THE BEST PRO-LIFE ARGUMENTS

For Secular Audiences

FAMILY RESEARCH COUNCIL
Washington, D.C.

THE BEST PRO-LIFE ARGUMENTS FOR SECULAR AUDIENCES
BY CATHY CLEAVER RUSE, ESQ. AND ROB SCHWARZWALDER

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Introduction

Abortion is unlike any other issue debated today. Millions of American women have aborted a child, and the pain, loss, and emotional need to justify what was done, both on the part of the mother and on the part of her loved ones, is strong and deep.[1] This means that, in any debate, you may face an invisible thumb on the scale so that even the best logic will fail to persuade.

The best you can do is arm yourself with the facts and deliver them in what you hope will be a winning way for your audience – meaning you will need to make your case, in most instances, not in the language of faith or religion but in the language of the post-modern secularist.

What follows, therefore, are the best arguments from science, the law, and women's rights to advance the pro-life case against abortion.

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Arguing from Science

The "classic" arguments from the other side are collapsing under the weight of science. "No one knows when life begins" and "It's a blob of tissue" are frankly on the wane, especially in the context of surgical abortion, which is how the vast majority of abortions are done today.[2]

Still, establishing the evidence of the beginnings of human life will ground your argumentation in science, giving you a firm foundation for additional arguments and preempting the charge that you are basing your position on faith or religious belief.

Cite the Facts

Here is a thumbnail sketch of the scientific evidence of the existence of human life before birth. These are irrefutable facts, about which there is no dispute in the scientific community.[3]

At the moment when a human sperm penetrates a human ovum, or egg, generally in the upper portion of the Fallopian Tube, a new entity comes into existence. "Zygote" is the name of the first cell formed at conception, the earliest developmental stage of the human embryo, followed by the "Morula" and "Blastocyst" stages.[4]

Is it human? Is it alive? Is it just a cell or is it an actual organism, a "being?" These are logical questions. You should raise them, and then provide the answers.

The zygote is composed of human DNA and other human molecules, so its nature is undeniably human and not some other species.

The new human zygote has a genetic composition that is absolutely unique to itself, different from any other human that has ever existed, including that of its mother (thus disproving the claim that what is involved in abortion is merely "a woman and her body").[5]

This DNA includes a complete "design," guiding not only early development but even hereditary attributes that will appear in childhood and adulthood, from hair and eye color to personality traits.[6]

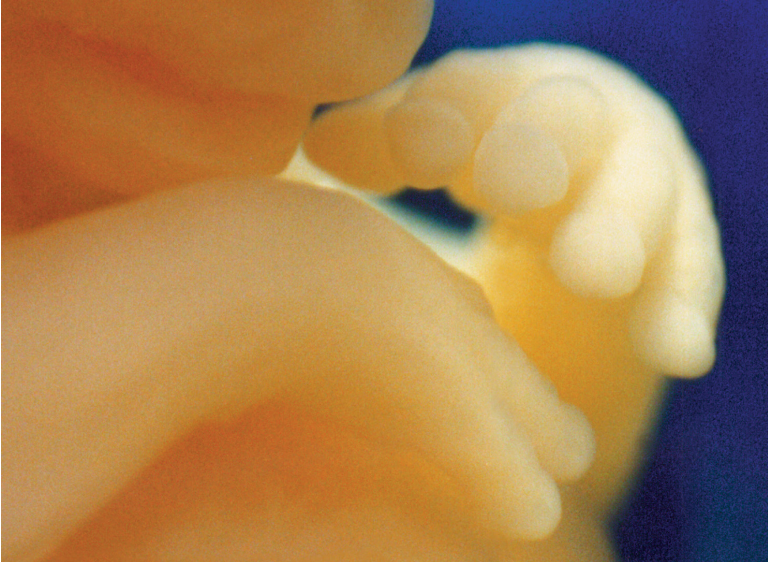
It is also quite clear that the earliest human embryo is biologically alive. It fulfills the four criteria needed to establish biological life: metabolism, growth, reaction to stimuli, and reproduction. [7]

Finally, is the human zygote merely a new kind of cell or is it a human organism; that is, a human being? Scientists define an organism as a complex structure of interdependent elements constituted to carry on the activities of life by separately-functioning but mutually dependant organs. [8] The human zygote meets this definition with ease. Once formed, it initiates a complex sequence of events to ready it for continued development and growth:

> The zygote acts immediately and decisively to initiate a program of development that will, if uninterrupted by accident, disease, or external intervention, proceed seamlessly through formation of the definitive body, birth, childhood, adolescence, maturity, and aging, ending with death. This coordinated behavior is the very hallmark of an organism.[9]

By contrast, while a mere collection of human cells may carry on the activities of cellular life, it will not exhibit coordinated interactions directed towards a higher level of organization.[10]

Thus, the scientific evidence is quite plain: at the moment of fusion of human sperm and egg, a new entity comes into existence which is dis-



By sixteen weeks, a baby's fingers are already well developed.

tinctly human, alive, and an individual organism - a living, and fully human, being.[11]

"Pro-choice" responses

Some defenders of abortion will concede the scientific proofs but will argue that the entity in the womb is still not, or not yet, a "person."

"Not a person" is a decidedly *unscientific* argument: it has nothing to do with science and everything to do with someone's own moral or political philosophy, though that someone may not readily admit it. Here is a good time to recite the scientific proofs, and maybe make a philosophical point of your own: We're either persons or property; and even the staunchest abortion defender will be reluctant to call a human child a piece of property.[12]

Others may suggest "humanness" depends on something spiritual, like infusion of a soul, but to argue there is no soul until birth or some other time is, by definition, to argue something incapable of proof. Another good time to recite the scientific proofs.

A brief word about the politicization of the definition of "pregnancy." While the science on when life begins is clear, some still claim that "pregnancy" doesn't begin until the embryo implants itself in the lining of the uterine wall, which occurs about a week later. Why? Politics and profit.

If the science on when life begins is clear, why do some organizations claim that "pregnancy" doesn't begin until a week later, at implantation? The answer: politics and profit.

Acceptance of an implantation-based definition of "pregnancy" would allow abortion providers to mischaracterize pills and technologies that work after conception but before implantation as "contraception," making them potentially less subject to regulation and certainly more acceptable and attractive to consumers. Indeed, two institutes who support legalized abortion have pushed for this type of pregnancy re-definition for decades: the Guttmacher Institute (the abortion research institute originally established by the Planned Parenthood Federation of America) and the American College of Obstetricians and Gynecologists.

If your interlocutor raises this issue, point out that: (1) the word "contraception" literally means "against conception," therefore something cannot be said to be a "contra-ceptive" if it *allows* conception, and (2) the fertilization-based definition of

Drugs that work after conception are not contraceptives — they are abortion drugs.

pregnancy is still the predominant definition in medical dictionaries today.[13]

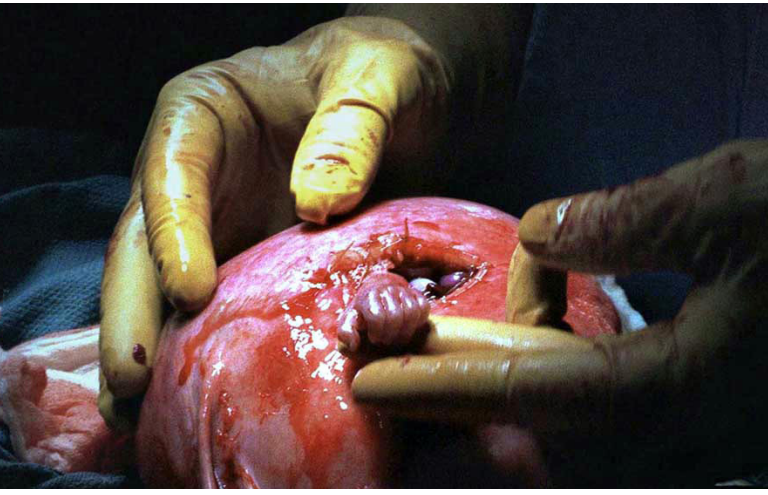
Cite More Facts on Human Development

Human beings develop at an astonishingly rapid pace. Giving a quick recitation of the child's development will weaken the "not a person yet" mentality.

- The cardiovascular system is the first major system to function. At about 22 days after conception the child's heart begins to circulate his own blood, unique from that of his mother's, and his heartbeat can be detected on ultrasound.[14]
- At just six weeks, the child's eyes and eyelids, nose, mouth, and tongue have formed.
- Electrical brain activity can be detected at six or seven weeks,[15] and by the end of the eighth week, the child, now known scientifically as a "fetus," has developed all of his organs and bodily structures.[16]
- By ten weeks after conception the child can make bodily movements.

Today, parents can see the development of their children with their own eyes. The obstetric ultrasound done typically at 20 weeks gestation provides not only pictures but a real-time video of the active life of the child in the womb: clasping his hands, sucking his thumb, yawning, stretching, getting the hiccups, covering his ears to a loud sound nearby[17] -- even smiling.[18]

Medicine, too, confirms the existence of the child before birth as a distinct human person. Fetal



This photograph was taken in 1999 during a pioneering surgical procedure at Vanderbilt University to correct the spina bifida lesion of Samuel Armas at just 21 weeks gestation.

Today, Samuel is an avid swimmer.

The Armas Family

surgery has become a medical specialty, and includes the separate provision of anesthesia to the baby. You can cite some of the surgeries now performed on children before their birth, such as shunting to bypass an obstructed urinary tract, removal of tumors at the base of the tailbone, and treatment of congenital heart disease.[19] There are many others.

If the medicine and science don't persuade your audience, consider citing authorities from the "pro-choice"[20] community itself. Mention "Pro-choice" feminist Naomi Wolf, who in a groundbreaking article in 1996, argued that the abortion-rights community should acknowledge the "fetus, in its full humanity" and that abortion causes "a real death."[21] More recently, Kate Michelman, long-time president of NARAL Pro-Choice America, acknowledged that "technology has clearly helped to define how people think about a fetus as a full, breathing human being."[22]

Summary: Those who justify abortion by claiming that "no one knows when life begins" are not arguing science but rather their own brand of politics, philosophy, or even religion. Their argument is not about when life begins but about when, or whether, that life deserves legal acknowledgment and protection. And that brings us to our next topic: the law.

Arguing from the Law

Roe v. Wade

Most people do not really know what the Supreme Court decided on January 22, 1973. They assume that the Court made abortion legal in the first trimester of pregnancy only, and that it is subject to substantial limits and regulations today. You will be able to change minds when you inform them that neither of these assumptions is true.

This misleading headline from the New York Times on January 23,1973, the day after Roe v. Wade, was the beginning of decades of deceptive reporting on abortion law in America.

The Supreme Court in *Roe v. Wade* did not create a limited right to abortion but a virtually unlimited right to abortion throughout pregnancy.

Here's how: The case involved an 1854 Texas law prohibiting abortion except "for the purpose of saving the life of the mother." The plaintiff, whose real name is Norma McCorvey, desired a purely elective abortion and filed suit claiming the Texas law deprived her of constitutional rights.

Seven members of the Supreme Court agreed. While admitting that abortion is not in the text of the Constitution, they nevertheless ruled that

a right to abortion was part of an implied "right to privacy" that the Court had fashioned in previous rulings regarding contraception regulations. ("Privacy" is not in the text of the Constitution either.) They also ruled that the word "person" in the Constitution did not include a fetus.[23]

Members of the Supreme Court who ruled on Roe v. Wade on January 22, 1973.

For a debate on abortion policy, the most important part of the ruling to understand is the new "law" it established, and here is a description of it that you should commit to memory: The Court ruled that abortion must be permitted for any reason a woman chooses until the child becomes viable; after viability, an abortion must *still* be permitted if an abortion doctor deems the abortion necessary to protect a woman's "health,"[24] defined by the Court in another ruling issued the same day as "all factors—physical, emotional, psychological, familial, and the woman's age—relevant to the well-being of the patient."[25]

In this way the Court created a right to abort a child at any time, even past the point of viability, for "emotional" reasons. Stated another way, the Supreme Court gave abortion doctors the power to override any abortion restriction merely by claiming that there are "emotional" reasons for the abortion. Abortion advocates want to hide this, of course, but liberal journalists such as David Savage of the *Los Angeles Times* have reported the truth about *Roe*, saying the Supreme Court created an "absolute right to abortion" under which "any abortion can be justified."[26]

The Supreme Court created an "**absolute right to abortion**" under which **"any abortion can be justified."**

– David Savage,
Los Angeles Times

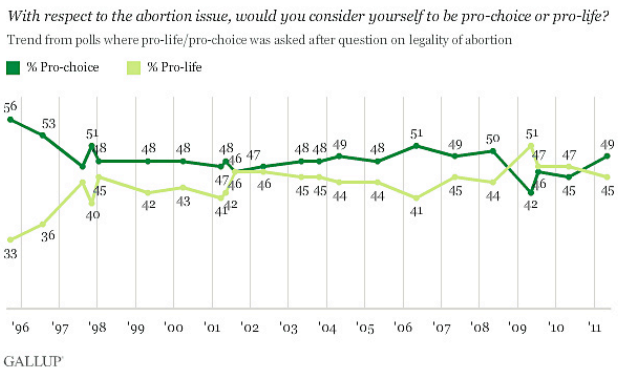
Constructing a Pro-Life Legal Argument

Explain what Roe means

When you make the pro-life case, explain the basics of the actual ruling of *Roe* and then use the David Savage quote that *Roe* created an "absolute right to abortion" under which "any abortion can be justified" – this allows a liberal *LA Times* reporter to make the explosive point that *Roe* created an unlimited abortion right.

Chances are your audience will not know that the Court created an unlimited right to abortion, and odds are good that they won't agree with it. They are not alone: "Most Americans favor legal restrictions on abortion that go way beyond current law," according to Lydia Saad, a senior editor for the Gallup polling company which has long tracked abortion opinion.[27]

The way Americans self-identify has changed dramatically over the years. In the mid-1990s, "pro-life" was a distinct minority view. But in May 2009, for the first time, a significantly greater percentage of Americans self-identified as "pro-life" than "pro-choice."[29]



Be prepared to cite these and other public opinion polls from various organizations (the last bullet point is crucial, it means only a small minority of Americans agree with *Roe*):

- 61% of Americans say abortion should be illegal after the fetal heartbeat has begun,[30] which occurs in the first month of pregnancy.
- 72% of Americans say abortion should be illegal after the first 3 months of pregnancy.[31]
- 86% of Americans say abortion should be illegal after the first 6 months of pregnancy.[32]
- Only 6% -17% of Americans (depending on how the question is asked and by whom) believe abortion should be legal at any time, in all circumstances.[33]

One of the best surveys to have in your arsenal was conducted by the Center for Gender Equality, run by former Planned Parenthood President Faye Wattleton. Its 2003 nation-wide survey of women revealed that a *majority* of women (51%) believe abortion should either *never be permitted* or *permitted only for rape, incest, or life endangerment*.[34] That means a majority of women believe abortion should be permitted only in extremely

rare circumstances. (Rape/incest abortions account for only 1% of abortions every year according to the Guttmacher Institute, discussed below, and life-saving abortions are similarly rare.)[35] What's more, when asked to rank the top priorities for the women's movement, the women ranked "Keeping abortion legal" next to last, just before "More girls in sports."[36]

Cite Criticism of Roe from "Pro-Choice" Sources

You can also cite a long and growing list of prominent "pro-choice" legal commentators who call *Roe v. Wade* indefensible. The late John Hart Ely of Yale, for instance, argued that *Roe* was wrong "because it is not constitutional law and gives almost no sense of an obligation to try to be."[37] The law clerk of Justice Blackmun, the Justice who authored the *Roe v. Wade* opinion, calls it "one of the most intellectually suspect constitutional decisions of the modern era."[38] The *Washington Post's* legal editor says it has "a deep legitimacy problem."[39] Even Justice Ruth Bader Ginsburg has been critical of *Roe,* saying that it "ventured too far in the change it ordered and presented an incomplete justification for its action"[40] and that the *Roe* decision was "not the way courts generally work."[41] There are many others.

Cite Abortion Incidence

You should also have at the ready this shocking fact about abortion incidence in America: The United States has the **highest abortion rate in the western world**, and the third-highest abortion rate of all developed nations worldwide.[42] This, according to the "pro-choice" Guttmacher Institute. Cite this statistic and its source whenever you speak about abortion law in America.

Discuss Elective Abortion

Another important statistic that you must always cite is also from the Guttmacher Institute. In the last 25 years Guttmacher has conducted two major studies asking women why they chose abortion and their answers have remained basically the same: Only 7% of women report that their abortion was because of a health reason or a possible health problem with the baby, and less than half a percent report that their abortion was because they became pregnant as a result of rape.

92% of abortions in America are purely elective — done on healthy women to end the lives of healthy children.[43]

When you cite these statistics, emphasize that they come from the abortion industry's own research group, the Guttmacher Institute, and avoid making editorial comments about the findings ("majority were for convenience"). Rather, it is quite compelling simply to say that the vast majority of abortions are "purely elective" abortions, done on healthy women with healthy babies.

Some "Pro-Choice" Arguments

"Outlawing abortion will mean back-alley butchers and countless women dying."

Your rejoinder may include several points, but you should always start here: Overturning *Roe doesn't make abortion illegal*, it simply changes

the venue of the question: from nine unelected Supreme Court justices to the people, to enact abortion policy through their elected state representatives.[44] Abortion is one of the most important issues of our day, it *should* be in the hands of the people.

Why women have abortions:

25% "not ready for a(nother) child/timing is wrong"

23% "can't afford a baby now"

19% "have completed my childbearing/have other people depending on me/children are grown"

8% "don't want to be a single mother/am having relationship problems"

7% "don't feel mature enough to raise a(nother) child/feel too young"

6% "other" (this category had no further explanation)

4% "would interfere with education or career plans"

4% "physical problem with my health"

3% "possible problems affecting the health of the fetus"

< 0.5% "husband or partner wants me to have an abortion"

< 0.5% "parents want me to have an abortion"

< 0.5% "don't want people to know I had sex or got pregnant"

< 0.5% "was a victim of rape"

Source: Gutmacher Institute Survey

You may want to concede the point that, even after limitations are established in the states, there will always be abortionists willing to break the law and exploit vulnerable women for financial gain. But because a destructive activity will not

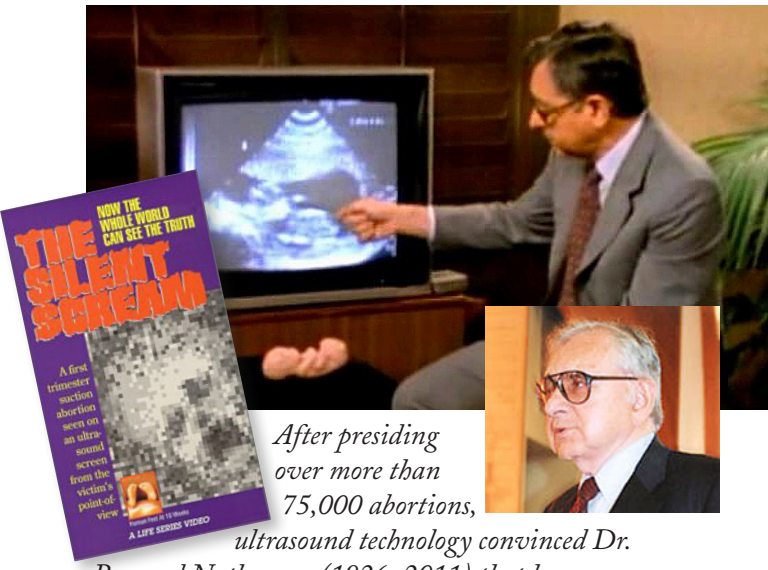
be completely eradicated is no reason to make or keep it legal (think of drug laws or laws against prostitution). No compassionate person wants a woman to suffer through the personal tragedy of abortion, whether legal or illegal. As Feminists for Life says, women deserve *better* than abortion. Establishing legal limits to the current "absolute right to abortion" will mean fewer abortions, and that is to the good of women, children, families, and society.

There are a number of points to make regarding the charge that countless women will die.

First, it is impossible to calculate the number of maternal deaths from abortion before *Roe v. Wade* because they were not reported, so any claim regarding the number of maternal deaths from illegal abortions is purely speculative. However, it is a fact that abortion industry insider Bernard Nathanson admitted to circulating false numbers. Dr. Nathanson co-founded NARAL (originally called the National Alliance to Repeal Abortion Laws and, today, NARAL Pro-Choice America) and was director of the Center for Reproductive and Sexual Health in New York City, at one time the largest abortion clinic in the western world. In 1979 Nathanson said:

> How many deaths were we talking about when abortion was illegal? In NARAL we generally emphasized the drama of the individual case, not the mass statistics, but when we spoke of the latter it was always "5,000-10,000 deaths a year." I confess that I knew the figures were totally false, and I suppose that others did too if they stopped to think of it. But in the 'morality' of our revolution it was a useful figure, widely accepted, so why

go out of our way to correct it with honest statistics? The overriding concern was to get the laws eliminated, and anything within reason that had to be done was permissible.[45]



After presiding over more than 75,000 abortions, ultrasound technology convinced Dr. Bernard Nathanson (1926–2011) that he was actually killing human beings. Becoming a strong pro-life advocate, he went on to produce "The Silent Scream" and other videos and books affirming life.

Second, it is a fact that another abortion industry insider disputed the "back-alley butcher" notion in the decade before *Roe v. Wade.* In 1960 Dr. Mary Calderone, a former medical director for Planned Parenthood, estimated that 9 out of 10 illegal abortions were done by licensed doctors: "they are physicians, trained as such…Abortion, whether therapeutic or illegal, is in the main no longer dangerous, because it is being done well by physicians."[46] We don't have to agree with Calderone that abortion is not dangerous to cite her statement that illegal abortions were done as

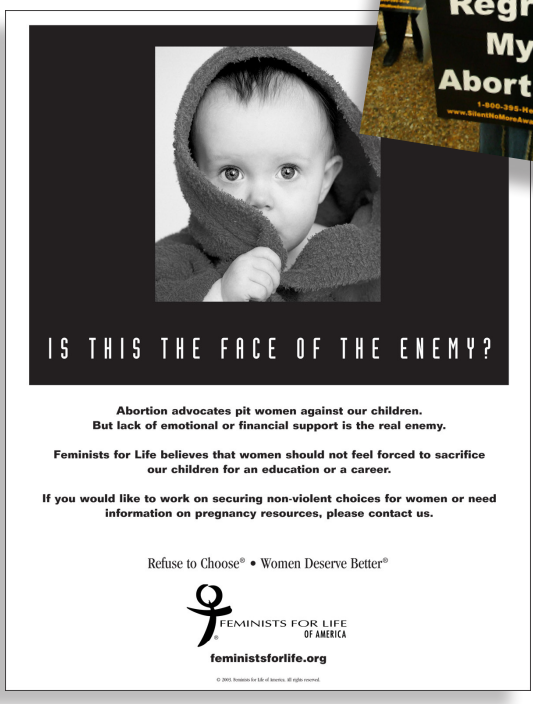
well as legal ones. In fact, hundreds of women have died from abortion *since Roe v. Wade* according to the Centers for Disease Control and Prevention,[47] and this is likely only a fraction of the actual number in light of the fact that several states (including, significantly, California) have failed to report abortion data for many years[48] and in light of the latitude given to doctors in reporting causes of death (e.g., "hemorrhage" rather than "induced abortion.")[49]

Third, the experience of other countries shows that restricting abortion does not cause a rise in maternal deaths. Despite its tight abortion restrictions, Ireland has the lowest maternal mortality rate in the world, according to a study by several agencies at the United Nations.[50] Malta also has substantial abortion limitations and yet has among the lowest maternal death rate worldwide, lower than the United States.[51] Data compiled by Polish government agencies shows a marked decrease in maternal deaths once abortion was made illegal.[52]

Summary: The Supreme Court created a virtually unlimited right to abortion, a policy with which most Americans disagree. In fact, our country is *not* divided down the middle on abortion, but most of America is substantially with us. As we continue to expose the truth about abortion law and practice, we will move closer to the day that abortion policy making is returned to the people.

Arguing from Women's Rights

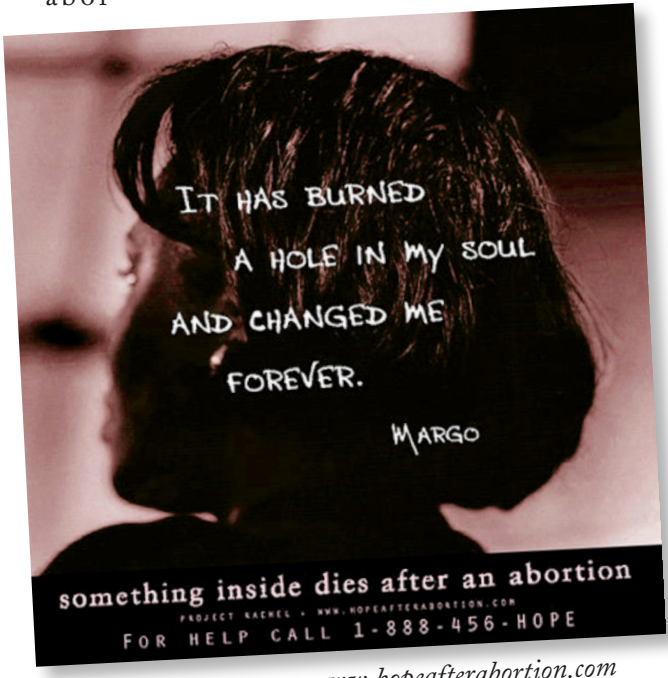
The modern "pro-choice" movement is desperate to protect the image of abortion as positive and pro-woman. Ironically, their biggest threat is from those they claim to champion: women. Abortion-rights proponents are devastated by the women of the Silent No More Awareness Campaign, for example, who stand with their "I regret my abortion" signs[53] and by the powerful voices of Feminists for Life who make the compelling argument that "women deserve better than abortion."[54]



Tell the Stories of Women

Pro-life men and women alike can point to the brave women coming forward in ever greater numbers to speak out about how abortion was not an act of empowerment but the result of abandonment, betrayal, and desperation, and how it has negatively affected their lives. It is important to be accurate in your representation of these women; commit to memory this phrase: *They speak out about how abortion was not an act of empowerment but the result of abandonment, betrayal, and desperation, and how it has negatively affected their lives.*

The website **www.afterabortion.com** established by a woman who had 5 abortions provides a place for women to help each other cope with the aftermath of their abortions. There are nearly 2.5 million posts. They tell stories of how they were coerced into aborting their children by boyfriends, husbands, friends, and family. They describe how abor-



www.hopeafterabortion.com

tion was far from being a choice. They speak of overwhelming guilt, nightmares, excessive drinking, drug abuse, promiscuity, an inability to form or maintain relationships, difficulty bonding with later children, and other ways in which they are suffering. You must visit this site and read their stories to know the real impact of abortion on women; commit parts of them to memory.

Explain Why Being Pro-Life is Being a True Feminist

Abortion advocates are also threatened by the pro-woman/pro-life arguments of the organization Feminists for Life which says abortion is a reflection that society has failed to meet the needs of women.[55] Pro-woman/pro-life arguments are destroying the old "baby vs. woman" dichotomy that has dominated the abortion debate for decades. Women and children are not natural enemies, of course, and it was a perversion of feminism which brought about such a dichotomy in the first place.

"Abortion is a reflection that we have not met the needs of women."

— *Feminists for Life*

Visit the Feminists for Life website to read their pro-life answers to "pro-choice" questions, and commit them to memory.

Roe-era feminists like Kate Michelman, the former president of NARAL Pro-Choice America,

proclaimed abortion to be "the guarantor of a woman's right to participate fully in the social and political life of society."[56] But pro-life feminists believe this turns feminism on its head because it says women don't have an *inherent* right to participate in society but one conditioned on surgery and sacrificing their children.

No woman should have to abort her child to participate fully in society. If a pregnant woman or mother can't participate in society, the *true* feminist response is that something is wrong with society.

It is also at odds with the views of America's first feminists, all of whom opposed abortion. Chief among them were Susan B. Anthony and Elizabeth Cady Stanton, who not only led the fight for the right of women to own property, to vote, and obtain equal education, but also spoke out against abortion.

Susan B. Anthony's newspaper, *The Revolution*, called abortion "child murder" and "infanticide."[57] In 1869 Anthony said: "No matter what the mo-

tive, love of ease, or a desire to save from suffering the unborn innocent, the woman is awfully guilty who commits the deed. It will burden her conscience in life, it will burden her soul in death; But oh, thrice guilty is he who drove her to the desperation which impelled her to the crime!"[58]

Susan B. Anthony (left) and Elizabeth Cady Stanton opposed abortion.

Summary: The efforts of modern pro-life feminists are destroying the old "baby vs. woman" dichotomy which dominated the abortion debate for decades and are recasting the other side in their true light: *not* as defenders of *women* but as defenders of *abortion*. To be pro-life is to embrace the tenets of non-violence and equal justice for all – the true tenets of feminism heralded by America's first feminists.

Conclusion

The more abortion is understood, the more one realizes it is anti-human, anti-life, and anti-woman. The notion that we are in the business of "changing hearts and minds" has, regrettably, been reduced to cliché, but it is nevertheless true. Abortion is different from any other modern social issue debated today, and many people are suffering because of it. Prayerfully, and for the sake of women and their babies, let us go after those hearts and minds armed with knowledge and animated by compassion.

Endnotes

1 Countless individuals and families are suffering because of abortion and do not know where to turn for help. Try to find an opportunity to mention that many people have found hope and healing after abortion through programs like Project Rachel, established by the Catholic Church to serve all people regardless of religious affiliation. If you mention this program and its website in passing, www.hopeafterabortion.com, you can impart literally life-saving information without coming across as proselytizing.

2 They are still used, however, in debates over early abortion pills and embryo-destructive research.

3 This paper does not discuss fetal pain because the time at which a child in the womb can experience pain is hotly disputed, and the aim of this paper is to present only undisputed facts so that a persuasive argument can be made without the distraction of a contest over facts. To read more about fetal pain, please see Ashley Morrow Fragoso, "Fetal Pain: Can Unborn Children Feel Pain in the Womb?" Family Research Council, 2010.

4 Marjorie A. England, "What Is An Embryo?" in *Life Before Birth*, Marjorie A. England (London: Mosby-Wolfe, 1996).

5 Keith L. Moore and T.V.N. Persaud, *The Developing Human: Clinically Oriented Embryology* (Philadelphia: W.B. Saunders Co., 1998): 77, 350.

6 Ibid.

7 Carl Sagan, *Billions and Billions* (New York: Random House, 1997): 163-179. See *The American Heritage Medical Dictionary*: "The property or quality that distinguishes living organisms from dead organisms and inanimate matter, manifested in functions such as metabolism, growth, reproduction, and response to stimuli or adaptation to the environment originating from within the organism." *The American Heritage Medical Dictionary,* reprint edition (May 7, 2008), s.v. "Life."

8 For more on the definition of an organism see MedlinePlus, the online health information service of the National Institutes of Health: *MedlinePlus/Merriam-Webster Online*, s.v. "Organism," accessed January 21, 2011, http://www.merriam-webster.com/medlineplus/organism.

9 Maureen L. Condic, "When Does Human Life Begin? A Scientific Perspective," The Westchester Institute for Ethics and the Human Person, *Westchester Institute White Paper Series* 1, no. 1 (October 2008): 7. Full article available at: http://www.westchesterinstitute.net/resources/white-papers/351-white-paper.

10 Ibid., 7.

11 As a general proposition, every human being comes into existence by the fusion of a human egg with a human sperm, but twinning can result in multiple children from one human egg, and there is the potential for cloning of a human embryo. See Judith G. Hall, "Twinning," *The Lancet*, 362 (August 20, 2003): 735-43. See also, National Institutes of Health, Stem Cell Information Glossary, s.v. "Somatic cell nuclear transfer (SCNT)," accessed March 15, 2011, http://stemcells.nih.gov/StemCells/Templates/StemCellContentPage.aspx?NRMODE=Published&NRNODEGUID={3C35BAB6-0FE6-4C4E-95F2-2CB61B58D96D}&NRORIGINALURL=%2finfo%2fglossary.asp&NRCACHEHINT=NoModifyGuest#scnt.

12 For more on this theme, see Sam Brownback and Jim Nelson Black, *From Power to Purpose: A Remarkable Journey of Faith and Compassion* (Nashville: Thomas Nelson, 2007), 44.

13 For more on this topic, see Christopher M. Gacek, "Conceiving 'Pregnancy': U.S. Medical Dictionaries and Their Definitions of 'Conception' and 'Pregnancy'," *Insight*, Family Research Council (April 2009) accessed March 16, 2011, http://downloads.frc.org/EF/EF09D12.pdf. See also Robert G. Marshall and Charles A. Donovan, *Blessed Are the Barren: The Social Policy of Planned Parenthood* (San Francisco: Ignatius Press, 1991): ch. 12 (pp. 291-302).

14 Moore and Persaud, *The Developing Human*: 350-358.

15 The Commission of Inquiry into Foetal Sentience (CARE and The House of Lords), "Human Sentience Before Birth," (2001): 3, 36.

16 England, *Life Before Birth*: 9.

17 See "Fetal Development," MedlinePlus, accessed January 21, 2011, http://www.nlm.nih.gov/medlineplus/ency/article/002398.htm; and "Your Pregnancy Week by Week: Weeks 17-20," WebMD, accessed March 15, 2011, http://www.webmd.com/baby/guide/your-pregnancy-week-by-week-weeks-17-20?page=2.

18 Sophie Borland, "The foetus who broke into a big smile... aged only 17 weeks," *Daily Mail,* October 11, 2010, accessed April 4, 2011, http://www.dailymail.co.uk/health/article-1319373/The-foetus-broke-big-smile--aged-17-weeks.html.

19 Aetna, Inc., "Clinical Policy Bulletin: Fetal Surgery In Utero," *Aetna Insurance Clinical Policy Bulletin* (last revised October 2010), accessed January 21, 2011, http://www.aetna.com/cpb/medical/data/400_499/0449.html.

20 In an abortion debate, the importance of language cannot be understated. Many in the pro-life movement prefer to use the term "pro-abortion" to describe those who support the legalization of abortion. But use of this term may unduly antagonize your interlocutor and risk shutting down debate. By using the term "pro-choice" in quotation marks, you are signaling that this is what the other side calls itself. It is also an extension of goodwill, and you should ask for the same courtesy.

21 Naomi Wolf, "Our Bodies, Our Souls," *The New Republic*, October 16, 1995, 26-35.

22 Sarah Kliff, "Remember *Roe*!" *Newsweek,* April 16, 2010, accessed February 28, 2011 http://www.newsweek.com/2010/04/15/remember-roe.html.

23 *Roe v. Wade*, 410 U.S. 113, 153-163 (1973).

24 *Roe* at 162-65. "If the State is interested in protecting fetal life after viability, it may go so far as to proscribe abortion during that period, except when it is necessary to preserve the life *or health* of the mother." Ibid., 163-64 (emphasis added).

25 *Doe v. Bolton*, 410 U.S. 179, 192 (1973). The Court in *Roe* said: "That opinion [Doe v. Bolton] and this one, of course, are to be read together." *Roe* at 165.

26 David G. Savage. "*Roe* Ruling: More Than Its Author Intended," *Los Angeles Times*, September 14, 2005, accessed January 21, 2011, http://articles.latimes.com/2005/sep/14/nation/na-abortion14.

27 Lydia Saad, "The New Normal on Abortion: Americans More Pro-Life," Gallup, May 14, 2010, accessed March 16, 2011, http://www.gallup.com/poll/128036/New-Normal-Abortion-Americans-Pro-Life.aspx. See William McGurn, "Gallup's Pro-Life America," *Wall Street Journal*, June 1, 2010, accessed March 14, 2011, http://online.wsj.com/article/SB10001424052748704596504575272780104329228.html.

28 Ibid.

29 Gallup Poll, May 7-9, 2009.

30 Zogby International Poll, April 15-17, 2004.

31 Humphrey Taylor, "The Harris Poll #18," Harris Interactive, Inc., March 3, 2005.

32 Ibid.

33 A recent Marist Poll/Knights of Columbus survey found that only 6% of Americans believe "abortion should be available to a woman any time she wants one during her entire pregnancy." See "Abortion in America," Marist Poll/Knights of Columbus, July 2009, accessed March 16, 2011, http://www.kofc.org/un/en/news/releases/detail/548612.html. Another survey found that 17% believe "abortion should be legal in all cases. See "Religion and the Issues: Results from the 2010 Annual Religion and Public Life Survey," Pew Forum on Religion and

Public Life, September 17, 2010 (17% believe "abortion should be legal in all cases"), accessed March 16, 2011, http://pewforum.org/uploadedFiles/Topics/Issues/Politics_and_Elections/immigration-environment-views-fullreport.pdf.

34 Seventeen percent (17%) said abortion should *never be permitted*; 34% said abortion should be *permitted only for rape, incest, or life endangerment*. See Princeton Survey Research Associates on behalf of the Center for Gender Equality, "Progress and Perils: How Gender Issues Unite and Divide Women, Part Two," (April 7, 2003): 9-10.

35 See Lawrence B. Finer et al., "Reasons U.S. Women Have Abortions: Quantitative and Qualitative Perspectives," *Perspectives on Sexual and Reproductive Health* 37, no. 5 (2005): 113-14. This survey shows that only <0.5% of women report that their abortion was because they were "a victim of rape" and only <0.5% report that their abortion was because they "became pregnant as a result of incest." To determine the number of abortions done to save the life of the mother, see data collected by the Centers for Medicare & Medicaid Services, U.S. Department of Health and Human Services, which show a drop in Medicaid-funded abortions by over 99% -- from 294,600 in Fiscal Year 1977 to fewer than 1,000 in FY 1982 and subsequent years – after the federal Medicaid program began funding only abortions to save the mother's life.

36 Progress and Perils, 4.

37 John Hart Ely, "The Wages of Crying Wolf: A Comment on *Roe v. Wade*," *The Yale Law Journal,* 82 (1973): 920-949.

38 Edward Lazarus, "The Lingering Problems with *Roe v. Wade*," FindLaw Legal Commentary, October 3, 2002, accessed January 21, 2011, http://writ.corporate.findlaw.com/lazarus/20021003.html.

39 Benjamin Wittes, "Letting Go of *Roe*," *The Atlantic Monthly*, January/February 2005, 48.

40 Ruth Bader Ginsburg, "Some Thoughts on Autonomy and Equality in Relation to *Roe v. Wade*," North Carolina Law Review 63 (1985): 376.

41 Ruth Bader Ginsburg, "A Conversation with Justice Ruth Bader Ginsburg," *University of Kansas Law Review* 53 (June 2005): 962.

42 Gilda Sedgh et al., "Legal Abortion Worldwide: Incidence and Recent Trends," *International Family Planning Perspectives,* 33 (September 2007): 108. Full report available as: http://www.guttmacher.org/pubs/journals/3310607.html.

43 Lawrence B. Finer et al., 113-14. This survey shows women have abortions for the following reasons:

25% "not ready for a(nother) child/timing is wrong"

23% "can't afford a baby now"

19% "have completed my childbearing/have other people depending on me/children are grown"

8% "don't want to be a single mother/am having relationship problems"

7% "don't feel mature enough to raise a(nother) child/feel too young"

6% "other" (this category had no further explanation)

4% "would interfere with education or career plans"

4% "physical problem with my health"

3% "possible problems affecting the health of the fetus"

<0.5% "husband or partner wants me to have an abortion"

<0.5% "parents want me to have an abortion"

<0.5% "don't want people to know I had sex or got pregnant"

<0.5% "was a victim of rape"

44 A federal law on the subject would be limited by the reach of the Commerce Clause according to the current view of the Supreme Court. And any effort to amend the Constitution would require passage by two-thirds of both houses of Congress and ratification by three-fifths of the states, no easy feat.

45 Bernard Nathanson, *Aborting America* (New York: Doubleday & Co., 1979): 197.

46 Mary S. Calderone, "Illegal Abortion as Public Health Problem," *American Journal of Public Health* 50 (July 1960): 949, accessed January 21, 2011, http://ajph.aphapublications.org/cgi/reprint/50/7/948.pdf.

47 The Centers for Disease Control and Prevention have received reports of the deaths of 439 women from induced abortion since *Roe v. Wade*; the latest year reported is 2006. Centers for Disease Control and Prevention, "Abortion Surveillance—United States, 2007," *Morbidity and Mortality Weekly Report*, Surveillance Studies, 60, no. SS-01 (2011), accessed March 16, 2011, http://www.cdc.gov/mmwr/preview/mmwrhtml/ss6001a1.htm?s_cid=ss6001a1_w. See "Induced Termination of Pregnancy Before and After *Roe v. Wade*," *Journal of the American Medical Association*, 268 (Dec. 1992): 3231-3239.

48 Centers for Disease Control and Prevention, "Abortion Surveillance—United States, 2007," 3, 36.

49 Centers for Disease Control and Prevention, "Pregnancy-Related Mortality Surveillance--United States, 1991-1999," *Morbidity and Mortality Weekly Report*, Surveillance Studies 52, no. SS-02 (2003), accessed March 22, 2011, http://www.cdc.gov/mmwr/preview/mmwrhtml/ss5202a1.htm. This same report also found that "among women whose pregnancies ended in a spontaneous or induced abortion, infection was the cause of death for 34% of the women, followed by hemorrhage (22%) and other medical conditions (16%)." See also Isabelle L. Horon, "Underreporting of Maternal Deaths on Death Certificates and the Magnitude of the Problem of Maternal Mortality," *American Journal of Public Health* 95 (March 2005): 478-82 ("thirty-eight percent of maternal deaths were unreported on death certificates. Half or more deaths were unreported for women who were undelivered at the time of death, experienced a fetal death *or therapeutic abortion*, died more than a week after delivery, or died as a result of a cardiovascular disorder" (emphasis added). In an investigation of state documents

David Reardon et al. found that three abortion-related deaths occurred in 1989 in Maryland, though official Maryland statistics showed no abortion-related deaths for that year. See "Deaths Associated with Abortion Compared to Childbirth—a Review of New and Old Data and the Medical and Legal Implications," *Journal of Contemporary Health Law & Policy* 20 (2004): 279-327.

50 The risk of death from maternal causes in Ireland is 1 in 100,000. See World Health Organization, "Maternal Mortality in 2005: Estimates Developed by WHO, UNFPA, and The World Bank," accessed April 4, 2011, http://www.who.int/whosis/mme_2005.pdf.

51 The risk of death from maternal causes in Malta is 8 in 100,000, in the United States it is 11 in 100,000. In Cuba, where abortion is highly liberalized and widely practiced, the rate of maternal death is 45 in 100,000. Ibid., 25-27.

52 In 1990 when abortion was legal in Poland, there were 70 maternal mortalities; in 2005, when abortion was illegal, maternal mortality related deaths were 24. See Center of Information Systems of Health Care, "Demographic Situation in Poland," Statistics Research Program of Public Statistics, 2001-2003; and Polish Central Statistical Office, "Demographic Yearbook,"1995-2003.

53 Silent No More Awareness Campaign. See http://www.silentnomoreawareness.org.

54 "Feminists for Life Mission," Feminists for Life, accessed January 24, 2011, http://www.feministsforlife.org/.

55 Ibid.

56 Tamar Lewin, "Legal Abortion Under Fierce Attack 15 Years After *Roe v. Wade* Ruling," *New York Times*, May 10, 1988, accessed March 15, 2011 http://www.nytimes.com/1988/05/10/us/legal-abortion-under-fierce-attack-15-years-after-roe-v-wade-ruling.html?scp=2&sq=&pagewanted=all.

57 *The Revolution,* April 9, 1868. See also *The Revolution*, July 8, 1869.

58 Susan B. Anthony, *The Revolution,* July 8, 1869.

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