the good he could do.

No one to whom I made that argument ever bothered to answer it, as I recall. They seemed embarrassed for me—*fremdschämen*, a German might say. They were not going to explain to me the obvious: that it would be political suicide for us to make such a morally compromised figure the nation's leading representative of our ideals, and, moreover, that even if he was right on this issue or that . . . Had I no sense of decency, at long last? Had I no sense of decency?

In other words, I needed to slow down, still my mind, and observe the obvious. Look at the ballot. Look at it. Note the absence of essay questions. See all those names? They refer to individuals, not to ideas, roadmaps, or blueprints. Oh, we might equate who the different candidates are with what they said they would do if elected, but primarily, and ultimately, we vote for persons, not policies, except in state and local referendums, which amount to only a small fraction of the boxes we check on ballots issued by the board of elections.

“Politics is never about policy,” my colleague Kevin D. Williamson wrote the other day. “Politics is about people, and how we feel about groups of people who are not like us.” He exaggerates, of course, to stress the truth, which bruises our intellectual vanity, that as political animals we use a greater ratio of amygdala to cerebral cortex than we would like to suppose. We like to say, with John Adams, that we are “a nation of laws, not of men,” but that's a noble aspiration. If it were the literal truth, we would vote on the laws, not the men and women who write them. A polity consisting of millions of souls can accommodate only so much direct democracy.

And on those occasions when we do vote on a proposed amendment to the state constitution or on a levy to build a new county library, “how we feel about groups of people who are not like us” is never completely absent from our deliberations, and sometimes it jostles to the fore. In the flurry of state referendums on abortion law before *Roe v. Wade*, and in the trickle of them since then, the minds of voters were necessarily touched by their impressions of who the people were who were pushing from one side of the issue and the other. None of us is Mr. Spock.

Political scientists find that often we settle on a candidate for public office first and then form our policy preferences, not vice versa, to agree with his. Gabriel Lenza wrote a book about it: *Follow the Leader? How Voters Respond to Politicians' Policies and Performance* (2012). The lesson for those of us who are pro-life in a society that is not is this: Our ability to persuade others depends less on what we say than on who we are. Be ready to disabuse them of their stereotypes. Because our cause has found a home on the political right, about half of Americans react against it reflexively, like a Red Sox fan

whose blood pressure jumps a little at the sight of a Yankees hat.

A couple of years ago, over lunch, my friend Catherine loaded the bases and I failed to drive home the winning run. We had gotten to talking about politics, and she said that, as a thoughtful conservative, I must be embarrassed by the “religious right” because it was fighting insurance coverage of birth control under Obamacare. I instinctively scrambled to avoid an unpleasant scene. I avowed that I identified with the religious right and that, no, it didn’t embarrass me, but let’s change the subject.

Later, gripped by *l’esprit de l’escalier*, I regretted that I didn’t slow down, grab hold of, and calmly express one of the thoughts that went racing through my head as I panicked under the pressure of that edgy turn in the conversation. Catherine was clearly referring to the *Hobby Lobby* case. Joining the Green family, the owners of Hobby Lobby, a chain of arts-and-crafts stores, were the Hahns, the owners of Conestoga Wood Specialties, a furniture manufacturer. Both the Greens and the Hahns objected to providing their employees with insurance coverage for birth-control methods they judged to be potentially abortifacient. That is, although the issue at hand was routinely described as Obamacare’s “contraceptive mandate,” what the families sought to avoid participating in was not preventing conception but ending a life already conceived. They were concerned not to cooperate in abortion.

Being Mennonites, the Hahns are “pro-life across the board,” as their lawyer explained, “including their stand against capital punishment and going to war.” They’re pacifists. Catherine is not, to my knowledge, but she leans in that direction. She’s progressive, an Episcopalian at home on the Christian left. The Greens, on the other hand, are Evangelicals and therefore susceptible to being caricatured as the Christian Taliban, dangerous and irrational. That’s unfair but also the topic for a different blog post. What I should have taken the time to lay out for Catherine is who the Hahns are. They sound a bit like Jains. They’re committed to an exquisite vision of non-violence that she’s predisposed to respect even if she doesn’t go that far herself. To her, their opposition to abortion is probably honorable in the context of the so-called peace church to which they belong.

Remember the Consistent Life Network, formerly known as the Seamless Garment Network? The Dalai Lama once signed on to it. Its philosophical underpinning is sound enough, but its greatest contribution has been social, not ideological. It speaks across the political divide, to the gentle majority who are inclined to judge the cause simply by the content of the character of those who believe in it. Be mindful, always, that the messenger is the message.

— *Nicholas Frankovich is an editor of National Review.*

## APPENDIX A

[*Harold Cassidy is the founding partner of The Cassidy Law Firm and a former member of the New Jersey Bioethics Commission. This essay was published on Feb. 23, 2017, by Public Discourse: Ethics, Law and the Common Good (www.thepublicdiscourse.com) and is reprinted with permission.*]

### **Remembering Jane Roe and Mary Doe: The Courage of Norma McCorvey and Sandra Cano**

*Harold Cassidy*

The shameful and irrational desire on the part of the Courts to reach decisions in *Roe* and *Doe* with no evidence—and without even knowing if the women in whose names the cases were brought actually wanted abortions—was later exposed by the courage of these two women.

Seventeen years ago, I received a phone call from Norma McCorvey. “I will do anything to overturn my decision in *Roe v. Wade*,” she told me—and she asked me to help her.

Norma, of course, was the plaintiff referred to as “Jane Roe” in *Roe v. Wade*, the case in which the United States Supreme Court interpreted the Fourteenth Amendment of the United States Constitution to mean that the states of our nation were forbidden from prohibiting or meaningfully regulating or restricting abortion.

Shortly thereafter, I received a call from Sandra Cano, who was the plaintiff in *Roe*’s companion case, *Doe v. Bolton. Doe*, which was decided on the same day as *Roe*, may be less known by the general public, but it is considered equally noteworthy to constitutional scholars and pro-life commentators. The *Roe* and *Doe* cases were the two pillars on which all subsequent abortion jurisprudence rested.

In that telephone call, Sandra Cano told me that she had suffered deep guilt and remorse in the previous twenty-seven years over the *Doe* decision. She wanted my help to get her decision overruled, and she told me that she could not rest until she helped correct what she viewed as a great injustice to the women and children of this nation. Both women knew me to be an attorney who litigated constitutional issues and who represented the rights of mothers, including mothers who lost their children in abortions performed without truly voluntary and informed consent.

With the news of Norma McCorvey’s death on Saturday, Sandra and Norma are now both gone. It is natural for those of us who knew them to reflect on their experiences and the meaning of what they did, who they were, and ultimately what they fervently wanted to accomplish by the end of their lives.

#### **Exposing the Weakness of Abortion Jurisprudence**

When I received those calls from Norma and Sandra, I had a case going to the United States Court of Appeals on behalf of a mother who had lost a daughter who died in utero. The *Roe* and *Doe* decisions had influenced New Jersey law in such a way that those decisions stood in the way of my client being able to redress her grievance.

Norma and Sandra wanted to address the courts to weigh in on the pro-life side supporting women and their children. So I called Allan Parker, a seasoned attorney who had founded the Justice Foundation in San Antonio, Texas. I told him they wanted representation to file amicus briefs in our case. Allan agreed to represent them, and Norma, Sandra, Allan, and his legal staff, including Clayton Trotter, all went to work to prepare a legal presentation consistent with our own. It focused on the ways that abortion, as practiced after *Roe* and *Doe*, harmed not just children but also the rights and interests of mothers.

The other day, after I heard the news of Norma's death, I looked at some photographs taken in front of the Liberty Bell in Philadelphia, across from the federal courthouse, where they each walked in their amicus briefs and filed them with the court. We held a press conference that day, and their supporters held a rally in front of the Liberty Bell. Norma, Sandra, Clayton Trotter, and I all spoke to the crowd. I found two pictures that stood out.

In the first, Norma addresses the crowd while Sandra waits behind her to take her turn. This picture marks the first of many times that the two of them would collaborate to address the courts.

The second photo is particularly poignant. In it, Norma McCorvey is standing in front of the Liberty Bell holding a large poster containing a drawing of a young woman holding up a newspaper. Above the drawing of the woman, in large bold letters, it reads "It's Inevitable." In the picture below those words, the young woman is holding up a newspaper with the bold headline "*Roe* Overturned." In a subhead, the newspaper states "Women Celebrate Worldwide."

In that photo, Norma is smiling in a way she rarely did. That filing and the rally across from the courthouse uplifted both women and gave both hope that they would succeed in undoing the harm they felt responsible for helping to bring about. That one photo captures and symbolizes Norma McCorvey's heroic efforts of the last twenty years of her life.

Later, Allan Parker, Clayton Trotter, and the Justice Foundation represented both women in Rule 60 motions they filed in the original *Roe* and *Doe* cases. Each woman asked the Court to vacate its judgment in her case on the grounds that both judgments were unjust to women and children. I supported Sandra's and Norma's efforts not because I thought they would result in a reversal in those cases but because Norma and Sandra exposed the shocking weakness of the Court's decisions.

### **The Fraudulent Case of *Doe v. Bolton***

The details of the *Doe* case are particularly appalling. Though her case paved the way for millions of women to abort their children, Sandra Cano herself never wanted an abortion. While going through divorce proceedings, she thought that her parents had hired a lawyer to help her fight for custody of her four children and the fifth child she carried. When she found out that her lawyer scheduled an abortion for her and filed the complaint in *Doe v. Bolton*, which stated that Sandra wanted an abortion and had been denied one by the state of Georgia, Sandra fled to



Oklahoma to avoid being pressured into having an abortion she did not want. She returned only after her lawyer and her mother assured her she would not have to abort her child.

There was no record in Sandra's case: no written discovery, no interrogatories, no document requests, no depositions, and no expert reports. When I read the transcript of the argument before the three-judge panel, I saw that the attorney general of Georgia argued to the court that they needed discovery. The court, being so anxious to make law, told him they saw no reason to bother.

When the attorney general pointed out that the court didn't actually "know if 'Mary Doe' is even pregnant," the judges said they would just assume that she was. It didn't occur to the attorney general that "Mary Doe" might in fact be pregnant but might never have asked the doctors for an abortion—because she didn't want one. Had Sandra been deposed in the case, her true desires would have been revealed, the case would have been dismissed, and there would never have been a decision by the Supreme Court in *Doe v. Bolton*.

Sandra's attorney, Margie Pitts Hames, convinced Sandra to sit in the back of the courtroom that day. Sandra told me she agreed to this because she wanted to return to Georgia and see her four children. Hames never spoke to Sandra again. Sandra did not know what was going on in the case until she saw a television news commentator announcing the Supreme Court decision on January 22, 1973.

Sandra grieved over that decision for years. She decided to get a copy of the file in her case to review it. The Court would not give it to her, because everything was filed under seal. She retained an attorney who filed a motion to permit Sandra to obtain copies of what was filed on her behalf. The motion was opposed by Margie Pitts Hames, who didn't want Sandra to see the filings. Eventually the Court ruled in favor of Sandra, and she then discovered that the entire record was nothing other than a single affidavit purporting to be her own sworn statement. Sandra's signature was found on an affidavit that stated that she wanted an abortion, had gone to a hospital seeking an abortion, and the doctors refused to perform one.

Sandra's signature was forged. The entire case was a fraud on the Court—fraud that could have been easily detected but for the Court's decision to decide the substantive issues without any kind of factual record or record containing discovery of any kind.

### ***Roe* and *Casey*: Upholding a Wrongly Decided Precedent**

In Norma's case, the entire record consisted of a single affidavit that Norma signed but never read. Norma met with her attorney only twice. The first time, they met in a bar over a pitcher of beer to discuss Norma's willingness to be a plaintiff. The second time, Norma signed the affidavit.

Norma, whose education never went beyond freshman year of high school, later testified that she never knew or understood what an abortion was. She thought that the procedure just prevented a human being from coming into existence, like birth control.

It wasn't until the mid-1990s, when she worked at an abortion clinic, that Norma

started to understand what an abortion really was. One day she was in the “Parts” room, where parts of the babies, like limbs and heads, were brought after the unborn children had been aborted. It was then that Norma realized that abortions terminated the lives of actual living human beings. Soon after, she had her conversion to the pro-life side and, in 1997, started her ministry: “*Roe* No More.”

In 1992, the Supreme Court reaffirmed *Roe* in *Planned Parenthood v. Casey*, which was a two to three to four decision. In other words, four Justices held that *Roe v. Wade* had been incorrectly decided. Only two Justices unequivocally held that *Roe* was correctly decided as a matter of constitutional jurisprudence.

The other three Justices, in what was called the joint opinion, upheld *Roe* on the basis of the doctrine of stare decisis: even if the *Roe* decision was wrongly decided, they argued, the principle of precedent meant that the Court had to be consistent in its decisions. The three justices somehow reasoned that the exceptions to stare decisis—like those found in more than 240 prior cases in which the Court overturned its own prior decisions—did not apply to *Roe*.

### **Abortion Hurts Women**

I remember the day I walked with Allan Parker and many others across the street in Dallas, Texas, to the US District Court to file Norma McCorvey’s Rule 60 motion. In her motion, Norma asked the court to reverse its judgment in *Roe* because the facts she learned after that case revealed that the judgment was unjust to both pregnant women and their children. With the help of her legal team, Norma filed six thousand pages of documents that demonstrated that abortion was harmful to women. Two thousand women who had had abortions submitted affidavits describing how their abortions ruined their lives.

The following year, Sandra Cano filed her Rule 60 motion in *Doe v. Bolton*. When I saw her that day, she looked genuinely happy to finally be able to correct the record in that case. She filed her own affidavit that day, one she not only read but helped compose—and signed herself. That day she, like Norma, filed more than six thousand pages of documents, including over two thousand affidavits from post-abortive women.

The shameful and irrational desire on the part of the courts to reach a decision in *Roe* and *Doe* with no evidence—and without even knowing if the women in whose names the cases were brought actually wanted abortions—was later exposed by the courage of these two women.

It was not easy for Norma and Sandra to stand up and tell the world the truth. After *Roe*, Norma was hailed by many as a national heroine of the same stature as Rosa Parks. She was lauded by pro-abortion groups. Norma gave up her life of acclaim, and accepted an onslaught of criticism when she stood up in 1997 and began to fight for what was right, at great personal cost.

The stories of Norma McCorvey and Sandra Cano are stories of redemption. As we carry on the fight to end abortion, we should take time to remember and to celebrate what they did for the rest of us as they fought to redeem themselves.

## APPENDIX B

*[Kelsey Hazzard is the founder and president of Secular Pro-Life, which brings together people of every faith and no faith to expose abortion as a violation of fundamental human rights. The following post appeared on April 3, 2017, on Secular Pro-life Perspectives, the group's Blog (blog.secularprolife.org) and is reprinted with permission.]*

### **Explainer: Planned Parenthood Defunding Votes**

*Kelsey Hazzard*

The American Health Care Act (AHCA), which included a Planned Parenthood defunding provision, tanked. In late March, a Planned Parenthood defunding measure passed the Senate and awaits the President's signature. Now pro-life organizations are demanding another Planned Parenthood defunding vote. If you're not intimately familiar with these battles, your understandable reaction must be what on earth is going on? This blog post is for you.

The first thing to understand is that taxpayer funding for Planned Parenthood is doled out via multiple government sources. These include Medicaid (which funds health care for the poor) and Title X (a grant program for contraception). In both cases, pro-life groups want the funds to be redirected from Planned Parenthood to community health centers. This is not an argument about the amount to be spent, but about where to spend it.

#### **The AHCA Battle**

The American Health Care Act, President Trump's measure to "repeal and replace" Obamacare, included a provision to redirect Planned Parenthood funding to community health centers. That was one of the few provisions that was certain. Negotiations between the White House and various Congressional factions caused the remainder of the bill to change day-to-day. Maternity coverage was threatened at one point, which caused many pro-lifers consternation. Although eventually an amendment designated a pot of funding for maternity care, that couldn't save the AHCA, which was plagued with way more problems than I'm qualified to explain. No wonder only 17 percent of the American public supported it. Planned Parenthood tried to take credit for the AHCA tanking, but that seems unlikely in light of the . . .

#### **Title X/HHS "Parting gift" Battle:**

States have some control over the distribution of Title X grant money, and over the last few years, many have decided to prioritize giving grants to their own health departments, community health centers, etc., rather than Planned Parenthood. Naturally Planned Parenthood responded with lawsuits (quite the sense of entitlement!), with the legal outcomes varying by jurisdiction.

Toward the very end of the Obama administration, the Department of Health and Human Services (HHS) proposed a rule that was widely derided as a parting gift to Planned Parenthood. In essence, it required an outcome in Planned

Parenthood's favor for all of those lawsuits. The negative implications of the rule were numerous, and we outlined them in our official comment while the rule was still pending (see <http://blog.secularprolife.org/2016/09/proposed-hhs-rule-would-create-pp.html>).

Unfortunately, the rule was adopted. But because it was so new, Congress had the opportunity to reverse it under the Congressional Review Act. That's what the Senate did last week, in legislation spearheaded by Sen. Joni Ernst. Vice President Pence cast the tie-breaking vote.

The Senate vote to revoke the HHS parting gift basically puts everyone in the position they were in last September with respect to Title X. Still, it's a significant pro-life victory. It's also a very strong indication that we have the Senate votes to stop other taxpayer sources of Planned Parenthood funding, which brings me to. . .

### **What's Next:**

On March 31, a coalition of 77 pro-life organizations (including Secular Pro-Life), led by the Susan B. Anthony List, sent a letter to members of Congress which said in part:

It is time for Congress to re-direct funds away from Planned Parenthood. Instead, fund community health centers, which outnumber Planned Parenthood facilities by at least 20 to one and offer a full range of primary health care, unlike Planned Parenthood.

You have a clear path to accomplish this goal. Pass a reconciliation bill that cuts off the largest funding streams for Planned Parenthood. Reconciliation language to do this already cleared procedural hurdles in the last Congress. Moreover, Congress has the votes to get it done now, and President Trump has promised his signature. Now it's time to act on this opportunity.

The grassroots we represent expect you to stop funding this abortion giant. For years promises have been made, and the time has come to deliver. We urge you to pass a reconciliation bill that redirects Planned Parenthood funds to community health centers before the April recess. There are no excuses for inaction.

Reconciliation is a process available for budget-related bills that bypasses the Senate filibuster. (The AHCA vote, had it been attempted, would have been via reconciliation.) With a filibuster, 60 votes are needed to advance legislation. But without the filibuster, only a majority is needed—and the Title X vote just demonstrated that we have a Senate majority in favor of redirecting Planned Parenthood funding to community health centers.

The pro-life movement is aiming high. We want to defund Planned Parenthood at every level. Not just Title X. Not just in pro-life states. Not dependent on what happens to Obamacare. We're talking about every possible federal funding stream being redirected to the community health centers that deserve it.

Planned Parenthood's days of cruising on the taxpayer dime while killing helpless preborn children may soon be over.

## APPENDIX C

[*Sr. Mary Elizabeth, S.V., Vicar General of the Sisters of Life, was the keynote speaker at the 4th Annual Banquet of the Women's Support Center of Milwaukee on February 14, 2014. The following is the text of her talk, which is reprinted here with permission. An electronic copy of this talk is available at [www.4life4family.org/2-14-14](http://www.4life4family.org/2-14-14).]*

### **The Need for Witnesses**

*Sr. Mary Elizabeth, SV*

Tonight, I would like to reflect on two things. First, the call to be witnesses, to be a light amidst the darkness of the growing culture of death. Secondly, the power of maternal love to transform a culture, one heart at a time.

Pope Francis is continually calling all Christians to not only believe the gospel but to live the gospel. To make our lives a living gospel. And he is leading the way through his example.

What moves people today are living witnesses, the real-life example of someone who reveals the beauty of life, and gives an example of authentic love. What will change hearts is if we show that being pro-life is not just about words or politics; it is a way of living that first *changes me* and then affects all of my relationships. To be effective in building a new culture of life, I must be a living witness of the Gospel of Life.

There is a moving story that illustrates the power of personal witness in the book *Rediscovering Catholicism* by Matthew Kelly. It begins this way:

Jim Castle was tired when he boarded his flight one night in Cincinnati. The forty-five-year-old management consultant had put on a weeklong series of business meetings and seminars, and now he sank gratefully into his seat, ready for the flight home to Kansas City.

As more passengers boarded, the plane hummed with conversation, mixed with the sounds of bags being stowed. Then, suddenly, people fell silent. The quiet moved slowly up the aisle like an invisible wake behind a boat. Jim craned his neck to see what was happening and his mouth dropped open.

Walking up the aisle were two nuns clad in simple white habits with blue borders. He immediately recognized the familiar face, wrinkled skin, and warm eyes of one of the nuns. This was the familiar face he'd seen so often on television and on the cover of *Time*. The two nuns halted, and Jim realized that his seat companion was going to be Mother Teresa.

As the last few passengers settled in, Mother Teresa and her companion pulled out rosaries.

The airplane taxied to the runway, and the two women began to pray, their voices in a low murmur. Though Jim considered himself a not very engaged Catholic who went to church mostly out of habit, inexplicably he found himself joining in. By the time they whispered the final prayer, the plane had reached its cruising altitude.

Mother Teresa turned toward him. For the first time in his life, Jim understood what people meant when they spoke of a person possessing an aura. As she gazed at him, a sense of peace filled him; he could see it no more than he could see the wind, but he felt it, just as surely as he felt a warm summer breeze. "Young man," she

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inquired, “do you pray the rosary often?”

“No, not really,” he admitted. She took his hand, and her eyes probed his. Then she smiled. “Well, you will now,” and she dropped her rosary into his palm.

An hour later, Jim entered the Kansas City Airport, where he was met by his wife, Ruth. “What in the world?” Ruth asked when she noticed the rosary in his hand.

They kissed and Jim described the encounter. Driving home, he said, “I feel as if I met God’s daughter.”

Too often we forget who we are. We are bombarded with so much information, with so many messages—it is easy to forget who we are and to lose sight of what we are made for. It is like we have spiritual amnesia. We need to experience the reality that each of us is a son or daughter of God.

Each of us has been *chosen* by God. Pope Benedict put it this way: “We are not some casual and meaningless product of evolution. Each of us is the result of a thought of God. Each of us is willed, each of us is loved, each of us is necessary.” No one is unwanted, no one is an accident. Every human being has been loved into existence and is continually upheld in existence through the tender and all-seeing providence of our Father in heaven. God knows every fiber of my being. We are God’s sons and daughters. When we live out of this knowledge, we see and experience life differently.

**T**he second point that I would like to reflect on is the transforming power of maternal love, because the work of the Women’s Support Center involves awakening or stirring up maternal love where it has been bound and buried in fear. St. Edith Stein wrote: “God combats evil through the power of a woman’s maternal love . . .”

It belongs to the dignity and vocation of women, in a special way, to reveal to the world the primacy of love. God entrusts this great task to us. JP II called upon women to be a “prophetic” presence that manifests in the world the primacy of the order of love. If women don’t do this, if they get swept up in the frenzied “doing” of our culture, in the preoccupation with status, power, productivity, efficiency, and achievement, there will be a huge void, an emptiness unfilled, a deep loneliness, and a growing self-doubt in the hearts of our children—in society, in the workplace, in our friendships, and in our families. Just as we need food and drink to nourish and strengthen our bodies so we need spiritual and emotional nourishment for our hearts and souls to grow, mature, and flourish. We are in desperate need of a reawakening of appreciation for the indispensable and irreplaceable value of maternal love.

Let’s take a moment to explore concretely the reality of this spiritual, life-giving love. What does it look like?

I am going to share with you our secret. This is something that we have discovered in our work with pregnant women. I am sharing it with you tonight because *this can change your life*. It can be applied to both men and women, in how you approach every relationship you have: in your marriage, especially with your children, with

siblings and friends. It is a very simple concept but we have experienced it to be revolutionary.\*

We call it delighting in the other. True, authentic human love begins by being moved from within by another's goodness. It is not something that I do, but something that happens to me. When a woman comes to us there is an eagerness in my heart that says, "I want to know something more about her." Interiorly, I open my heart to be moved; to be touched by her beauty, by her goodness, her strength. Or by her fragility or vulnerability. Who knows what I am moved by—but it is something uniquely in her, that special something in her.

As I manifest my delight, this reveals to the other her own goodness. My response of love becomes a *revelation of her goodness*. I become for her a mirror of who she really is in herself. And her experience is one of being confirmed in her own worth. This is the emotional food that we all long for, that nourishes our hearts and allows us to grow as a human person.

Let's take a minute. Think of a time when you have experienced this. When someone really believed in you. It may have been a coach, a teacher, a parent—think about what that felt like—at those moments you can almost feel yourself growing, becoming more than you thought you could be. It awakens hope.

Delighting in her is loving her, not because I am going to save her baby, but simply because I am given this gift of her. I don't have a program or an agenda; I don't have a script for this encounter. I am going to see who this person is that God has given me, and allow the nurturing affection to flow out of me. To be expressed naturally, letting it show in my eyes, my tone of voice, my posture, my facial expression. It seems so simple but try it and you will be surprised at what happens. Because she feels known and understood by you, she relaxes and is able to connect with the deeper beliefs and desires of her heart and not just with what everyone else is telling her or pressuring her to do.

The warmth needs to be matched later by actions but not in the beginning. If I begin to do good things for her without first being inwardly moved by her goodness and expressing that to her in some way, she will experience that I love her only because I am good, and not because of any goodness that I see in her. She needs to perceive that you are doing these things because the exact opposite is true—you see strength in her, and you believe she is going to make it. She needs to believe that she has the interior strength, goodness, and resources to move forward, and we can't give her this or convince her of it; it has to well up within her. But we can mirror back to her what we see and experience in her.

A young woman we had served—I'll call her Susan—returned to visit the Sisters several years after living with us. When I first met her she was still young but had already experienced abuse and an abortion. She used to wear only black—black jeans, black t-shirt, heavy black eyeliner . . . you know the look. But that wasn't Susan at all. She was petite and quiet with long brown hair, a beautiful smile, and

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\*The concept of "delighting in the other" has been developed in the writings of Dr. Conrad Baars.

the biggest, saddest blue eyes I have ever seen. As the months passed, Susan began to find healing and hope as she experienced the Lord's love for her. The sadness lifted and her eyes began to sparkle. When she moved out she began taking classes at a local college.

She came back to visit several years later. She was wearing a pink and white dress and was so proud to introduce us to her husband and two children. She had met him at a Catholic young adult retreat, and he was a good man who loved her and worked hard so she could be home raising their children. Susan was beaming and at peace—the transformation was honestly breathtaking, and then she completed the picture by saying—“You know it's funny. Over the years I began to experience myself as the person you always believed me to be! And now I want to share that love with my children.” We, who love with the love of Jesus, grow by acting on behalf of another. For the one who loves in this way can say authentically—“It is I who receive the greater part in having loved and served you.”

About a year ago, Archbishop Samuel Aquila of Denver reflected on the great despondency which pervades our culture, too often deprived of this maternal love. He wrote:

Motherhood is the art of finding potential, and fostering it. Motherhood is the craft of focusing on the good and trusting that the rest will fade away. It is the penetrating beauty of unwavering hope, and unflinching love . . . The feminine genius is the practice of literally growing goodness in spite of incredible obstacles. We need to find pockets of good—echoes of truth—and foster them. We need to refute what is evil—undoubtedly. But we also need to cultivate every possible inroad of beauty, if we ever hope for a re-flowering of Christian culture . . .

. . . Beauty,” reflected Dostoevsky, “will save the world.” There is nothing more beautiful than a mother loving her child into goodness—and nothing we need more urgently. (Most Rev. Samuel J. Aquila, Archbishop of Denver, “Cultural Despondency and Cultural Motherhood” *First Things* December 12, 2012.)

A word to the men present. Before entering the Sisters of Life, Mother Agnes, our Superior General, was a professor of clinical psychology at Columbia University. She did her doctoral research examining the dynamics within families of children with special needs. She, along with others, studied, in particular, those families that stayed together and flourished despite the many challenges. What made the difference? The findings are fascinating. The thing that made the biggest difference was the amount of perceived support and affirmation that the wife received from her husband. The researchers went on to describe the type of support that made the difference: It wasn't that he did the dishes or that they split the housework 50/50; it was that the wife felt affirmed and valued in her maternity by her husband. He was able to communicate in some meaningful way that he admired, valued, and appreciated her work as a mother. Then she was able to handle just about anything.

What happens when maternal love is set free? Let me answer that question by sharing with you a story of a woman who lived with us during her pregnancy



because I think she is very much like many of the women you serve at the Women's Support Center. Her name is Racquel.

When Racquel moved into our convent, she had decided to parent her baby, but she would never tell another woman what to do. As she grew in accepting her maternity things began to change in her life. I don't think she was aware of just how much she had changed until one day when she was about 8 months pregnant and was on her way to see her doctor.

Here is the story in her words:

I was in the hospital elevator on my way to a doctor's appointment. Another woman got on with me; I said hello and she burst out crying and told me that she was pregnant. I said, "Congratulations! I'm pregnant, too." She explained that she just couldn't do it right now; it wasn't the right time. Then I felt Lyam move and I placed her hand on my belly, "Do you feel that?!" Right at that moment my baby kicked her. She said, "Wow!" I said, "Yeah, my baby's going to be a linebacker. He's gonna be strong and he's gonna be blessed." And she said, "Why is he gonna be blessed?" I said, "Because he's here—whether you cry or you laugh, if you're here, you're blessed. You're put here for a reason.

And she said, "I'm gonna get an abortion." And I said, "No you're not. You're not going to have an abortion; you're going to have a girl. I know that already because I wanted to have a girl, but I'm having a boy, but that's OK—you have your girl and dress her up in pink and call her Racquel, and by the way, my middle name is Jasmine. And if she asks you how she got her name tell her you met a fabulous lady on the elevator one day and she told you that you were going to have a beautiful little girl." She laughed and then we got off the elevator together and I walked her down to make an appointment with my obstetrician. You see, I can be pushy.

She goes on to say:

I didn't see her again until two years later at the same hospital. She was pushing a stroller and ran up to me and hugged me. She had twins—two girls—and their names are Racquel and Jasmine, and she had them all dressed up in pink, just like I told her. She made it. She said, "I love you. You don't understand Racquel, I love you. I love you. I love you. I'll never forget your name, your face, your smile. I would do anything for you. I love you." And I said, "I love you too. I understand. I have experienced it."

Maternal love set free will change the world—one heart at a time.

Thank you for all you do to support these heroic women. You are making a difference. The good that you are doing is incalculable. Think of the value of one human soul. Your support of the WSC not only saves lives, it also saves souls. It saves each mother from a lifetime of grief and regret and frees her heart to love and to embrace goodness. To begin a new life with her child.

Thank you for being witnesses of the hope found in Jesus Christ. For standing up and saying, women deserve better than abortion. They deserve love, support, and practical compassion.

Know that the Sisters of Life stand in solidarity with you and lift you up in our

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prayer. We carry each of you in our hearts and in our prayers each day.

Let us continue to respond to God's call to know who we are: sons and daughters of the living God; and to respond to God's call to open our hearts to be transformed by His love so that we may become living witnesses . . . that saying "yes" to life brings hope, authentic freedom, and joy.

May God bless each of you and your families.

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**I**t was never to be expected that cool suppositions, framed by judges, and having to do with “one’s own concept of existence,” were going to override the itching of outstretched palms and the fevers of desire. The peril of tampering with civilization’s rules and precepts has never been so plain as in the aftermath of the repetitive decisions throughout Western, ah, civilization to discard protections for unborn life. When the principle—in the present case, Life is Good—has vanished, out pop the affable Gosnells, and doubtless many, many more of their like, intent on substituting personal advantage for continued adherence to inconvenient truths. You can’t have Planned Parenthood, in other words, without a certain, and growing, share of Gosnell clinics.

—William Murchison  
“The Affable Abortionist of Lancaster Avenue”