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# The Ad Hoc Committee in Defense of Life, Inc.

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September 15, 1982

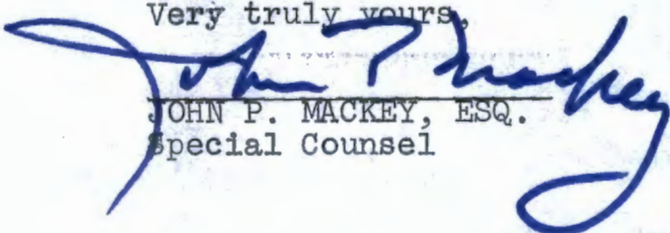
Mr. Morton C. Blackwell  
Special Assistant, Membership Groups  
The White House  
Washington, D.C. 20500

Dear Morton,

Sorry I didn't correctly understand your question on President Reagan's statement on the three month premature birth the other day. The material I sent over was with regard to survivors of abortion, as I thought you were making reference to a three month old survivor of an abortion.

However, I might recommend that the White House has readily available (and one of its own Reaganites) in Dr. C. Everett Koop, the Surgeon General, the best medical advice on such issues. Dr. Koop is the most knowledgeable doctor I have ever met on neo-natal care, abortion, infanticide, etc., questions and is a wealth of knowledge in these areas for future reference.

Very truly yours,

  
JOHN P. MACKEY, ESQ.  
Special Counsel



## 'Pro Choice' Filibuster Puts Off Big Abortion Showdown; Baker Acts for Quick Breakthru Vote

**Cloture Encounter Set for Sept. 9; White House Aide Refusing Crucial Support**

### JESSE MARSHALS TROOPS

**Asks Anti-Aborts to Mount Nationwide Effort; Teddy Joins Pro-Abort Cabal**

*From Impeccable Informants*

WASHINGTON, August 24: The long-awaited Senate showdown on abortion was stalled again on Aug. 16 by a "Pro Choice" filibuster lead by GOP maverick Sen. Robert Packwood.

Packwood, the Senate's acknowledged pro-abortion leader, took the floor immediately after Sen. Jesse Helms rose to introduce his anti-abortion amendments to the "must pass" debt ceiling bill. Packwood began reading from a pro-abortion book.

Week-long efforts to break the filibuster failed as Packwood was joined by Sen. Lowell Weicker and other pro-abortion senators in preventing the Senate from choosing to vote on Helms' amendment before adjourning on Friday for the Labor Day recess.

#### **Baker Asks Cloture**

As the session ended, GOP Majority Leader Howard Baker filed a cloture petition to end the filibuster soon after members return to Washington Sept. 8; 18 senators immediately signed the petition which must be approved by 60 members to take effect.

Baker said he hopes to get the cloture vote as soon as Sept. 9, but others doubted the Senate would act that swiftly because some senators will be on foreign trips. But they added that "support would increase" to break the filibuster because the debt bill must pass Congress by Sept. 30.

While Packwood held up the abortion debate, Weicker offered a proposal to "reaffirm" the power of federal courts "to enforce the Constitution" no matter what provisions might be passed by the Senate. The members did not vote on Weicker's proposal, but a move to table it failed, 59 to 38.

#### **Helms Adds New Thrust**

In mid-week, Sen. Helms finally revealed the text of his anti-abortion "SuperBill" and, in a controversial move, added new provisions that would in effect restore state powers over school prayer.

The "SuperBill" provisions remain similar to those in Helms' Human Life Bill, except that the "life begins at conception" section would become a "finding" of the Congress while the stronger anti-funding provisions would permanently end any federal funding of abortions except when a mother's life is endangered.

Both the changes and the school-prayer additions are seen as intended to gain maximum support for the bill. In addition, most observers consider that the new version, if passed, could virtually force the Supreme Court to reconsider its original *Roe v. Wade* legalization of abortion on demand, and would certainly "expedite" the Court's pending review of state anti-abortion laws.

After his successful filibuster, Sen. Packwood jubilantly claimed a major victory against all the so-called "social issues," saying "there is no chance now



#### **Will He Win Again?**

PRESIDENT RONALD REAGAN has repeatedly called upon the Congress to take action against legalized abortion in this session; now anti-abortion leaders are asking him to help break the filibuster that is preventing such action.

that prayer, busing or abortion — any of the limitations that the right-wing wants to pass — will go anywhere in this session." But Helms' aide James P. Lucier countered that the pro-abortion leaders just "want to kill [the social issues] without voting," adding "You don't filibuster if you have the votes."

#### **No Help from White House**

Even pro-abortion Capitol Hill insiders concede that Helms may well have more than the simple majority needed to pass his new "omnibus" measure. Both sides agree that the real test will come on the September cloture vote, and that White House support could become the crucial factor.

Although the filibuster battle was taking place simultaneously with the Reagan Administration's successful effort to pass its controversial "tax reform" bill, it was clear that key White House legislative aides were not applying the same pressure in support of the anti-abortion measures.



THE BARE FACTS SIMPLY DON'T TELL THE WHOLE STORY -- but it's all so complicated that you can't blame the newsmen for leaving out much that is necessary to understand what really happened in those five tumultuous days last week. Indeed, Lifeletter's own far-flung network of sources and informants have been providing some conflicting information -- and very different interpretations -- throughout the whole drama. Herewith our own effort to sort it all out and provide a coherent picture of the new situation.

•First off, while more time has been lost, the anti-abortion forces have not suffered any serious defeat (as Packwood & Co. are claiming): the showdown battle has yet to be joined. And if the filibuster "succeeded" (as we pointed out, stalling just before a recess is a pretty sure thing), it also demonstrated that a lot of strengths anti-aborts were counting on are there. E.g., Howard Baker was as good as his word: he tried to get the debate going Aug. 16 as promised; more, he worked hard to get the "unanimous consent" agreement that could have avoided the filibuster. And, when that failed, he was quick to move for that vital cloture vote. Nor was anybody much surprised that his efforts "failed": nobody ever expected Packwood not to filibuster if he thought he'd lose, and he obviously did think that last week. As pro-abort Columnist Beth Fallon put it while the battle was still on (see the New York Daily News, Aug. 20): "If Helms' opponents did have the votes, they would be glad to use them." The only "deal" Packwood would accept was to sidetrack the Helms bill entirely, in favor of a "free-standing" abortion debate during which he would have tried to shift the vote to Sen. Orrin Hatch's "Federalism" constitutional amendment, which he's sure does not have anything like the two-thirds majority needed for passage. And even then, if things had gone "wrong" he would simply have filibustered at the end, not the beginning, of the debate. So anti-aborts may have lost a tactical skirmish but won a strategic victory: i.e., if cloture does in fact become the first order of business in September, Packwood et al could lose the war.

•That is why the "school prayer" addition could turn out to be decisive. Helms evidently surprised many (and no doubt angered some) by joining the abortion-prayer efforts -- and, of course, if the strategy fails he'll get the blame. But nobody should have been surprised. As Lifeletter has been reporting for months, Baker always promised a debate on both. By linking them, Helms may well have doubled his chances for winning on cloture, without jeopardizing the long-awaited up-or-down vote on abortion alone -- the roll-call that will tell the voters where their senators really stand. The scenario could go like this: when the Senate re-convenes, the vote will be on stopping Packwood's "current" filibuster; if successful -- and the chances will be maximized then -- the Senate will vote on abortion alone; if successful, the next vote would be on prayer and abortion, and it should be a) much easier to break a filibuster and b) easier to win as well. Complicated, true, and risky maybe (what isn't when the showdown finally arrives?), but keep in mind that all this is now linked with that must-pass debt bill, and you can see that the anti-abort forces occupy some mighty important high ground, overlooking any escape from those much-feared "social issues." (That's the point to keep in mind: that 59-38 loss on Weicker's "Court Power" proviso was not an anti-Helms vote -- as the pro-abort media touted it -- but rather a perfectly-understandable tally of senators willing to put off a social-issues showdown; that is why the vote was "scrambled" -- and largely meaningless -- with some pro-aborts voting "for" Helms, and vice versa.)

•Another important point is that the anti-abort coalition stayed together under very considerable strain. For instance, the net effect of what happened did put the Hatch amendment on the back burner (although Hatch too can come up in September); and Helms did sorta steal Mark Hatfield's thunder -- the new version of SuperBill has everything Hatfield has in his "fall-back" measure (see Lifeletter #10 for details) and plenty more. But there was no shoot-out among the anti-abort leaders. Hatfield seems to be sticking faithfully to his "if needed" position, and Orrin Hatch was right down there on the floor helping Jesse when he was trying to break Packwood's filibuster (other Good Soldiers included the GOP's Roger Jepsen, Jeremiah Denton, John East, Steve Symms, and Bob Dole too -- and Dems Ed Zorinsky and Jim Exon -- an impressive display of bi-partisan support). And Strom Thurmond, the Senate's President Pro-Tem (who was presiding), was another Star Performer; he seemed able to hear Jesse's drawl much better than Packwood's twang. In any case, Helms managed to get the floor back when he needed it.



● On-the-spot observers report dozens more such "in-fighting" tales: the Senate is obviously a marvelous body to watch when the chips are down and "little" nuances can make a big difference in the outcome, and last week's donnybrook evidently included some classic examples. Fact is, you've got to look behind almost everything that happens, to see what it really means. For instance, the "surprising" willingness of Packwood and the other pro-aborts to accept a "free-standing" debate (the operative code-word for debating Hatch rather than the Helms or Hatfield proposals) just might have been due to the fact that the deadline for House discharge-petitions is already past for this session -- so even if Hatch passed the Senate, it couldn't go anywhere this year -- and of course next year brings a whole new ball game (the media didn't seem to know about this, but the members know it well). Even sheer bombast has its uses: e.g., New York's Pat Moynihan ranted (see the New York Times, Aug 19) "We have before us the greatest constitutional crisis since the Civil War ... which has already forced the Senate into extended debate, and none should doubt that this debate will continue until New Year's Eve and the expiration of this Congress if it must be"! It sounds like he's saying something about abortion (in fact he was supporting the Court), and such spirited New-Year's-Eve rhetoric just might be useful in his re-election campaign -- you never know.

● Another fascinating side-show drama does have some serious meaning, although it takes a little background info to get the point. Most people imagine "the Senate in session" as a crowded chamber, with members sounding off a la Moynihan, etc. But in fact it's usually pretty empty except at voting time. So it was normal to see Jesse Helms there last week in mid-afternoon, discussing strategy with nobody but a few aides. Packwood was doing likewise -- but he was by no means alone. He was huddling (that's just what it looks like) with the pro-abortion leadership: Weicker, Paul Tsongas, Don Riegle, and the like. And right there among the signal-callers were Teddy Kennedy and Gary Hart. Of course Ted has always been the top "I'm personally opposed but" pro-abortion leader, but we've never before seen him take so visible a position. Undoubtedly he's worried that '84 rivals like Hart (and Alan Cranston, who's also signing every pro-abortion manifesto in sight) will muscle in on his Planned Parenthood constituency -- although the Democratic Party seems to consider only pro-abortion candidates nowadays. Why Gary would be caught in such a group is harder to explain. As a relative newcomer from smallish (and Reagan Country) Colorado, Hart will need all the long-shot luck he can muster to have a serious chance for the Dem's '84 (or later) nomination. So a high-profile pro-abortion image could alone ruin him (if you don't believe it, Gary, ask Birch Bayh). Lifeletter will be keeping close tabs on Mr. Hart's doings in the '84 derby (stay tuned).

● Far more important was another meeting -- one of those fabled "Senior Staff" confabs in the White House -- which, we're reliably informed, took place Tuesday evening (Aug. 17) around five in Jim Baker's office. The subject was Legislative Strategy, and naturally the main topic was the "tax reform" struggle then in its critical phase on the Hill. But somebody brought up the also-in-progress abortion fight: Should the President do some arm-twisting -- just as he was doing so hard and successfully for his tax bill -- to help break Packwood's filibuster? Certainly not, said Ken Duberstein, the Administration's chief congressional lobbyist. Why involve the President when the anti-aborts are still "split" among themselves? And that was that -- Helms & Co. got no help from the White House all week. Trouble is, Duberstein knows better. He knows what everybody else knows: that the anti-aborts have shelved their internecine warfare over which proposal (Helms, Hatch, and then Hatfield) to support in the all-out fight to get at least one voted on now -- just what President Reagan called for in his Knights of Columbus speech (see #10). So why is Duberstein not backing the President's own stand?

● The simple answer is that Duberstein himself is strongly pro-abortion; he got his Capitol Hill start with Sen. Jake Javits, a Packwood predecessor as a leading Liberal GOP pro-abortion maverick, and nobody has ever accused Duberstein of being anything but "pro-choice" since then. And he's got plenty of clout in the White House "decision-making process" about what to back (funny: the NY Times ran a big puffy "Profile" of Duberstein in the midst of it all -- Aug. 19 -- noting that he "is more involved in strategy and substance" than predecessor Max Friedersdorf, which is exactly what we're told too). It's just another example of the problems those "men around the President" have been causing for RR



himself. And there's no doubt that the problems run wide and deep when it comes to abortion. Re deep: Duberstein's second-in-command -- the guy who's supposed to advise him -- is one Robert Thompson, who was formerly chief of staff for VP George Bush on Capitol Hill (Bush is of course President of the Senate); Thompson is considered solidly within Bush's political "family" -- and solidly pro-abortion. (Bush replaced Thompson with openly pro-abortion Susan Alvarado, formerly floor manager for pro-abortion GOP Whip Ted Stevens -- small world, isn't it?)

• So Duberstein could well become a key player as the legislative days grow short in September. Will he put aside his own "feelings" and support the President's position on abortion? Will he twist arms like he did on the tax bill? And will he advise Mr. Reagan to pick up that mighty phone of his and get a half-dozen extra GOP senators (which should be more than enough) to help break Packwood's filibuster? Better yet, will RR do it himself? Without question his "tax reform" has bruised political and personal psyches among his conservative supporters; he knows well that many of them are also strong anti-aborts. Surely a "trade-off" victory against abortion (with the President bone-crunching the other guys this time) could be just the balm needed to heal wounds that may otherwise fester? And of course it's the perfect salve for his "other" constituency, the "social conservative" types (by no means identical with New Right types), right? Once again, fate seems to have dealt Mr. Reagan the winning cards, and his anti-abortion supporters -- long convinced by his words -- expect the Gipper to win this one for them.

• Not that they aren't making their own maximum effort. Virtually all national and most local "pro-life" groups are responding to the Helms call and are hustling out "alerts" to mobilize grass-roots pressure on the Senate to break Packwood's choice-denying filibuster (the few exceptions aren't worth mentioning now). True, everybody is tired: it's been a long struggle, and it's rough to mount such a yet-again effort in late summer. But here again that school-prayer "linkage" may be crucial: it could bring many fresh battalions of "social conservative" troops into the fray, especially in "social Christian" areas where anti-aborts have traditionally had weaker organizations -- the combination could be a powerful one. (Shucks, the Times had just the right story again: on Aug. 16 it happily ran a feature headlined "Religious Right Growing Impatient With Reagan," and under a shot of Rev. Jerry Falwell it gloated that Falwell still "trusted the President" to do something about abortion and the "resumption of prayer in schools" -- two days later Jesse Helms made those two issues precisely the ones Reagan can do something about quickly -- we can't wait to read how the Times reports it if he does.)

• Without question the time has come for action -- from everybody concerned -- but most of all from the President. Anti-abortionists have been his most loyal and long-suffering supporters. He's said time and again that he has only "one agenda" and it includes his anti-abortion promises. Well, the economic half of that single whole has been knocked dizzy; the abortion half remains unbeaten -- and time is running out. It may be now or never (we'll soon know!).

BRIEFLY: in House, Rep. Albert Lee Smith (R. Ala.) has amended fed anti-poison (insecticides, etc.) act protecting against "any unreasonable risk to man" to include "unborn human being from the moment of conception" -- Henry Hyde gave big assist. \*\*\* While Senate fight raged, N.J. Supreme Court (Aug 18) ruled state must pay for abortions to protect health (not just life) of mother (precisely why Helms' anti-court language is badly needed). \*\*\* Bill Buckley (Aug. 19) devastates Planned Parenthood's "senator in your bed" ad, saying it reduces argument "to a level so ridiculous, it would be hard to find an African witch doctor who wouldn't be embarrassed by the use of it" and proves it's "manifestly preposterous" that PP people "are responsible citizens." \*\*\* Strange case of allegedly-kidnapped abortionists Dr. Hector Zevallos and wife (in Grantie City, Ill.) still unexplained, but it looked like such bad press for anti-aborts that DC Post sent Ace Reporter Bill Peterson way out there to cover it. \*\*\* Peterson back now, covering the Washington story: this morning he reports "After complaining for years about the hardball methods of anti-abortion groups [pro-aborts] are borrowing such tactics" as massive letter campaigns (he calls Lifeletter "a respected anti-abortion newsletter" -- thanks, Bill, we needed that).



## Reagan Makes Strongest-Ever Attack on Abortion

President Says Abortion Is  
'National Tragedy' in Tough  
Speech to Catholic Leaders

**GETS STANDING OVATION**

Urges 'Speedy Consideration'  
Of All Anti-Abort Measures;  
Senate Debate Due Monday

*From Numerous Sources*

WASHINGTON, August 10: President Ronald Reagan delivered his strongest-ever attack on legalized abortion in a speech to Roman Catholic leaders last week.

Calling the "protection of innocent life" the "first duty of government," Mr. Reagan urged the Congress to give anti-abortion measures "speedy consideration."

"This national tragedy of abortion on demand must end," he said.

The President spoke before a large assembly of Catholic dignitaries attending the centennial convention of the **Knights of Columbus** August 3 in Hartford, Connecticut. Among the many prelates who shared the platform with the President were New York's Terence Cardinal Cooke and Agostino Cardinal Casaroli, the personal envoy of Pope John Paul II.

### Supports "Social Issues"

In a speech that ranged broadly over the whole field of so-called "social issues," the President also urged support of tax credits for private schools and a constitutional amendment to permit prayer in public schools.

The New York *Daily News* reported that "The audience of several thousand cheered loudly" for each proposal but "gave a standing ovation to his pronouncement on abortion."

### Cut off abort: Prez

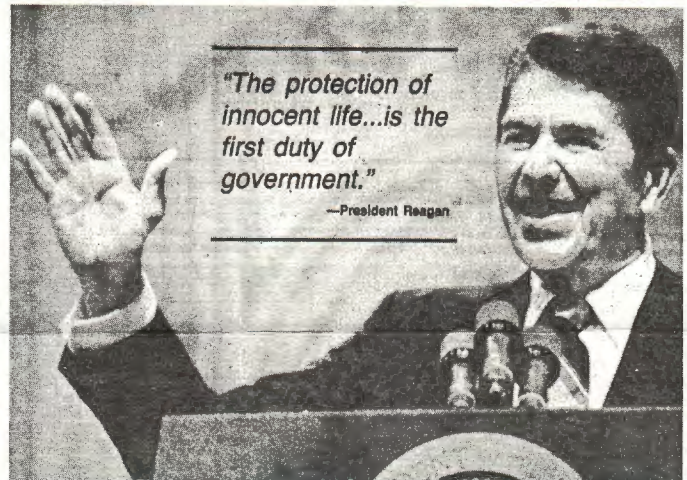
By BRUCE DRAKE  
Of The News Washington Bureau

Hartford—President Reagan said yesterday that the protection of innocent life is "the first duty of government" and called for passage of legislation to end "the national tragedy of abortion on demand."

Reagan also repeated his support for tax credits for private-school tuition and a constitutional amendment to allow prayer in schools in a speech to the 100th anniversary gathering of the Knights of Columbus, the largest Catholic fraternal organization.

The audience of several thousand cheered loudly at Reagan's mention of each of

See **REAGAN** Page 15



"The protection of  
innocent life...is the  
first duty of  
government."

—President Reagan

President Reagan waves after speech to 100th anniversary convention of Knights of Columbus in Hartford.

THE NEW YORK *Daily News* headlined President Reagan's anti-abortion stand as the big story in his Hartford speech, but other major papers played it down. (See story inside.)

While Reagan said "I believe in the human life legislation now pending in Congress," the *News* story said "he avoided support for any of the three measures before the Senate that have divided Right-to-Life forces. Instead, he mentioned them all by name and

urged 'the speedy consideration they deserve.'"

The three measures are Sen. Jesse Helms' "SuperBill," Sen. Orrin Hatch's "Federalism" constitutional amendment, and Sen. Mark Hatfield's anti-funding proposal.

## Baker Moves to Put GOP Majority Solidly behind Reagan's Action Call

*Special to Lifeletter*

Majority Leader Howard Baker has moved to place the Senate's Republicans behind President Reagan's call for "speedy" debate on abortion.

Capitol Hill sources report that Baker has won agreement from all 54 GOP members to support a new plan for full debate on both the Helms and Hatch proposals as soon as next week.

The plan reportedly includes a promise from pro-abortion Sens. Bob Packwood and Lowell Weicker not to filibuster, at least during the debate, and a pledge from Sen. Mark Hatfield to "lay aside" his own bill to cut off federal abortion funding.

The plan would bring Helm's "Super-Bill" up for debate first. Then Hatch's constitutional amendment would be considered and voted on.

If put into effect, the plan would make the Helms bill the final "show-down" test on abortion in this Senate session. But Washington observers point out that Baker will have to get agreement from Democratic leaders for his new plan.

As *Lifeletter* goes to press, Baker has not yet got such an agreement.

(A key senator told *Lifeletter* he "did not believe" that Baker could get unanimous consent from Democratic members because "too many of them are strongly opposed" to any action against legalized abortion.)



WHAT DOES IT ALL MEAN? Well, we'd say it boils down to this: the words have all been spoken. Nobody could expect more from the President than he's already said; Howard Baker has finally and publicly promised to bring up all the long-delayed anti-abort measures -- and of course the anti-aborts have long since talked themselves out in the bitter dispute over which one deserves support, etc. For everybody concerned, the time has come for action. And there should be plenty of it just ahead, if only because no action -- this late and deep in the battle -- will speak louder than words.

● There's little doubt about what the President was doing up in Hartford: trying to put back together the coalition of voters that gave him his '80 victory. Nor can there be any doubt that Mr. Reagan does see abortion as a key issue in the struggle (either that, or he reads Lifeletter -- both, we hope). Indeed, RR himself has never missed an opportunity to blast abortion. The trouble has been getting those famous "men around the President" to act on his words -- to do the kind of lobbying and arm-twisting they've done on "serious" (read money) issues. But elections do wonderfully concentrate the mind, and it seems clear that both White House and GOP congressional strategists are at last taking the "social issues" seriously. The question is: Are they too late? It will take at least some kind of anti-abort victory to galvanize the grass-roots troops. Even though the "right-to-lifers" know they can't just sit back and do nothing this November, they also know they need the ammunition only a big win can provide.

● For months, key leaders have been reporting bad news. Enthusiasm is way down (so are those vital financial contributions -- anti-aborts still run low-buck operations which need constant support); discouragement is widespread even among the most "activist" groups. Internecine warfare hasn't helped, of course, but that too would be solved if something comes to a vote now. The standard political dictum is "you can't beat somebody with nobody" -- nor can you rouse anti-abort voters when neither candidate has a record on the issue. On the other hand, nothing is easier to mobilize than a strong "I'm against him" vote (politics is one of the few businesses in which "No!" is a positive word). A show-down on the record abortion vote is badly needed now, and for '84 as well.

● Maybe the White House brain trusters are thinking mainly about '84 -- which would explain why they've waited so long to get moving. A fascinating item in Newsweek's "Periscope" (Aug. 9) column reports that "White House political oracles sifting through poll data have come to a surprising conclusion: that "'urban ethnics' -- particularly Roman Catholics -- could be the crucial voting bloc in '84; although traditionally Democratic, they went heavily for Ronald Reagan in 1980." Obviously, these "oracles" have not been reading Lifeletter -- we've been saying that over and over for years, arguing that abortion is the key issue in the equation, not only for RC's but millions of "Born Again" Christians as well -- and Newsweek lends support to that argument by adding "Surprisingly, Edward Kennedy does not score well with fellow Catholics" (no surprise to us).

● But of course congressmen and senators up for re-election are more worried about this November, and so are most anti-aborts. They too won big in '80, and don't want to lose ground -- it's bad enough that those victories still haven't paid off, and much worse if they lose ground in the mid-term battles, where "activist" voters often swing close, low-vote contests. So the weeks ahead are crucial. And in this short-term perspective, the Helms "SuperBill" could well be the whole ballgame. It's the only straight-up-or-down vote available: it's far and away the strongest measure; it's due up first, and it's backed by the toughest anti-abort senators. A "Nay" vote will be hard to justify. So look for plenty of maneuvering to get Mark Hatfield's "alternative" bill substituted. Supposedly a "fall-back" proposal to be used in case Helms fails, in fact it provides the "out" anti-abort liberals (e.g. Hatfield himself) are looking for, a "soft" anti-abort vote justified because "it's all we could get" -- while avoiding Jesse's shoot-out. But Helms is canny: he just may think of some way to convert compromise into confrontation (if anybody can do it, he can). We'll soon know.

THERE WERE OTHER FASCINATING SIDELIGHTS to Reagan's Hartford speech -- none more so than the Big Media coverage. As we've noted, the New York Daily News featured RR's attack on abortion (so did most TV and radio newscasts we heard). But then the News is largely non-



ideological, and not particularly pro (or anti) abort -- it mainly tries to print attention grabbing stuff, and clearly thought that abortion was the grabber here. The Washington Post took an "interpretive" tack, headlining its front-page story "Reagan Seeks Urban Ethnic Support" -- just what Newsweek said (but then the Post owns that newsweekly) -- and said RR was reminding the RC leaders of "their shared desires for anti-abortion legislation" and other "social issues" action ("preaching to the choir" was how the Post's man described it all). And while the story did knock RR for returning "to his familiar hard-line anti-Soviet rhetoric" to his K of C audience, it didn't even mention any "Nuclear Freeze" talk -- but that is precisely what the New York Times thought was the fit-to-print news (headline: "Reagan Calls on Catholics in U.S. To Reject Nuclear Freeze Proposal"). Prayer, tougher obscenity laws, tuition credits -- all of which the Times bitterly opposes -- were mentioned only in passing, in the one brief paragraph that admitted "The audience applauded the President warmly, especially when he repeated his positions in favor of anti-abortion legislation" and other "Tribal Issues" (as RC liberals sneeringly dub them).

• Such incredible "variety" in what's news is more than amusing (it sure is that, though): it provides an unusually graphic demonstration of just how "objective" such reporting really is: the objective, clearly, is to project only the "news" that suits the tint of the media owners. For the Daily News, the point is the news; for the Post, it's all politics, but better downplay abortion (it's politics too, of course, but not theirs); for the Times, always the best (read most egregious) at this kind of thing, no-Nukes is good news anytime -- and all the better to downplay abortion with. Most amusing of all, the Times is onto a good story: it was hardly by chance that Mr. Reagan went to a convention of the Catholic hard-core, prototypes of those "ethnic Dems" (church-going and money-giving too) who support him not only on those "Tribal Issues" like abortion and schools but also on another traditional RC point-of-pride -- a strong national defense (undoubtedly a big majority of the Knights are war vets). With so many of their bishops itching to support a near-pacifist, anti-RR "peace" position, what better audience could the President have had? As the Times realizes, he scored points on both sides of his "Catholic problem" -- quite a political coup.

• There's even more evidence that the Administration finally means business about solving obvious political problems. Among the greatest disappointments (certainly to anti-aborts) has been RR's lacklustre Justice Department, which has done virtually nothing about anything, even when it has publicly promised to do so. (Remember when the JD said it was "looking" for a Bloomington Baby type case to prosecute? Nothing's happened). One thing it could have done was support anti-abortion cases in the fed courts. (Lifeletter's own sources reported that there has been such a proposal kicking around for months -- but that it was being blocked by a top White House staffer.) Well, on July 29 Solicitor General Rex Lee (strongly anti-abort himself) filed an Amicus Curiae brief with the Supreme Court asking the Justices (as the Post's Fred Barbash reported it) to "expand the authority of state and local governments to pass restrictive anti-abortion laws" because the time had come to "tilt" powers to regulate abortion back to "elected officials and away from the courts." Although the brief avoided any direct challenge to the Court's '73 legalization of abortion on demand, it did challenge some of its "basic assumptions" and was certainly the strongest anti-abort step the JD has taken to date. Whether it will influence the Court (which now has before it a bunch of such state-regulation cases) remains to be seen -- but Lee's brief has already outraged pro-aborts; the ACLU's Janet Benshoof labeled it a "blatantly political" proposal that would "completely undermine" the '73 decisions (Gosh -- for once we hope the ACLU has got it right). And once again, the Good Grey Times spied Danger to the Republic. In a lead editorial (Aug. 4) headlined "No Friend of the Court," the editors found Lee's brief "a curious document" (i.e., they really dislike the thing) that was "in fact a 20-page lecture ... We trust that the Court, which needs no such lecture, will ignore this political tract," which is nothing less than "another way of saying to the Court: get out." And all this when the Court is considering such cases as the Akron Ordinance, which contains "extreme" regulations like one requiring "doctors to tell patients certain 'facts' -- such as that an unborn child [sic] 'is a human life from the moment of conception.'" The poor editorialist was so unnerved by Lee's lese majeste that he (or she? Soma Golden, maybe?) ended with bizarre petulance: Why not go the last step and spray anti-abortion graffiti on the marble pillars?!



• The Times sure is an amazing newspaper; its "authority" comes from being based in the Big City (where nowadays only the News provides a little competition) and being the only publication resembling a national "paper of record" (like the Times of London, events don't happen unless they appear in its pages, read worldwide). But more and more the Times prints less news, even ignores stories that get nationwide attention. And this is glaringly obvious when the news is abortion. An amusing example: last April 5, when President Reagan first sent a letter to anti-abortion leaders urging quick congressional action, the story got wide (often front-page) coverage -- but we saw not a word in the Times. Everybody can miss one? Sure -- but the Times didn't: on April 20, it ran an editorial about an article in its own Sunday magazine (about, inter alia, forced abortions in China) to make the incredible point that, over here, "Right to Lifers ... are as determined that America forbid abortion as the Chinese are to require it." Guess who was "among" these dastardly anti-aborts? Why, Ronald Reagan, who "two weeks ago wrote to an [sic] Ad Hoc Committee in Defense of Life that he hoped Congress would act to 'restore protection of the law to children before birth'" -- so the Times not only read RR's letter but did so in Lifefletter #5 (published by the Ad Hoc Committee). The edit concluded even more incredibly: "Government intervention in family planning may be called mandatory abortion in China, or Right to Life in America. Its real names are snooping, squealing, and prying."

• Such waspish, stuffy prose is normal whenever the Times feels that its peculiar ultra-liberal ideas are challenged on anything to do with sex. Examples abound, e.g., on July 25 an edit titled "Sex Education and Mrs. Schlafly" took Phyllis to task for suggesting what all the evidence shows -- that "Sex education is a principal cause of teenage pregnancy" (Do you teach driving to clear the highways?). And when anti-aborts tried to knock Planned Parenthood off the fed employees charity list last month (they failed), the Times hit back with another cranky edit ("Harassing Planned Parenthood") that snapped "Who appointed [anti-aborts] to be the arbiters of the Government worker's conscience?" (It's also amazing how often the Times uses words like conscience, sacred, and even love in abortion-related editorials -- a bad conscience, maybe?).

• Speaking of sex (and most publications seem to love to, in gamy "explicit" prose), Time magazine's cover-story (Aug. 2) describes the terrors of the latest VD scourge, Herpes (for which there is no cure as yet). The lead is remarkable: "After chastity slouched off into exile in the '60's, the sexual revolution encountered little resistance. Indeed, in the age of the Pill, Penthouse Pets and porn-movie cassettes, the revolution looked so sturdily permanent that sex seemed to subside into a simple consumer item. Now, suddenly, the old fears and doubts are edging back. So is the fire and brimstone rhetoric of the Age of Guilt." And what follows is enough to scare the pants on millions (and get Hugh Hefner ... er, stoned?). It's X-rated stuff, but it should be must reading for Planned Parenthood, the Times, et al. Time's most unexpected quote: "Flesh Merchant Al Goldstein, editor of Screw magazine, says glumly, 'It may be there is a god in heaven carving out his pound of flesh for all our joys.'"

BRIEFLY: our man in Hartford called applause for President's anti-abortion words "thunderous"; a political pro there said it made RR "look like his old '80 self again." \*\*\* Washington groups pumping out appeals to home-state folks to write/call senators before Aug. 16 Helms SuperBill debate. \*\*\* NARAL's latest fund-raiser letter using "political tragedy" of ERA defeat to raise \$1 million to support "strong pro-choice candidates" so that "any legislation to outlaw abortion will be defeated" (didn't they tell us ERA/Abortion were not connected?) \*\*\* Chefperson Julia Child cooked up mess with pro-abortion letter (filled with tasteless "hard case" ingredients like "retarded 13-year-old daughter of a syphilitic prostitute") to pro-abortion extremist Dear Abby (see her July 15 column); Boston Herald American gave Dr. Joe Stanton (a Founding Father of anti-abortion movement) big Op-Ed piece July 29 to chide Child (headline: "Julia: Stay out of Planned Parenthood's 'kitchen'"). Local K of C chapter in Chattanooga also blasted Julia (see News-Free Press July 27) \*\*\* The Navy, plagued by too many pregnant Sailpersons, has joined other services in refusing automatic discharges. \*\*\* In Florida, gynecologist is charged with manslaughter for aborting 12-year-old (28 weeks along); case could become court test of state anti-abortion law (see Miami Herald Aug. 3) \*\*\* NY Times (yes, again) ran item Aug. 5 saying Teddy had held first '84 race staff meeting (or were they just pondering RR's speech?). \*\*\*



November 3, 1982

*We predict* that the political pollsters and pundits—wrong-headed and off base as they were in “predicting” how Americans would vote Tuesday—will take it all in stride and churn out a new stream of stories explaining what didn’t happen. They’re off and running already: the lead morning-after story in the New York *Daily News* (by Washington bureau staffers Harrison Rainie and Bruce Drake) trumpeted “Voters across the nation gave liberal Democrats a far stronger hand in the House and cut Republican command of the Senate in a stern protest against Reaganomics”—a too-early dream of what they *wanted* to happen, maybe, but hardly a description of what *did* happen.

Hours later, it was clear that the billions spent in the too-long months of frantic campaigning had produced topsy-turvy results that added to a virtual dead-heat finish in which *both* parties were defeated and the liberal/ conservative split only marginally shifted. If the whole mess was really a “referendum” on President Reagan, then Americans split roughly 50/50 on his unpalatable plea to “stay the course.” (What might have happened if the Great Communicator had instead used his “hope not fear” pitch in a nationwide election-eve TV appearance!?)

#### Economy Was ‘Single Issue’

For anti-abortionists, whose “single issue” was largely ignored by the major media (*their* single issue was Reaganomics), the results mainly paralleled the political ones—some sad losses in the House (e.g., Marge Heckler in Massachusetts) balanced by some potentially-important gains in the Senate, which should now have *two more* anti-abortion votes (meaning a dead heat there *too* on abortion).

As *Lifeletter* reported, Tribble had alienated anti-abortion support (strong and well organized in Virginia) by waffling on the issue; many observers thought this might well cost him the election (“the word” was that anti-aborts wouldn’t vote for him). Tribble must have thought so too: at the 11th hour, he issued a statement saying that he had “consistently voted pro-life and against abortion” in the House and “expected to do so” as a U.S. Senator. With the blessing of some key religious leaders, “Tribble’s Promise” was printed and widely distributed (many *via* the church-parking-lot-handout tactic that has proved highly effective nationwide) on the final Sunday (Oct. 31); “the word” switched to “get

out the vote.” So the GOP got a new senator, and anti-aborts got another “promissory note.”

#### Big Win in Missouri

The other anti-abortion gain should be Chic Hecht, who defeated Nevada’s pro-abortion Dem Howard Cannon. A former state legislator (and a Mormon), Hecht is a political protege/ally of Sen. Paul Laxalt (if he turns out to be as solidly anti-abortion as Laxalt, anti-aborts may have got themselves a new Big Gun). There’s no change in New Mexico, where Schmitt (who was so pro-abortion he wrote mash notes for Planned Parenthood—see *Lifeletter* #14) is being replaced by pro-abortion newcomer Jeff Bingaman. There were some squeakers: in Minnesota Dave Durenberger survived a strong challenge from Big Bucks Mark Dayton, and in Missouri John Danforth held on to beat Wild Libber Mz Harriet Woods. Both Durenberger and Danforth had solid anti-abortion support, including plenty of precinct workers.

Danforth, hardly a galvanizing campaigner, had managed to blow a huge lead to the abrasive Mz Woods, who is so liberal she scares *Dems* in socially-conservative Missouri. Some polls actually had Danforth trailing by late October, and Harriet was getting all-out support (and plenty of money) from national “pro-choice” outfits. But then came “Last Sunday,” Oct. 31, and once again the well-seasoned anti-abortion workers flooded the parking lots with their flyers (a half-million in St. Louis county alone, we’re told); ask Mr. Danforth if it didn’t make the difference—it was still a cliff-hanger (roughly 51-49 as we go to press) and St. Louis made the difference. As *Lifeletter* #14 put it, “Without question, a Danforth loss would be perceived as a major anti-abortion defeat”—well, now it’s a stinging defeat for the *pro*-aborts, depriving them of the major victory they longed for and *needed* to win (they’ve never won a Big One, remember), and were all set to crow about from now to ’84—*kaput*.

(over, please)



• Orrin Hatch, once thought to be in big trouble in Utah, won handily, and his was about the only other Senate race in which much was really on the line in re abortion. In California, Pete Wilson (a "late convert" to opposing abortion funding, he says) beat Jerry Brown, which is no doubt a mercy to the nation, and keeps that seat in the GOP column (it will be interesting to see how Wilson actually votes when he gets to Washington). Sure, there were several other races which anti-aborts longed to see "lost," e.g., they'd have gleefully watched Lowell Weicker trounced -- but no real gains were involved (Weicker's Dem opponent Toby Moffet was just as Lib-pro-abortion, etc.). It would have been a moral booster if King Teddy had got more resistance from his docile Massachusetts subjects; even so, he "only" won about 3-2 (he's done better, so it's hardly a mandate for his '84 race). In New York, Feisty Flo Sullivan lost badly as expected to Pompous Pat Moynihan (Flo went us one better on election night -- she called Pat a "pompous Ass" on TV), but her 36% was much higher than any pollster predicted, and means that well over a million-and-a-half New Yorkers agree with Flo on the pomposity issue.

• Oh yes, about Jim Sasser: when the Tennessee Dem cast his decisive vote last September against Jesse Helms' SuperBill, anti-abortion forces tried to mount a major effort to defeat him. But as in other such "national" races (for more see below), they demonstrated once again that anti-abortion strength remains local -- they just haven't developed a Rapid Deployment Force with the money and organization to swoop down on a given race and make the crucial difference. In Tennessee, they actually put on a good show, but it was too little, too late. Sasser's pro-life opponent, GOP Rep. Robin Beard, was getting a paltry 25% in the polls when Nervous Jim plugged Jesse in the back. Beard ended up with almost 40%; not bad -- quite respectable -- but not nearly enough to pull off what would have been the upset of the year.

• Overall, the Senate results make hash of any anti-Reagan or pro-abortion claims. Indeed, what they show is that the Dem/Lib/Choice forces muffed their big chance to win victories while RR himself was not on the ballot (if the President -- as we think he will -- runs again in '84, the opportunities should be reversed). The House races were a different matter -- but again, things turned out much better than predicted. While all those confounded Pollsters/Pundits were howling about the "major losses" RR was about to suffer in the mid-term congressionals, the Washington Post's David Broder (an honest liberal) was talking sense: agreeing that RR was playing not to win but rather not to lose (a basic mistake, we say -- that's the reason why he wasn't on your living-room TV set election eve!), Broder said the Senate was the decisive front. Well, RR (and anti-aborts) gained there, as we've recounted above. Re the House, Broder said, it wasn't the Dem/GOP totals but the liberal/conservative split that mattered; if RR lost the 30-40 seats "some polls are predicting," said Broder, then the conservative coalition would be shattered. But a mere 20-25 losses, while making things more difficult (what off-year election hasn't?), would leave RR with "leverage on most if not all issues." Well, as we go to press, it is still too early to apply Broder's prescription exactly to the still-unsettled House results. But the radio we're listening to right now is reporting that "it looks like" the Dems will pick up "about 26" GOP seats -- our latest actual count is 23 -- smack on Broder's no-serious-problem scenario. More, the strong anti-abortion majority in the current House transcends the basic liberal/conservative split (liberals too can vote anti-abortion, as everybody knows), and anyway many of the winners are already on-record "pro-lifers." Thus an anti-abortion majority in the new House seems assured, and should be solid.

• But there were some agonizing losses. As we noted, Margaret Heckler lost to Barney Frank in one of the saddest of them; she was that unusual "feminist" (pro ERA, etc.) who was strongly anti-abortion; she was elected eight times from a "good" Massachusetts district, which appreciated her good looks and Albertus Magnus/Boston College smarts, etc. But this year's re-districting natched her against Bombastic Barney Frank, "Father Bob" Drinan's worthy successor, in a much different new district. Naturally -- despite her impeccable record on all other "women's" issues -- Heckler lost all Libber's support (and money) because of her abortion stand. And she made a big mistake by trying to woo Frank's Jewish supporters instead of concentrating on her own Catholic/ethnic base. Nor could she match Frank's money (plenty of it from out-of-state); he probably out-spent her at least 2-1. It isn't just that pretty Marge will be missed -- it's how much so many people wanted to



miss unpretty Barney that makes her loss a tough one to take. (Run again, Marge, we need you back again.)

•Then there's the dismal fact that good ole' Charlie Dougherty was also defeated -- he no doubt was done in by the economic situation in his depressed (northeast) Philadelphia district. Of course it's also strongly Democratic (almost 3-1!), but Charlie won it before despite that -- he's one Republican who really knows how to represent a "working class" district. But to anti-aborts he represented much more than that. He was a prime example (Henry Hyde is the premier one) of the tough, knowledgeable anti-abortion who learned the issue -- and how to fight it -- in the state legislature (Dougherty helped lead the victorious Con/Con fight in Pa), and he was recognized as a leader as well as respected even by his opponents (this year even the Philly Inquirer gave him a foot-long double-column editorial endorsement, etc.). When he came to Congress in '79, he plunged right into the abortion fight, and was Co-chairman of the House Pro-Life Caucus. Thus he's also a prime example of what we meant (see above) about needing an anti-abortion Rapid Deployment Force: somehow, the sprawling, bickering "pro-life" movement must assemble the clout to do for nationally-important champions like Dougherty what the pro-aborts try to do for theirs, i.e., supply the means for victory. (We're working on it.)

•It should be noted that Charlie's successor, Dem Robert Borski, is presumably also anti-abortion (he wouldn't dare not be in that district), but how active he'll be is another matter. This applies to other losses also, e.g., Albert Lee Smith lost in depression-ridden Birmingham, Ala., but his replacement is reportedly "personally opposed." It will take some time to sort it all out. Meanwhile, anti-aborts won some important and symbolic victories: in New Jersey, young (only 29) Chris Smith, who "sneaked in" via Abscam last time, was re-elected easily, much to the chagrin of the New York Times, which had endorsed his "old pol" opponent even though Chris had "done exemplary constituent service" and maintained "independence." So why did the Times oppose Smith? Because he "intensely opposed abortion" -- why else? And out in Nevada, one of the "new" seats was won by Barbara Vacanovich, another ally of Paul Laxalt -- and strongly anti-abortion -- who beat pro-abortion Mz Mary Gojack. All in all, the House races were a mixed bag, but we repeat, there were no serious overall losses, Henry Hyde et al won easily, etc., and even Bob Michel, the GOP minority leader, won the tough race everybody was watching (without too much anti-abortion help: Bob, who admittedly isn't a "pro-life" leader, wasn't "pure" enough for some locals, but he's helped Hyde aplenty in getting anti-abortion measures passed, and is worth plenty to the movement -- we'll do better next time, Bob). The most important point: anti-abortion House forces remain strong enough to win victories in the new Congress, which is vital, because that's where the action must come in '83.

•The pundits are also saying that Reagan took a terrible beating in the governors' races. Here they're more accurate; the GOP lost seven state houses, giving the Dems a big majority, and this will hurt RR (or any other Republican) in '84 -- especially Dem-controlled Texas. But there were no anti-abortion disasters involved. True, Dick Headlee didn't make it in Michigan, but in Iowa pro-abortion Libber Roxanne Conlin was beaten (53-47), which is a big plus (and important for that first-in-the-nation Iowa primary in '84). But the New York governor's race may well have been the most important of all: it best sums up how wrong the liberal forecasters were about the "great anti-Reagan" shift. The same Daily News we quoted above runs a once-vaunted Straw Poll that has rarely been wrong on a gov race; it had Dem (and openly pro-abortion) Mario Cuomo 13 points ahead of Lew Lehrman, the GOP's big-spending challenger (who's not much better than "personally opposed" to abortion -- but he was perceived as the major-party anti-abortion). Wow: this brought out the very worst in the media, which produced the endless copy about how New York was the real nationwide test on RR, Reaganomics, the social issues -- the lot -- even though New York in fact remains one of the most liberal states. If you read nothing but the Times, you'd have thought it was the referendum on the national political temper (the Times doesn't abandon such fond illusions easily: its morning-after banner headline still read "Democrats Make Big National Gains"). In the event, Lehrman darn near won -- he was ahead much of the night, and ended up less than two points down. More, he did well in Dem but social-conservative places like Erie County (Buffalo), despite 12% unemployment thereabouts (you have to wonder whether, if Lehrman had stressed abortion, he might have pulled it off). Point



is, the polls were wildly off, and/or, if it was a "referendum" on RR, he did very well. (The gutsy little Right to Life Party didn't do too badly either; even though it had almost no money and was squeezed out of the limelight by the ballyhooed Cuomo-Lehrman battle, it did pull well over the 50,000 votes necessary to stay on the ballot as a "recognized" party.)

•The bottom line seems to be this: the anti-abortion movement has done much better than merely survive the dangerous mid-term voting; it has won important new victories and -- most vital of all -- it has demonstrated yet again that, in a close race, anti-aborts alone can make the difference. As we go to press, a St. Louis reader called to read us some front-page copy from this afternoon's Post-Dispatch: "Both Democrats and Republicans said early today that a last-minute effort by the Missouri Citizens for Life may have provided Danforth with his margin of victory" -- the story then describes the leaflet-distribution we noted above, stating that a million were passed out -- we only claimed half that! (That does it: Lifefletter is going to seek the waste-paper disposal concession in Iowa for January, '84.)

•It also means that more Congressional action remains a top priority for anti-aborts in the next session. As noted, things may be a bit tougher in the House, but with Generalissimo Henry Hyde there to lead the charge, plenty of initiatives can and (we trust) will be launched. And while the dead-locked Senate hasn't changed much, it is better-if-anything (Jesse Helms sure could have used an extra two votes last September!). There is reason to believe that anti-abort "riders" -- the usual House weapon -- can be pushed through the Senate more easily next year (keep in mind that because anti-aborts have clearly maintained their power-at-the-polls this year, the '84 pressures have already started building). And of course whole new areas of state-level activity are now open: plans are afoot to push Human Life Bill type legislation in several key states (we'll have more on this later). Not to mention the Supreme Court: while the Moynihans and Packwoods may bluster that the "social issues" are dead, the Justices undoubtedly view it differently, i.e., they surely must see that the Congress remains disastrously split, the President loudly opposed, and millions of citizens resolutely aroused against the "final solution" the Court inflicted on the nation a decade ago. Everybody expects that the Justices will rule on the several abortion cases now before them sometime in the year ahead; whatever they rule, it is virtually guaranteed to touch off new explosions in the states, the courts, and certainly the media (which has been trying hard to ignore abortion for months). It could be quite a year.

•Of course anti-aborts still have internal problems. While a constitutional amendment remains the "ultimate goal" of the movement, there is clearly no visible chance of getting the two-thirds majorities needed from a split-down-the-middle Congress. Only legislation is possible. Yet the "Great Split" seems as great as ever between those who still insist on an amendment-only "strategy" (never mind how it can be achieved, or what fatal damage a lop-sided congressional defeat would inflict on the whole movement). Some hoped that the Split would heal itself after what happened last September -- when Jesse Helms proved that legislation was possible and Orrin Hatch publicly admitted that the votes just weren't there for an amendment -- precisely the argument that caused the Split in the first place. The net result -- so the hopes ran -- would be unity on legislation. But it already seems clear that the U.S. Catholic Bishops, the prime movers of Hatch, mean to go right on trying to force the "amendment only" dictat on everybody. Correction: this seems clearly the intention of the Bishops' Washington apparatus -- the bureaucrats who, many believe, are responsible for leading their putative superiors down the Hatch road last year. But the Bishops themselves will assemble for their annual meeting later this month. A lot has happened since they "bought" Hatch last November; it could happen that at least some of the Bishops will ask why they were assured that Hatch was "possible" when Orrin Hatch himself knew it wasn't. Count on Lifefletter to watch it all closely.

QUICKLY: Pope John Paul II (in Spain) blasted away at abortion with what even the NY Times (today) described as "exceptional force." \*\*\* Wonder if "Stay the course" was best possible slogan? The same Times (yesterday) noted that Jimmy Was used the phrase 3 times in one speech in '80! His speechwriter thought it would "catch on" -- and (gulp) it did. \*\*\*



## Court Hearing New Arguments on Abort Cases

### AKRON ORDINANCE CENTRAL

**Justices Will Decide on Issues  
That Will Signal New Stand  
Or 'No Retreat' from '73**

by Robert M. Patrick

WASHINGTON, Dec. 1: Almost a decade after its "final solution" to the controversial issue, the U.S. Supreme Court must decide new cases involving restrictions on the "right" to abortion on demand.

The Court began hearing arguments yesterday in cases from Ohio, Virginia, and Missouri, including the now-famous "Akron Ordinance" case.

#### Long Debate Bitter

After bitter local debate, the Ohio city passed an ordinance in 1978 that in fact put only minor restrictions (such as a 24-hour delay and parental consent for minors) on abortions, but pro-abortion groups have attempted to make Akron a "landmark" decision.

In 1981, a federal district court struck down the most important of the Akron restrictions on grounds of "vagueness."

#### Must the Baby Die?

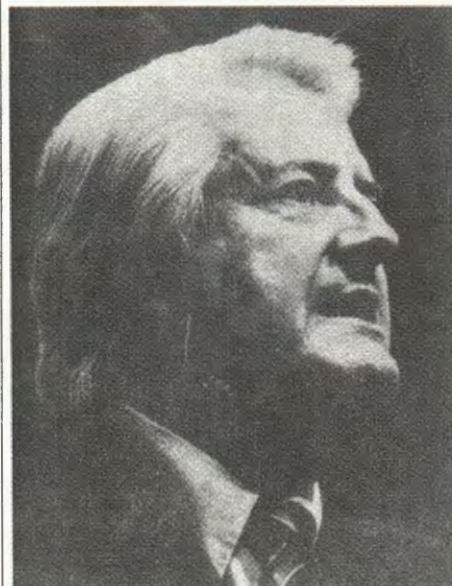
When the High Court legalized abortion nationwide in 1973, it effectively destroyed all restrictions on a woman's liberty to choose abortion throughout the full nine months of pregnancy.

But it said nothing about the many new problems it raised, such as whether the "mother" was in fact entitled to a *dead* baby—or could the states pass laws protecting viable aborted babies?

The extreme vagueness of the Court's 1973 decisions in this and many lesser matters has produced a decade of controversy at the state and local levels as legislators have attempted to 'frame

### Funding votes are key:

## 'Lame Duck' Session Could Determine Anti-Abort '83 Strategy in Congress



CONGRESSMAN HENRY HYDE, a big winner in November (with almost 70% of the vote) is expected to play a key role in both the current "Lame Duck" session and the first session of the new Congress next year if—as many predict—the abortion-issue focus shifts from the Senate to the House.

abortion restrictions. The three state cases now before the Court are merely representative of the numerous state cases still undecided.

In 1976, the Court did decide several abortion-related cases and in the main sustained the unlimited "right" to abortion (e.g., it ruled that fathers could not prevent the killing of their unborn children). But in 1980, the Court ruled that the Hyde Amendment, by which Congress cut off federal funding of abortions, was constitutional.

Two of the Justices now hearing the new abortion cases (John Paul Stevens and Sandra Day O'Connor) were not on the Court in 1973 when it ruled 7-2 in favor of abortion on demand; their votes will be crucial in deciding the Court's current stance.

Most observers expect that it will be months before the Justices hand down their decision (one Court source told *Lifeletter* it could be next July).

**Both Houses Facing Action on  
Abortion Restrictions; New  
Moves Believed Unlikely**

### MONEY STILL 'SINGLE ISSUE'

**'Lesson' of Election Losses  
Indicates that Economy-only  
Campaigns Spell Disaster**

*Special to Lifeletter*

WASHINGTON, Dec. 2: The 97th Congress, back in town for its "Lame Duck" post-election session this week, must face—or duck—at least two controversial abortion issues before it finally adjourns just before Christmas.

The most vital is the Ashbrook Amendment, which cut abortion funding from federal employees' insurance plans. A second is the Dannemeyer Amendment forbidding funds for "experimentation" on living unborn babies (either before or after abortion) unless "done for the purpose of insuring the survival of that fetus or infant."

#### Hatfield May Oppose

*Ashbrook* (named after the late Ohio GOP Rep. John Ashbrook) was a "sleeper" amendment included without debate in the Oct. 1 "continuing resolution" that extended government funding until Congress actually passes new appropriations—which it is *supposed* to do in this short session. The Hyde Amendment, which cuts off medicaid abortion funding, is also included in the current resolution.

Most observers expect that *Ashbrook* will remain in the House version of the appropriations bill, but that it could be challenged in the Senate. *Life-*

(See "Lame Duck," p.2)



## "Lame Duck" (cont.)

letter's own sources report that Sen. Mark Hatfield will attempt to eliminate *Ashbrook* during Senate-House "conference" sessions—or even on the Senate floor—which could produce a new showdown battle like those fought over *Hyde* for several years (from the initial passage of the relatively-weak *Hyde* in 1976 until both houses last year accepted the current *Hyde*, which has only a "life of the mother" exception for federal funding).

*Hyde* itself is not expected to face a challenge in this session, but if the congressional "abortion war" is reopened by *Ashbrook*, "anything can happen," as one Capitol Hill observer puts it.

*Dannemeyer*, which Rep. William

Dannemeyer (R. Cal.—he was re-elected easily Nov. 2) introduced in a surprise move in the House, passed by an overwhelming 260-140 vote Oct. 1. But it has *not* been voted on by the Senate. Here too, Senate refusal to accept *Dannemeyer* could touch off a new abortion conflict.

A key factor may be the "temper" of the Lame Duck session, which will include five senators and 79 House members who have either retired or were defeated in November. Anti-abortion leaders will be watching closely to see if there are significant "switches" from last fall's recorded votes.

But more important, many believe, will be how the *surviving* congressmen

view the future. The Lame Duck session is unlikely to forecast how the new Congress will act next year, because it must concentrate on the same vexed money problems that bogged down all other action for the two years of regular sessions.

It is highly possible that even the long-delayed appropriations legislation could be put off *via* more "continuing resolutions"—which could once again avoid showdowns on the abortion-related "riders." It thus seems unlikely that any *new* anti-abortion initiatives will be introduced this month—unless pro-abortionists *do* attempt to eliminate *Ashbrook* (or even *Hyde*), in which case all bets are off.

OUR MAN ON CAPITOL HILL paints a gloomy picture of the congressional situation -- and our best Administration sources are hardly optimistic -- what's going on? Well, the main point is that the '84 presidential campaign is already on, and nobody's happy about it. On the Dem side, the candidates may soon outnumber the voters, especially now that Teddy Kennedy is saying (as of this morning) that he won't run -- leaving a weak Walter Mondale "frontrunner." On the GOP side, everything depends on whether RR will run again; almost everybody says "yes" -- and of course most anti-aborts hope he does (having the President attacking abortion at every opportunity is a political gift of major importance). But what to do until Reagan says? Well, many argue, make the case for abortion as a vital is-  
sue for '84 -- just as it was in '80.

•That's why the Lame Duck session should be important. Sure, the economy is "a Hell of a mess," as Mr. Reagan put it, and the members -- winners and losers alike -- may have been dragged back to try yet again to try to do something about it. But they're also bringing back war-stories from the campaign, and many of them indicate that running for re-election on the "single issue" of money is a horror. As one quipster puts it, "There's got to be life beyond the economy, or a lot of good guys will be damned." Anti-aborts say there is, and they've got stacks of press-clippings to prove it. Lifeletter (#15) reported the St. Louis stories claiming that last-minute "pro-life" leafletting undoubtedly saved Sen. John Danforth from defeat -- since then we've seen another Post-Dispatch story (Nov. 3) quoting a Danforth "manager" saying that anti-aborts "may have saved our bacon." We also noted that Rep. Chris Smith was handily re-elected in a New Jersey district that was tailored (by the legislature) for his opponent, Joe Merlino, an old-line Dem state "power broker" who, strange to say, voted anti-abortion in the State House, but challenged Chris' "pro-life" position (and got pro-abort support) in the campaign. Virtually every local newspaper story reported that mobilized right-to-lifers made the difference (poor Merlino's own daughter sobbed that Daddy lost because of "the strong push by Right to Life groups which saturated the churches week after week" -- see the Trenton Times, Nov.3).

•Even more startling stories came from Minnesota, where anti-abort GOP Sen. Dave Durenberger turned back the mega-bucks challenge from Dem Mark Dayton (by a solid 53-47 margin); e.g., the Minneapolis Star & Tribune (Nov. 6), summing up why Young-and-Rich Mark lost, concluded "Perhaps most important of all, he wasn't against abortion." (Other quotes: "There's no question that Dayton's pro-choice standpoint hurt him, because he lost voters that were otherwise voting Democratic"; "If you're going to win in Crow Wing County, you have to be a pro-life candidate.") In Virginia, loser Dem Richard Davis "blamed his loss" to Paul Trible, reported the Richmond News Leader (Nov. 4) "on late 'single issue' mailings by Trible's supporters" -- anti-abort leafleteers blanketed Davis' own church! We could fill several Lifeletter's with such quotes, from papers nationwide. The point: "other" issues -- abortion tops among them -- can save a lot of political bacon in the already looming '84 battles, because scads of voters have stopped believing that any candidate or



## Let's Kill the Audience?

Robert M. Patrick

I see in the New York *Daily News* (Nov. 24 edition) that there is to be a big bash downtown on Dec. 13, at the famous Circle in the Square theater (Greenwich Village, you know) to "benefit the National Abortion Rights Action League."

Believe it or not, the *News* describes it as a "show for charity" (take my word for it); the "idea" is that famous Showbiz types will perform for free, before paying customers, with the proceeds going to support more abortions, or whatever it is that NARAL does with all the money it gets (I thought it had plenty already).

I gather some pretty big names are involved. Even I know that people like Robert McNamara, head of the World Bank and U.S. defense secretary in the Kennedy-Johnson-Vietnam era, and Walter Annenberg, a sort of Daddy Warbucks of publishing (among many other things, he owns the fabulous-circulation *TV Guide*), are Big Names. And they are "promoting" this NARAL

thing, the *News* says.

The performers include Joanne Woodward, Colleen Dewhurst, Jean Stapleton, Estelle Parsons, somebody named Joel Grey, and Helen Gurley Brown (she's a performer? I thought she was the editor of the gurley magazine *Cosmopolitan*). Plus Ed Asner, whom I guess everybody knows as a TV personality and liberal patriot (he's investigated and discovered that we are the Bad Guys in Central America).

Or so I'm told. Actually I don't really know much about these people. But my young son Patrick assures me that they all really are famous "stars" (he should know, his mother lets him watch television).

No matter. The point of it all is that we see here, for the umpteenth time, an

example of something that really does baffle me. Why do the "Stars" support abortion? Not *all* of them do, of course. Remember, Ronald Reagan was a Star once (How I miss "Death Valley Days"! ) before he gave it all up to become President. But my question is this: Why do so many people whose only claim to fame is the size of their audience support killing off audiences of the future? Seems unfitting. It certainly seems ungenerous.

How could Mr. Annenberg sell 30 million or so copies of *TV Guide* every week if everybody got aborted before they could subscribe? Who will care that Mz Woodward is married to Paul Newman in un-real life if there's nobody left to be thrilled? Is it a simple case of "After me the drought"? Seems to me that people who got rich and famous from people ought to show a decent respect for people, especially those very little people who won't ever enjoy any show at all unless "charity" means saving their lives, not slaughtering them before their curtains even open. Anyway, that's the way it looks from down here.

party can do much about a sick economy that requires major surgery nobody's willing to propose.

•Thus what the special session does -- or doesn't do -- about abortion will telegraph a political message for next year and beyond: if anti-aborts hold their gains (Ashbrook, Dan-nemeyer, etc.), then abortion will "be around" as a hot issue; if new "social issue" battles explode, things will get even hotter next year. Either way, anti-abort strategists will be plugging for action they can use to mobilize in '84 the kind of political strength they deployed so effectively in '80. Most observers see the main "front" shifting from the Senate -- where most of the abortion action has been concentrated -- to the House where, despite a reduced majority, anti-aborts will still have plenty of muscle (and strong leadership), and plenty of opportunities to nail more Hyde-type riders on those never-ending money bills. For at least the next two years, legislation must be the prime focus for anti-aborts (if only because they know that the guy down there in the Oval Office will sign it!); the Senate remains a problem, sure, but with two more "promised" votes (Trible and Nevada's Chic Hecht) anti-aborts should be able to win Hyde-type battles there too, provided the House majority stands firm, etc. All in all, '83 should be an interesting year.

OF COURSE THERE'S ANOTHER "SINGLE ISSUE" looming: "Peace." As Lifeletter has pointed out (repeatedly), the whole anti-Nuke, "Freeze" and "Disarmament" mess, willy-nilly, bears directly on the abortion battle, if only because the U.S. Catholic Bishops are now mitre-deep into the whole thing. It would take a large book (several of 'em!) to explain all the connections, ramifications, problems, etc., but in a nutshell, "Peace" (in the highly-politicized form that the bishops seem ready to wage it) won't be wonderful for the anti-abortion movement. Everybody knows the gory details: how the bishops just happened to release their "draft" anti-Nuke statement just before the November elections; how a key section is virtually identical, word for word, to the Teddy Kennedy-Mark Hatfield "Freeze" bill; how "debate" on that draft simply wiped abortion off the table at the bishops' mid-



November annual Washington meeting, etc. and etc. (If you doubt it, look at the agenda -- you'll see hours-long items on "War and Peace" and even "Coffee Break, 11:20-11:40" -- but only one item on abortion, "Pro-life Activities, 11:50-12:00" -- ten minutes).

• Whatever the bishops' intentions, individually or collectively, the perception of what it all means is certainly not being phrased in moral (much less theological) terms in Washington. Indeed, the raw politics of what the bishops are doing ("prompted" as usual by the far-Left-liberal apparatchiks who run the RC D.C. bureaucracy) has been the talk of the town for weeks now. But nobody spilled it out more plainly than Mz Marjorie Hyer, of the (pro-abortion and anti-Nuke) Washington Post -- she's well-known to have a direct "pipeline" to the top RC apparatchiks, and thus must be credited with knowing whereof she writes. In an election-day (Nov. 2) "News Analysis" feature headlined "Bishops' A-War Paper Puts U.S. Catholics Into a New Court" Mz Hyer begins: "The U.S. Catholic bishops put a powerful new spin in national politics ... with the [anti-Nuke] draft statement [which] was a reminder that the new Roman Catholic vote may be as open to overtures from liberals as from conservatives."

• Mz Hyer follows up her remarkable lead with political chapter-and-verse: how the RC vote is "no longer anchored in the Democratic Party" because Catholics are "conservative on social issues" and "rally round the flag"; meanwhile Republicans have "moved to capitalize" on RC disaffection with Left-liberal Dems -- the GOP has even "courted the Catholic vote, especially on such issues as abortion and tax credits or other public aid to private schools" (shame on 'em! Imagine promising RC's what they want) -- but "What the bishops are doing makes this courtship more complicated. The reason is that conservatives tend also to be hard-liners on defense. The bishops [have] rejected the hard line." So if "conservatives" (read Republicans) can reach Catholics "on the 'social issues,' the liberals" (read Democrats) can now "appeal to them on the defense build-up" and "war and peace."

• Without question, such open partisanship can wreak havoc on a movement still badly split by last year's "Bishops' Issue" -- the Hatch Amendment compromise that the RC apparatus tried to force on all anti-abortionists. The wounds inflicted then are by no means healed, even if the bishops themselves have now moved "beyond" abortion to "Peace." Indeed, there is another widely-circulated document which indicates that the bishops (or at least their apparatus) are 1) introducing new political partisanship into the abortion struggle and 2) moving toward an outright "states' rights" amendment -- i.e., toward more compromise on abortion. It is the text of a speech by Liberal Dem Sen. Tom Eagleton to an "Archdiocesan Pro-Life Convention" in St. Louis Oct. 3. It is an open attack on Jesse Helms and the Human Life Bill, and an open call for abandoning Hatch (the amendment and the senator, we'd say) in favor of an even weaker "pure" states' rights approach. The arguments are the usual, i.e., that such a move would "attract" those phantom "uncommitted" senators who were nowhere to be found when Jesse Helms forced an honest-to-God vote on abortion last September.

• The whole speech reads like the new "game plan" for the "post-Hatch" era. Viewed politically (e.g., as Mz Hyer views the bishops' "peace" actions), it sure looks like Eagleton is trying to get the abortion issue out of the way for his fellow-Dems in '84. For instance, with any amendment probably 20 votes short of Senate passage, there would be room for some throw-away but politically-useful votes from a few "uncommitted" (read pro-abortion) Dems if such an amendment actually did come up before '84. But of course proposing a whole new compromise now would make any show-down voting before '84 a remote possibility (unless of course the GOP leadership was smart enough to force it). And then there's the irony of it all: on "peace" the RC apparatus has adopted a hard-line no compromise position (via a direct political attack on the Reagan Administration -- Jimmy Carter wanted to pave the Far West with MX missiles, etc., but the bishops didn't stir then); on abortion it has moved toward open compromise. The dilemma for anti-abortion Catholics is plain: nobody is for war, or against peace. But war -- even Nuclear Holocaust -- only could happen; abortion is a slaughter of innocents that is happening, by the millions, right now. A Washington friend (an anti-abortion Catholic and -- full disclosure -- also a conservative Republican) puts it this way: "As a kid, I was taught that this world will pass away, act accordingly. Now I'm told to fear that passing, beyond all else. Well, if this world is it, I mean to keep my kids out of the Gulag."



## Askew 'Will Run' But Won't Push Abortion Issue

### FLORIDA DARK HORSE SHIES

**Aide Says 'No Way to Win' Despite National Coverage Of 'Only Dem' Advantage**

*Special to Lifeletter*

WASHINGTON, Feb. 18: Former Florida Gov. Reubin Askew will formally announce his entry into the crowded Dem presidential race here next Wednesday.

But, aides say, Askew will *not* stress his anti-abortion stand—the only issue that has gained him national attention so far.

Askew had been “informally” campaigning for months and, in an early January New Hampshire tour, got national media coverage of his “I do not support freedom of choice on abortion” remarks.

### Got Early Headlines

All the other declared Dem candidates are on-the-record as pro-abortion, and many political observers saw Askew's maverick stance as a shrewd move to “set himself apart” from the pack and grab the early headlines he needs to give his dark-horse Jimmy Carter-style campaign a chance of taking hold.

*Lifeletter* front-paged Askew's anti-abortion statements (see '83 #1) and Florida's Tallahassee *Democrat* (Jan. 27) turned the story into a major feature. The home-state paper reported that “Though Askew was candid in his response in New Hampshire, he hardly is seeking to promote his view on abortion . . . he has stuck to bread-and-butter themes of the economy rather than social issues, such as abortion.”

The *Democrat* also quoted Askew's “longtime aide” Jim Bacchus as saying:

## Jepsen Introduces *Hyde Act* in Senate, Cites Reagan Support



SEN. ROGER JEPSEN has assumed the key role in the fight for Senate action this year on the *Hyde Act*. The Iowa Republican, who is up for re-election next year, is seeking “broad and bi-partisan” support for the new *Hyde* initiative. He will reintroduce it next week.

“This is an issue on which there is no way to win.”

Bacchus also said Askew “would not prohibit” abortion in such cases as “rape or incest,” but the *Democrat* noted that “even with those hedges, his position has attracted notice among national groups” and added that “it obviously distinguishes” Askew from the other Dem contenders.

### How Will He Answer?

The story quoted one anti-abortion spokesman who said that Askew's stated opposition to abortion would help him “in the conservative and politically key states of Iowa and New Hampshire.”

Betting is that abortion will be the first question asked Askew in Washington when he finishes his statement of candidacy next Wednesday. How he answers may well determine how “viable” his long-shot candidacy will be.

## Iowa Senator Calls for New 'Definitive Stand' in Fed Anti-Abortion Position

### EAST, DENTON CO-SPONSORS

**Bill Gaining Broad Backing As 'Unity' Measure to Get Action in Current Session**

By Robert M. Patrick

WASHINGTON, Feb. 18: Sen. Roger W. Jepsen, saying “it is time to take a definitive stand on the Federal Government's position on abortion and infanticide,” introduced the new *Hyde Act* in the Senate on Feb. 3.

The bill, titled the Respect Human Life Act of 1983, would prohibit any U.S. government financial support for abortions or “Bloomington Baby” types of infanticide. It was introduced by Rep. Henry J. Hyde in the House (as HR #618) on Jan. 6, and was endorsed by President Ronald Reagan in a widely publicized letter to Rep. Hyde (Jan. 20).

Jepsen, an Iowa Republican, said “I join both Representative Hyde and President Reagan in calling for this new 98th Congress to enact such a law . . . I urge my colleagues to join me as co-sponsors.”

### More Sponsors Expected

Sens. Jeremiah Denton (R., Ala.) and John East (R., N. C.) joined Jepsen in introducing the *Hyde Act* (designated S. 467) and, as we go to press, *Lifeletter* is informed that Sen. Don Nickles (R., Okla.) has also co-sponsored.

Most observers expect Jepsen will get additional support when he reintroduces the bill next week. (His original introduction—a bid to get early consideration—came just before the Senate

(See Jepsen, p.2)



## Jepsen (cont.)

adjourned for its 10-day Lincoln's Birthday recess Feb. 4, which made it impossible to ask support from the many members already out of town.) Speculation centers around whether Dem anti-aborts like Sens. Thomas Eagleton and James Exon will support Jepsen, thus providing bi-partisan endorsement.

Meanwhile, a broad spectrum of anti-abortion organizations are working hard to mobilize support for the Hyde-Jepsen initiative as the "unity" measure needed to heal the bitter '82 divisions between

supporters of the Hatch Amendment and the Human Life Bill sponsored by Jesse Helms.

Sen. Helms has not as yet been heard from, but is expected to support Hyde. However, the "Key man here," as one anti-abortion strategist told *Lifeletter*, "is Orrin Hatch himself. If he now takes a leading role in supporting Jepsen, he will become both the fact and the symbol of the unity we need."

Another leader cited the "grand opportunity" provided by President Reagan's "early and strong public support" of the Hyde Act, claiming that "this is what we needed to win last year,"

when, most agree, the *Hatch-HLB* warfare stopped the President from endorsing either measure.

After the anti-abortion forces lost their Senate battles last fall, the authoritative *Congressional Quarterly* (which is widely read on Capitol Hill) published a quote from a top pro-abortion lobbyist (NARAL's Nanette Falkenberg) who, while happy about stopping the HLB (it lost by just *one* vote), said her major worry is that the President "will exert tremendous pressure" on anti-aborts to agree on a single proposal. "Then we'd be in trouble again," said Nanette.

THE MAD SCRAMBLE FOR THE DEM'S '84 NOMINATION is a wonder to behold -- it's already the earliest ever, and may end up being the dirtiest ever too. But then the contenders (all pro-abortion, except for Reubin Askew) are being squeezed both by party "reforms" and the unavoidable Media Trial that starts abruptly in Iowa next February and could be all over (for most of the candidates, anyway) a few days later in New Hampshire. It's no longer enough just to "Go Left" i.e., get the support of the "traditional" left-wing Dems for the nomination, then try to pass yourself going in the other direction by November: the Dems are still the leftward party, sure, but the McGovern-era junking of the old rules has put the Leaders at the mercy of "Special Interest" (Dems don't call them "single issue") groups -- Gays, Libbers, Peaceniks, Pro-aborts, in addition to the Black, Labor and other "old" pressure-groups. Nowadays, Hopefuls must carve out personal constituencies from the Party Faithful and several "blocs" plus the early-primary voters -- a tall order. But hope springs infernal: Sen. Alan Cranston (the first Dem to formally announce, Feb. 2 -- Ground Hog Day, aptly) is already trying to use "Peace" as his wedge -- albeit peace patrolled by B-1 bombers (made in California). Gary Hart's in too, counting on Youth, Ideas, Somebody-for-Everybody, and his experience in winning early (in Iowa, etc.) when he ran George McGovern's '72 fiasco. Walter Mondale ain't official yet, but the Media have anointed him Frontrunner (historically speaking, the Kiss of Death?) and he's busily trying to hold on by picking up hard-core Militants (speaking at Gay fundraisers, that kind of thing).

• Somebody seems to be trying to knock out poor John Glenn before he gets in: gale-force "whispers" are saying that Poor John is anti-Israel; if the "charge" sticks, it sure could ruin Glenn in the Dem sweepstakes (some said, in '80, that similar charges ruined John Connally's GOP chances too). Funny thing is, the guy who's mainly responsible is not a Dem at all, but New York Times Columnist William Safire, once a Nixon speechwriter and (in '80 at least) a Reaganaut. Add to this the "word" that some White House types think Glenn would make RR's strongest opponent, and you see what we mean: the home-stretch long knives are already out; the Dems may be lucky if anybody is left standing to accept the nomination!

• Poor John may be sitting on a "Catholic Problem" as well. Maybe Glenn was off in some campaign orbit (like when the Senate votes on abortion) the day his staff took on one Greg Schneiders as Press Secretary, but you can hear Greg ticking away, waiting for somebody to remember "who he was"! He was Jimmy Carter's '76 campaign factotum, the young guy who began by carrying Jimmy's suitbags and ended up as one of his "trusted advisors." He was slated to become Carter's Appointments Secretary (could have been a powerful post) until the FBI saved Jimmy by discovering Greg's "financial irregularities" (read bad debts -- and the Washington Post of Jan. 6, '77). But in his brief Moment in the Sun, Greg managed to be interviewed by Sally Quinn (remember her? -- see the Post's Style Section, Nov. 19, '76) to whom he divulged some pretty juicy tidbits, e.g., that Jimmy "refers to me as his 'Catholic adviser.'" We've talked a lot about Catholi-



cism. I've said what a farce it was. So he knows how I feel ... He's very tolerant about those things..." [*This is after Jimmy won the election, remember -- Ed.*]. To make sure Sally didn't miss his point, Greg added: "I think the Catholic church does a better job of screwing people up than any other institution. I'm sure there are aspects of my Catholic upbringing that may affect me in some damaging ways." Wow. Do you suppose there are aspects of Greg's political past that may affect John Who? Stay tuned.

•For Dem anti-aborts, the whole thing is frustrating. They have no voice in the "official" apparat, which seems determined to keep the Dems the Party of Abortion, and even less among the Blocs -- Peaceniks, Gays, "Women," Labor, the powerful National Education Association (the NEA provides not only scads of campaign money but also the biggest single delegate pack!) -- all are monolithically pro-abort. Ditto the Black "leadership," which is incredible: abortion threatens American Blacks with genocide; some argue that it has already cost them No. #1 Minority status (to "Hispanics") in the Dem party, and so on; yet their liberal-controlled "leadership" (prime example: the Congressional Black Caucus) always votes pro-abort. As we say, all this is dismaying to Dem anti-aborts, of whom there are plenty, both in the Congress (e.g., Hyde would never have passed even once without strong Dem support) and in the old rank-and-file blue-collar, "social conservative" Dems who still make up most of the party's strength at the polls. But about all they can do right now is organize for (Askew?) those early primaries, and keep their powder dry for November '84.

•A good example of what we mean by this "coalition of pro-abort Blocs" happened in St. Louis recently at a "nuclear freeze" conference. Our correspondent took a look-see, and saw tables loaded not only with "Peace" paraphernalia but -- right alongside, everywhere -- pro-abort, pro-Gay, Marxist this-and-that, Save the Whales, the whole panoply of Left-liberal stuff. And who do you suppose were among the "leaders" of this "Peace" confab? Well, Karen Mulhauser for one: Karen is best remembered as erstwhile Boss of the National Abortion Rights Action League (NARAL booted her out in a factional dispute some time back, so she naturally found a new cause). And Debbie Cane, who served as Labor Liaison in Harriet Woods' campaign against Sen. John Danforth (as everybody admits, anti-abort Missouri voters saved Danforth from being defeated last November by the blatantly pro-abort Mz Woods). And one Mary Kirkpatrick of the Missouri League of Women Voters -- that "non-partisan" group's national leadership just came out in favor of abortion. So it goes: all these "activists" know each other, work together on all "their" issues -- abortion chief among them -- and they've grabbed control of the Party of the People. (Geez, maybe Reubin Askew isn't a long-shot?)

•Anti-aborts have plenty of problems with the GOP too, of course. While Ronald Reagan himself is now the Maximum Leader of the "Movement" (Who would have dreamed that the Sitting President, on the 10th Anniversary of Roe vs. Wade, would be denouncing legalized abortion over the national airwaves?), it remains all too true that a) many of the proverbial "men around the President" are not anti-abort, and b) if RR does not run for a second term, there is no Republican in sight who could command anti-abort support. Also, the hard-core of the "New Right" -- which never supported Reagan -- evidently intends to use the few "pro-life" groups it controls to stir up bogus "anti-abortion opposition" as part of it's current break-with-Reagan campaign (we'll have more on this tangled story in future issues). In a perfect world, this kind of thing wouldn't happen (you could tell the good guys by the white hats, etc.) -- but at this early stage, the main battle lines remain clearly drawn: RR has the support of the vast majority of anti-aborts (especially the activists who do the organizing); he's working hard to keep it, and there's plenty of visible evidence that he's told "his people" to do likewise. The nexus, clearly, is that Hyde Act: when introduced (so quietly, by Henry Hyde himself), it looked like the longest shot around; RR has turned it into the opportunity not only for unity but also victory, not to mention, we'd say, the new touchstone of loyalty to the cause. Not bad. Certainly, if the squabbling "pro-life" groups do fail to unite behind Hyde, they won't be able to blame Reagan (unless of course he forgets to persuade Howard Baker to interrupt his own ambitions long enough to put Hyde on the Senate calendar in time to pass it this year).



THE NEW HUMAN LIFE REVIEW IS OUT with another batch of solid anti-abortion articles -- plus a lot more on the sins of the Supreme Court, the plight of families, even a "citizens' brief" defending the Akron Ordinance -- the current issue (Winter '83) provides impressive evidence of just how much "good stuff" is out there on the "life issues" the quarterly Review has been covering now for almost nine years (it began in Jan. '75). And also the kind of Big Name writers available: previous issues have run such luminaries as Clare Boothe Luce, Wm. F. Buckley Jr., Malcolm Muggeridge, Michael Novak, George Gilder, John T. Noonan and James Hitchcock (not to mention Henry Hyde and other congressional anti-abort top-notchers). The new issue is a kind of "10th anniversary" blast at the High Court's Roe v. Wade; Joseph Sobran (the newspaper columnist -- he's also a Review editor) leads off with a devastating description of the Court's "legal" acrobatics, concluding "Should we even go on pretending we live under the same Constitution we ratified"? And Prof. Francis Canavan, S.J., follows with an hilarious description of the Court's embarrassing gyrations in re nude dancing as 1st Amendment "free expression"! Also another prophetic Muggeridge article ("The Slippery Slope") on the one-way road from abortion to euthanasia (St. Mugg says we'd have long since legalized "Mercy Killing" if Hitler hadn't given it a bad name!).

•The Review makes effective use of all kinds of unusual stuff, new and old; e.g., this one reprints a recent speech by Judge Robert Bork knocking the Court for doing exactly what Sobran says (i.e., legislating, where it should be interpreting the Constitution -- all the more interesting because Bork is probably Candidate No. #1 for the next Court vacancy); another decade-old article, by Harvard's pro-abort Dr. Alan Stone, shows that even Roe's defenders feared the Court had gone too far way back then. Also included: the complete text of Jesse Helms' Human Life Bill -- the version he almost got a vote on last year (you remember that 47-46 loss?) -- and the powerful speech Jesse made then; it's as good a one-shot synopsis of the whole abortion debate as you're likely to find. Of course a quarterly has long "lead time" -- HLR's editors must have put the Helms piece in the Review months back -- but this issue hit Capitol Hill (where it is always widely distributed) in late January, just when Jesse was being back-stabbed by one "pro-life" group! (That dishonorable story is covered in Lifefletters #1 & #2.) Some timing! And some publication; the Review is big, good-looking, highly professional, and loaded with not only variety but punch. It's also expensive: \$4 bucks a copy. But if you haven't seen it, you're missing the hottest "life issues" publication around (certainly the other side has nothing comparable). It's available from The Human Life Foundation, Inc., 150 E. 35 St., NYC 10016 (and tell 'em we told you to get it).

•Speaking of Jesse Helms, the man seems to thrive on a good fight (certainly he's fought one darn good one on abortion!). Everybody's supposed to be mad at him; he's supposed to be in big trouble back home in North Carolina where "popular" Gov. Jim Hunt is supposed to beat him in '84; he's already the target of ProPac (the Left-liberals' answer to the conservatives' highly-touted NCPAC) which is running home-state newspaper ads as if it were mid-campaign -- featuring, needless to say, spastic attacks on Jesse's anti-abortion position. But there's no politician in the country who's getting more ink -- much of it de facto helpful, all of it impressive. E.g., New York's Newsday (Feb. 13) devoted most of its Sunday magazine to an on-balance-good-for-Jesse feature (of course there are scads of anti-aborts out there on Long Island); we even spied a big story in the Feb. 9 Harrisburg Patriot -- true, it was about ProPac's attacks, but gosh, Jesse is Big News in Eastern Pennsylvania? Amazing. But topping all was the big editorial feature in the Wall Street Journal (Feb. 16) by its much-respected former editor Vermont Royster, who starts off "Jesse Helms, no doubt about it, is an exasperating fellow" -- and goes on to give a real pro's synopsis of Jesse's incredible exploits (including this description: "The man at the center of all this is, in person, a soft-spoken, folksy, personable fellow about as unflamboyant as you'd expect from the president of a local Rotary Club, which he was" -- obviously Royster has met him). He concludes with the highest praise of all: "He's a rarity among politicians, one who never leaves anyone in doubt where he stands, and if this sometimes enrages his foes it also earns even from them a grudging admiration. Anyway, Jimmy the Greek won't yet give you odds against this exasperating fellow." Who would?



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April 22, 1982

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WILLIAM L. DRAKE, JR., M.D.  
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DON FARRELL  
Vail, Iowa

MARY ELLEN FITZGIBBONS  
Chicago, Illinois

JOHN N. HACKETT, M.D.  
La Grange, Illinois

ALICE H. MAIER, M.D.  
Pascagoula, Mississippi

THOMAS E. NIX, JR., M.D.  
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JOSEPH R. STANTON, M.D.  
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PHILIP F. SHEATS  
Baltimore, Maryland

JOSEPH SOBRAN  
Kingston, New Jersey

ROBERT J. WALSH, M.D.  
New York, New York

GRACE S. WOLFF, M.D.  
Miami, Florida

## Special Counsel

JOHN P. MACKEY, ESQ.  
Washington, D.C.

Mr. Morton C. Blackwell  
Special Assistant  
The White House  
Washington, D.C. 20500

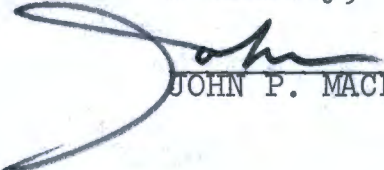
Dear Morton,

With regard to next Tuesday's meeting as a follow-up to January 22, I thought the enclosed letter might be of interest; and the subject matter considered for inclusion on the agenda.

The request in the enclosed Hyde, Helms, Hatch, Hatfield letter with regard to Section 504 of the Rehabilitation Act was made January 22nd as well, and unfortunately never carried through.

It is certainly, in light of recent events, a prime topic for consideration.

Sincerely,

  
JOHN P. MACKEY, ESQ.

P.S. The George S. Wise column also enclosed points out the urgency of some action now.



COMMITTEE  
JUDICIARY  
FOREIGN AFFAIRS

**Congress of the United States**  
**House of Representatives**  
**Washington, D.C. 20515**

April 20, 1982

President Ronald Reagan  
The White House  
Washington, D. C. 20500

Dear Mr. President:

Last week a tragedy, which many believe has quietly become commonplace in the United States, pushed its way into our national conscience via the front page of the WASHINGTON POST and other major media. A newborn child afflicted with Down's Syndrome and a digestive tract disorder (which could have been corrected by routine surgery) was, at the insistence of his own parents and with the approval of the Indiana Supreme Court, allowed to die of starvation in the very hospital in which he was born only a week earlier. This selective destruction of handicapped children is morally and ethically repugnant to our very way of life and cannot be tolerated in a society which cherishes the sanctity of human life and the intrinsic worth of each individual. The very idea that a court of law would sanction a parental demand to destroy a child which, for whatever reason, they did not want is an affront to the principles upon which our legal system was built and must be corrected immediately before this, too, becomes somehow acceptable.

This deliberate starvation of an infant is all the more abhorrent while there were other families eager to adopt and love this defenseless handicapped baby.

All of the academic controversies about when a human life begins and when that human life becomes a person pale into insignificance in the face of this act of eugenic infanticide. We believe the crucial factor here was that this baby was afflicted with Down's Syndrome, and hence his right to life -- his Constitutional right to equal protection of the laws -- was deemed forfeit. Such a doctrine is totally contrary to the traditional view that every human life has intrinsic worth. This example of the triumph of the Quality of Life Ethic at the expense of the Sanctity of Life Ethic has implications far beyond this case.

We implore you, Mr. President, to act now to insure the equal protection of our laws to handicapped children. The statutory basis for such action already exists under Section 504 of the Rehabilitation Act of 1973 which prohibits any discrimination against the handicapped

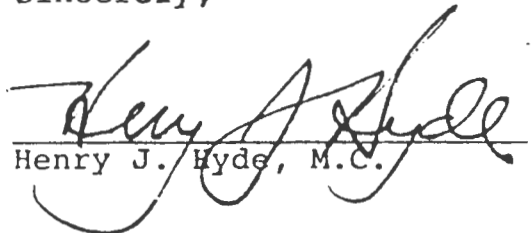


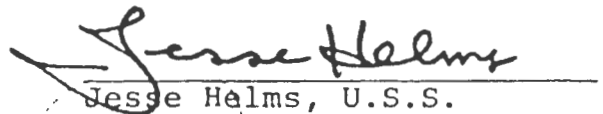
under programs or activities receiving federal financial assistance. You need only clarify existing regulations enforcing such a prohibition to expressly forbid the denial of any treatment which would be provided to normal babies in hospitals under similar circumstances. Certainly the refusal of nourishment and routine surgery to an infant because of his handicap is an unconscionable violation of the letter and spirit of the law and cannot be allowed to happen to other children like the Bloomington Baby.

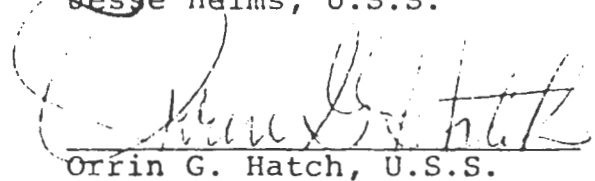
In closing, Mr. President, we cannot too strongly stress the importance of prompt action in this matter. Every day can mean the difference of life or death for a newborn Down's Syndrome or other handicapped baby.

Thank you, Mr. President, for your consideration of this request.

Sincerely,

  
Henry J. Hyde, M.C.

  
Jesse Helms, U.S.S.

  
Orrin G. Hatch, U.S.S.

  
Mark O. Hatfield, U.S.S.

NOTE: Identical letter sent to:

Honorable Richard S. Schweiker  
Secretary  
Department of Health and Human Services



# The Washington Post

AN INDEPENDENT NEWSPAPER

THURSDAY, APRIL 22, 1982

George F. Will

## 'The Killing Will Not Stop'

The baby was born in Bloomington, Ind., the sort of academic community where medical facilities are more apt to be excellent than moral judgments are. Like one of every 700 or so babies, this one had Down's syndrome, a genetic defect involving varying degrees of retardation and, sometimes, serious physical defects.

The baby needed serious but feasible surgery to enable food to reach its stomach. The parents refused the surgery, and presumably refused to yield custody to any of the couples eager to become the baby's guardians. The parents chose to starve their baby to death.

Their lawyer concocted an Orwellian euphemism for this refusal of potentially life-saving treatment—"Treatment to do nothing." It is an old story: language must be mutilated when a perfumed rationalization of an act is incompatible with a straightforward description of the act.

Indiana courts, accommodating the law to the Zeitgeist, refused to order surgery, and thus sanctioned the homicide. Common sense and common usage require use of the word "homicide." The law usually encompasses homicides by negligence. The Indiana killing was worse. It was the result of premeditated, aggressive, tenacious action, in the hospital and in courts.

Such homicides can no longer be considered aberrations, or culturally incongruous. They are part of a social program to serve the convenience of adults by authorizing adults to destroy inconvenient young life. The parents' legal arguments, conducted in private, reportedly emphasized—what else?—"freedom of choice." The freedom to choose to kill inconvenient life is being extended,

*"The freedom to kill inconvenient life is being extended beyond fetal life to categories of infants such as Down's syndrome babies."*

precisely as predicted, beyond fetal life to categories of inconvenient infants, such as Down's syndrome babies. There is no reason—none—to doubt that if the baby had not had Down's syndrome the operation would have been ordered without hesitation, almost certainly, by the parents or, if not by them, by the courts. Therefore the baby was killed because it was retarded. I defy the parents and their medical and legal accomplices to explain why, by the principles affirmed in this case, parents do not have a right to kill by calculated neglect any Down's syndrome child—regardless of any medical need—or any other baby that parents decide would be inconvenient.

Indeed, the parents' lawyer implied as much when, justifying the starvation, he emphasized that even if successful the surgery would not have corrected the retardation. That is, the Down's syndrome was sufficient reason for starving the baby. But the broader message of this case is that being an unwanted baby is a capital offense.

In 1973 the Supreme Court created a virtually unrestricted right to kill fetuses. Critics of the ruling were alarmed because the court failed to dispatch the burden of saying why the fetus, which unquestionably is alive, is not protectable life. Critics were alarmed also because the court, having incoherently emphasized "viability," offered no intelligible, let alone serious, reason why birth should be the point at which discretionary killing stops. Critics feared what the Indiana homicide demonstrates: the killing will not stop.

The values and passions, as well as the logic of some portions of the "abortion rights" movement, have always pointed beyond abortion, toward something like the Indiana outcome, which affirms a broader right to kill. Some people have used the silly argument that it is impossible to know when life begins. (The serious argument is about when a "person" protectable by law should be said to exist.) So what could be done about the awkward fact that a newborn, even a retarded newborn, is so incontestably alive?

The trick is to argue that the lives of certain



By Susan Davis

kinds of newborns, like the lives of fetuses, are not sufficiently "meaningful"—a word that figured in the 1973 ruling—to merit any protection that inconveniences an adult's freedom of choice.

The Indiana parents consulted with doctors about the "treatment" they chose. But this was not at any point, in any sense, a medical decision. Such homicides in hospitals are common and will become more so now that a state's courts have given them an imprimatur. There should be interesting litigation now that Indiana courts—whether they understand this or not—are going to decide which categories of newborns (besides Down's syndrome children) can be killed by mandatory neglect.

Hours after the baby died, the parents' lawyer was on the "CBS Morning News" praising his clients' "courage." He said, "The easiest thing would have been to defer, let somebody else make that decision." Oh? Someone had to deliberate about whether or not to starve the baby? When did it become natural, even necessary, in Indiana for parents to sit around debating

whether to love or starve their newborns?

The lawyer said it was a "no-win situation" because "there would have been horrific trauma—trauma to the child who would never have enjoyed a— a quality of life of—of any sort, trauma to the family, trauma to society." In this "no-win" situation, the parents won: the county was prevented from ordering surgery; prospective adopters were frustrated; the baby is dead. Furthermore, how is society traumatized whenever a Down's syndrome baby is not killed? It was, I believe, George Orwell who warned that insincerity is the enemy of sensible language.

Someone should counsel the counselor to stop babbling about Down's syndrome children not having "any sort" of quality of life. The task of convincing communities to provide services and human sympathy for the retarded is difficult enough without incoherent lawyers laying down the law about whose life does and whose does not have "meaning."

The Washington Post headlined its report: "The Demise of 'Infant Doe'" (the name used in court). "Demise," indeed. That suggests an event unplanned, even perhaps unexplained. ("The Demise of Abraham Lincoln"? ) The Post's story began:

"An Indiana couple, backed by the state's highest court and the family doctor, allowed their severely retarded newborn baby to die last Thursday night...."

But "severely retarded" is a misjudgment (also appearing in *The New York Times*) that is both a cause and an effect of cases like the one in Indiana."

There is no way of knowing, and no reason to believe, that the baby would have been "severely retarded." A small fraction of Down's syndrome children are severely retarded. The degree of retardation cannot be known at birth. Furthermore, such children are dramatically responsive to infant stimulation and other early interventions. But, like other children, they need to eat.

When a commentator has a direct personal interest in an issue, it behooves him to say so. Some of my best friends are Down's syndrome citizens. (Citizens is what Down's syndrome children are if they avoid being homicide victims in hospitals.)

Jonathan Will, 10, fourth-grader and Orioles fan (and the best Wiffle-ball hitter in southern Maryland), has Down's syndrome. He does not "suffer from" (as newspapers are wont to say) Down's syndrome. He suffers from nothing, except anxiety about the Orioles' lousy start.

He is doing nicely, thank you. But he is bound to have quite enough problems dealing with society—receiving rights, let alone empathy. He can do without people like Infant Doe's parents, and courts like Indiana's asserting by their actions the principle that people like him are less than fully human. On the evidence, Down's syndrome citizens have little to learn about being human from the people responsible for the death of Infant Doe.



# The Ad Hoc Committee in Defense of Life

810 National Press Building, Washington, D.C. 20045, Telephone (202) 347-8686

January 6, 1982

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New York, New York

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New York, New York

GRACE S. WOLFF, M.D.  
Miami, Florida

**Special Counsel:**

JOHN P. MACKEY, ESQ.

Mr. Morton Blackwell  
Special Assistant to the President  
191 Old Executive Office Building  
17th & Penn. Avenue N.W.  
Washington, D.C. 20500

Dear Morton,

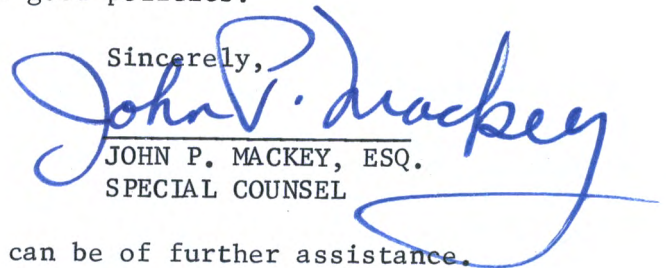
Enclosed as promised is the list of the Executive Committee of the Congressional Pro-Life Caucus, which has a total overall membership of more than sixty members I am told.

Also enclosed is the Human Life Bill committee report on the Helms Bill (S.158, now S.1741 pending on the Senate calendar), and the material on the Markman memo I promised.

By meeting with the Congressional leadership rather than the badly divided Right to Life leadership, all of whom he obviously cannot satisfy, none of the dissension in the ranks can rub off onto the President.

We want unity on January 22, 1982, obviously for November '82, and no Right to Life leader or organization could complain if the President is meeting with the Hydes, Helms, etc. Also by meeting with Democrats like Mazzoli, Luken, etc., you do not create a partisan issue problem, which is just plain old good politics.

Sincerely,

  
JOHN P. MACKEY, ESQ.  
SPECIAL COUNSEL

P.S. Please call if we can be of further assistance.



Congressional Pro-Life Caucus Executive Committee

Co-Chairs: House- Charles Dougherty (R-Pa.)  
Romano Mazzoli (D-Ky)

Senate- Jesse Helms (R-NC)  
Tom Eagleton (D-Mo)

Committee: House- John Ashbrook (R-Oh)  
William Dannemeyer (R-Ca)  
Brian Donnelly (D-Mass)  
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Henry Hyde (R-Ill)  
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James Oberstar (D-Mn)  
Chris Smith (R-NJ)  
Thomas Tauke (R-Iowa)  
Harold Volkmer (D-Mo)  
Vin Weber (R-Mn)

Senate- Roger Jepsen (R-Iowa)  
Dennis DeConcini (D-Ariz)



***EXTRA: read all about it!***

## Sen. Helms Introduces Broad-Based "Unity" Bill in New Attempt to Break *HLB-Hatch* Deadlock

### Measure Would Declare Personhood, Halt U. S. Domestic and Foreign Abortion Funding; "Separate" Clauses Would Prevent Court KO; Push Already on for Quick Senate Action

Washington, March 2: Senator Jesse Helms (R., N.C.) late yesterday introduced new anti-abortion legislation that could shift the focus of the Senate abortion debate expected soon.

Helms moved to get quick action on his surprising initiative that could bring on a full-scale floor debate "within weeks," says one observer, "if the Senate leadership cooperates." He said that GOP Majority Leader Howard Baker has made no move to delay the Helms measure.

The move came on the eve of the first "social issues" showdown on anti-busing legislation co-sponsored by Helms which was passed today by a solid 57-37 vote after senators ended the long filibuster by Sen. Lowell P. Weicker Jr. (R., Conn.).

#### Not Yet Named

Helms did not give a name to his proposal, which he described in his floor speech simply as "A bill, S-2148, To Protect Unborn Human Beings." But its wide-ranging language (four parts comprising 10 sections) was clearly designed to provide a basis for unity among anti-abortion forces both in the Congress and nationwide that have been deadlocked in a bitter dispute over the Human Life Bill and the Hatch Amendment.

Weeks of hard negotiating by partisans and strategists from both sides failed to produce any consensus on "Third Way" legislation (see *Lifeletter* #3) to heal the *HLB-Hatch* split. By late last week, most Washington talks had been broken off without agreement, even though many HLB supporters were willing to "freeze" both proposals in favor of compromise legislation.

Senator Orrin Hatch (R., Utah) has

as yet been unable or unwilling to bring his amendment to a vote in the full Senate Judiciary Committee where, many observers believe, he does not have enough support to win approval. The HLB has not yet been brought to a vote because, when Hatch cast the deciding vote for approval in Senator John P. East's subcommittee, he did so in return for East's agreement that Hatch's amendment would be voted on first in the full committee.

#### "Grass Roots" Want Action

Over the weekend, Helms evidently decided to draft a comprehensive proposal incorporating broadly-based clauses to satisfy the squabbling leaders and appeal to the "grass roots" of the anti-abort movement, which has grown increasingly angry at the leadership's failure to agree on an "omnibus" measure even though the opportunity for Senate action on abortion could come at any moment — an opportunity that might well be lost for the rest of the current session if the looming Reagan Budget battles stall "social issue" action as they did all last year.

Typical of this "grass roots" frustration is an "Open Letter" sent to "prolife

leaders by Charles Kane, a Pennsylvania activist, calling on them to "lay aside both *Hatch* and HLB for the present" to "concentrate on building our movement . . . There is lots of work 'out here' which needs to be done. The 'grass roots' is eager to get on with it!"

An "Inside Report" in the *Christian Science Monitor* (Feb. 26) reported similar complaints among "Pro-life forces . . . divided and disgruntled about how best to ban legal abortions" and went on to give an accurate synopsis of the *HLB-Hatch* deadlock: "The matter now rests in the Judiciary Committee" which has "still not picked between the two and has delayed consideration . . . Hatch has cast doubts on the constitutionality of the [HLB] but many pro-lifers think [*Hatch*] is a sure loser. The amendment would require a two-thirds vote in both Houses; the bill needs only a majority."

#### Could Avoid Committee

The report concludes: "The dispute is postponing the long-delayed floor debate over abortion, and the delay suits many lawmakers just fine. They have no taste for a divisive fight over abortion in an election year."

The Helms *demarche* would side-step the committee deadlock and could bring his new bill directly to the Senate floor unless Sen. Baker moves to stop it.

The full text of Senator Helms' speech and of his new legislation are reprinted here just as they appeared in yesterday's *Congressional Record*:



Mr. President, I commend the Senator from Rhode Island for introducing this legislation and for continuing to press for the best possible language. Like him, I recognize that if we are to deter effectively those who would destroy legitimate American activities, we must have an effective law. ●

#### ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that there now be a brief period for the transaction of routine morning business, extending not more than 10 minutes in length, in which Senators may speak for not more than 3 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 84-944, appoints the Senator from Washington (Mr. GORTON) to the Senate Office Building Commission.

#### S. 2148—TO PROTECT UNBORN HUMAN BEINGS

Mr. HELMS. Mr. President, I introduce today a bill whose purpose is to protect unborn human beings from the violence of abortion. Many of us in this body, including a number elected in 1980, have made a public commitment to seek legal protection for the unborn. The end of the 97th Congress is but months away, and we have not yet been able to act on this crucial commitment.

With tens of thousands of unborn babies being killed by abortions every week, I suggest to my distinguished colleagues in the Senate that the time is now.

The bill I introduce today, Mr. President, can be divided into four basic parts. Part I—section 1—contains findings from treaties, international bodies, American history, and Senate hearings concerning the unborn and the right to life.

Part II—sections 2 through 6—gets the Federal Government totally out of the abortion business. Instead of tying up Congress every year during the appropriations process over the Hyde amendment, part II would make Hyde permanent law. Among other things, it also contains a freedom-of-conscience clause to protect medical personnel from discrimination because of their prolife convictions.

Part III—sections 7 through 9—applies the bill's findings to constitutional protections over which Congress has enforcement powers. This part also provides for certain expedited Supreme Court review. Part IV—section 10—is a severability clause which should assure maximum support within Congress from those approaching the abortion subject with different legal concerns.

Mr. President, in concluding my comments on this bill I call my colleagues' attention to the January 11, 1982, edition of Newsweek magazine.

On the cover of that issue was a picture of an 8-week old unborn baby. I challenge any honest observer to study that picture and the nature of prenatal development, and then try to refute the fact that the unborn, just like those of us who have been born, are living individual human beings. Newsweek knows when human life begins and, I submit, this Congress knows. It is time for us to act and to protect that precious gift which we all share, that precious divine gift—individual human life.

Mr. President, today marks the beginning of March and both Houses of the Congress are preparing for a prolonged debate over the Federal budget and the levels of appropriation for the various Federal departments and agencies. Before we embark on that, it is necessary that we begin with the consideration of this issue in a timely fashion that will permit consideration of it also in the House of Representatives. Therefore, I am introducing this legislation today and objecting to its being referred to committee. It is my intent that the Senate proceed to the consideration of this bill at the earliest possible date. Two subcommittees of the Judiciary Committee have held extensive hearings on this subject. It is a subject which has been extensively debated by the Senate and the time for action is now.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

#### S. 2148

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 42 of the United States Code shall be amended at the end thereof by adding the following new chapter:*

#### "CHAPTER 101

"SECTION 1. The Congress finds that—

(a) The American Convention on Human Rights of the Organization of American States in 1969 affirmed that every person has the right to have his life protected by law from the moment of conception and that no one shall be arbitrarily deprived of life;

(b) The Declaration of Human Rights of the United Nations in 1959 affirmed that every child needs appropriate legal protection before as well as after birth;

(c) The Nuremberg International Military Tribunal for the trial of war criminals declared the promotion of abortion among minority populations, especially the denial of the protection of the law to the unborn children of Russian and Polish women, as a crime against humanity;

(d) The Federal Constitutional Court of the Federal Republic of Germany in 1975 ruled that the life which is developing itself in the womb of the mother is an independent legal value which enjoys the protection of the constitution and the state's duty to protect human life before birth forbids not only direct state attacks, but also requires the state to protect this life from other persons;

(e) The Declaration of Independence affirmed that all human beings are endowed by their Creator with certain unalienable rights among which is the right to life.

(f) As early as 1857 the American medical profession affirmed the independent and actual existence of the child before birth as

a living being and condemned the practice of abortion at every period of gestation as the destruction of human life;

(g) Before 1973, each of the several states had enacted laws to restrict the performance of abortion;

(h) Agencies of the United States continue to protect human life before birth from workplace hazards, the effects of dangerous pharmaceuticals, and other hazardous substances;

(i) It is a fundamental principle of American law to recognize and affirm the intrinsic value of all human life; and

(j) Scientific evidence demonstrates the life of each human being begins at conception.

Sec. 2. No agency of the United States shall perform abortions, except when the life of the mother would be endangered if the child were carried to term.

Sec. 3. No funds appropriated by Congress shall be used directly or indirectly to perform abortions, to reimburse or pay for abortions, or to refer for abortions, except when the life of the mother would be endangered if the child were carried to term.

Sec. 4. No funds appropriated by Congress shall be used to give training in the techniques for performing abortions, to finance research related to abortion, or to finance experimentation on aborted children.

Sec. 5. The United States shall not enter into any contract for insurance that provides, directly or indirectly, for payment or reimbursement for abortions other than when the life of the mother would be endangered if the child were carried to term.

Sec. 6. No institution that receives federal financial assistance shall discriminate against any employee, applicant for employment, student, or applicant for admission as a student, on the basis of that person's opposition to abortion or refusal to counsel or assist in the performance of abortions.

Sec. 7. Upon the basis of the findings herein, and in the exercise of the powers of Congress, including its power under section 5 of the Fourteenth Amendment to the Constitution of the United States, the Congress hereby recognizes that for the purpose of enforcing the obligation of the States under the Fourteenth Amendment not to deprive persons of life without due process of law, each human life exists from conception, without regard to race, sex, age, health, defect, or condition of dependency, and for this purpose "person" includes all human beings.

Sec. 8. Congress further recognizes that each State has a compelling interest, independent of the status of unborn children under the Fourteenth Amendment, in protecting the lives of those within the State's jurisdiction whom the State rationally regards as human beings.

Sec. 9. Any party may appeal to the Supreme Court of the United States from an interlocutory or final judgment, decree, or order of any court of the United States regarding the enforcement of this Act, or of any State law or municipal ordinance based on this Act, or which adjudicates the constitutionality of this Act, or of any such law or ordinance. Any party to such case shall have a right to direct appeal to the Supreme Court of the United States on the same terms as govern appeals pursuant to 28 U.S.C. 1252, notwithstanding the absence of the United States as a party to such case.

Sec. 10. If any provision of this Act or the application thereof to any person or circumstance is judicially determined to be invalid, the validity of the remainder of the Act and the application of such provision to other persons and circumstances shall not be affected by such determination."

Mr. HELMS. Mr. President, I send the bill to the desk and I ask for its immediate consideration.



January 28, 1982



## Sen. Baker Sets Stage for Abortion Showdown as Congress Braces for "Social Issues" Battle

HOWARD BAKER? HOW DID HE make the biggest abortion news in the midst of a whole series of explosive happenings in an Abortion War that -- at long last -- seems headed for a showdown (and perhaps decisive) battle in Washington? Well, it's a long story, but the fact is Senator Baker put himself in the center of the fray via his TV performance (on nationally-broadcast "Meet the Press") last Sunday with a promise to give the "social issues" -- abortion chief among them -- "early priority" in the new congressional session.

- Baker's public statement capped a week of Major Media attention to the 9th Anniversary of the Supreme Court's abortion-on-demand decisions. On Sunday the 17th, most major newspapers carried "wrap-up" stories on the "still-growing" con-

troversy, and, as usual, most were strongly pro-abortion (e.g., the New York Daily News began by labelling the social issues the "Yahoos agenda" -- and went on to outline some fascinating info from "sources close to Baker" -- for more see below). Then, on Tuesday, President Reagan held his press conference, and Mz. Vera Glaser (of the Washingtonian magazine) was there to ask the inevitable Abortion Question: with a wordy preface about the current Hyde language cutting off fed abortion funding with "no exceptions for rape or incest," Vera asked RR what he'd do if "one of your daughters were unfortunate enough" to get pregnant via rape. Most reporters called this conference Reagan's "worst," but no matter when he's asked an abortion question, the President gives a first-rate performance: he waded right in with "I have been one who believes that abortion is the taking of a human life" and then expounded at length (and with obvious conviction) on the question, reminding Vera that he "once approved the law in California" that allowed a rape exception and that "it was used as a gigantic loophole" that "literally led to abortion on demand."

- Mz. Glaser countered with another question on "a related point" -- of all things, the Hatch Amendment; she said Sen. Hatch said "his religion" made him anti-abortion, but polls show "most Americans favor freedom of choice on abortion," and, ah, had this made RR give "any second thought" to his own position? This time, the President was caught off guard (he said he hadn't "really looked at" Hatch, etc.), but he sure did know about "the hearings that were held on the Hill as to when life begins" [i.e., Sen. John East's Human Life Bill hearings] and that "everyone has overlooked the real finding" -- namely that, if there's any doubt, "shouldn't we morally opt on the side [of] life?" In short, RR repeated what he's already said on every available occasion; there's obviously no question about his anti-abortion position (or, for that matter, which solution he favors -- the HLB). But his answer also shows up the Big Problem: those "men around the President" sure have not been keeping him informed of what's been happening lately -- a problem that could have crucial consequences for the outcome of what everybody else knows is the bitter conflict between the anti-abortion supporters of Hatch and the HLB!

- Of course the next big event came on Friday the 22nd, when Miss Nellie Gray's troops braved worst-ever weather to stage another impressive March on Washington. This year, it produced a maze of stories-within-stories, and paradoxes galore. In past years there was always constant bickering over just how big the mob was: pro-abortion reporters usually gave laughably low estimates (it was nothing to read "some 20-25,000 people" when the

(over, please)



numbers were actually two-three times that) and always focused-in on the "Roman Catholic" trappings some marchers display. There was some of that again this year: the most glaring (but amusing) example was a botched-up NY Daily News story from "Combined Dispatches" that appeared on the morning of Jan. 22, but began "'March for Life' forces assembled in Washington yesterday for their annual demonstration" -- then jumped quickly to "A poll released last night" that "showed" 75% of Americans opposed to banning abortion (amazing, isn't it, that the Associated Press/NBC News poll would be "available" just the night before?) -- went on to quote Planned Parenthood's Faye Wattleton who, despite the "fact" that anti-aborts are outnumbered 3-1, still fears "any effort to restrict our freedom" on abortion. But the final line was the real beaut, combining both the hoary numbers-baloney and the "Catholic" angle: "The March," it said, "traditionally [sic] draws about 10,000 demonstrators, including large numbers of parochial school children!" (Lifeletter thinks there should be some kind of Special Award for such "reporting," but if we thought of an appropriate one we probably couldn't print its name.)

• There was plenty more baloney in other "advance" stories too, plus a new twist: the press's new pro-abort "party line," it seems, is to treat the big March as if it were merely part of "joint" Jan. 22 demonstrations -- see, the pro-aborts turn out to demonstrate too, so the stories must provide "equal coverage" of it all, e.g., a big UPI wire-story (which was tapped out while Nellie's Marchers were still lobbying up on Capitol Hill) reported -- in the third paragraph already -- that "Supporters of the right to abortion held a religious service and then released 2,000 green balloons inscribed with the slogan 'Rejoice for Choice' over downtown Washington." But the story goes on to say that only "several hundred" pro-aborts were at the service (our man says less than 200), which was "interrupted" by anti-aborts (it was, by three "activists" who shouted that it was a "sacrilege" to pray for abortions, etc.). Indeed, the whole affair adds some grotesque new ironies to the whole abortion scene, e.g., that (as the story reports) the "Religious leaders told the interfaith congregation the right to abortion was based on religious beliefs" and that "no government has the right to enforce a public belief on us" (whereas, obviously, the Court does have the right to enforce the opposite "belief" on others?). As one bystander put it: "It's fitting that they have to use hot-air balloons instead of people" -- a graphic point. (Why should pro-aborts, who are willing to kill babies rather than suffer "inconvenience," turn out in the bitter cold of mid-January to support the "right?")

• But the real paradox is that -- although this year's March was smaller than usual -- it got the biggest, best and fairest day-after coverage ever. Of course, the reporters may have been genuinely impressed that anybody would trek to windy Washington (as usual, they came in from all over -- from as far away as Nebraska and beyond -- with Westerners flying in, etc.) in the middle of the century's worst winter. And the 25,000 (by police estimate) who made it did put on an impressive show. Still, they never before "earned" the huge top-center-front-page photo the Washington Post ran the next day under the headline "Abortion Foes 'March for Life'" -- even the New York Times carried a big Page 1 account -- and although the texts were loaded with pro-abort "news," the anti-abort coverage was unusually accurate. (Another amusing footnote: last year's Post story was written by none other than Janet Cooke, who went on to win fame -- and a Pulitzer -- for her bogus stories about a post-Toddler Drug Addict, remember? As we say, the reporting was a lot more accurate this year ...)

• In fact, the story deserved serious attention; there was a lot more to it than "just" the Big March this year. The day began with Reagan's meeting with Sens. Jesse Helms and Tom Eagleton and Rep. Charlie Dougherty, representing the Congressional Pro-Life Caucus (which strongly supports the HLB); RR probably heard more about what's actually happening -- divisions and all -- in the anti-abort fight than he's heard since he took office; he certainly got an earful about the "unity" problems (we repeat, RR could become the crucial factor in the Hatch-HLB conflict -- we'll have more on all this later). Then the President met with a group of "anti-abortion leaders" -- liberals, conservatives, RC's, Evangelicals, Fundamentalists, Independents (our man among 'em) -- for once, it really was a broad-based, representative group (somebody at the White House has done his homework!); Nellie Gray was there too (last year she girlcotted a lesser meeting because RR didn't



personally address her "troops"), which added a fitting note of harmony. Reagan also sent a message to the Marchers outside, read by HHS Sec. Richard Schweiker, saying again that he was "looking forward" to an anti-abortion measure "reaching my desk for action."

- Old Reliable Jesse Helms also treated the Marchers, assembled in the Ellipse before setting off, to a galvanizing speech (nobody does it better); later, he did more than that. At an afternoon meeting in the Capitol sponsored by the Religious Roundtable, an "umbrella-group" representing "Fundamentalist" Protestants (especially in the South), Jesse spoke at length to several hundred anti-abortion activists who packed the room and even the halls outside (they gave him an impressively rousing ovation, start and finish). Helms pulled no punches: saying that he "takes no position" on Sen. Orrin Hatch's "Federalism" amendment, he allowed as how he had "great concern" about Hatch's empowering the states to vote for abortion. "The right to life," said Helms, "is not a matter of choice. We ought not to be using the rhetoric of the other side." Then he got tougher still, saying that he didn't know whether Hatch was "Step one, or step two, or maybe a step backward," especially in the light of the Newsweek story (see Lifefletter #1) -- his point was that anti-aborts have won the battle over when life begins, why should they have to fight it all over again in each of the 50 states? There was a lot more (e.g., he also emphasized that the bare majority needed for the HLB was a lot easier to get than the two-thirds majority needed for any amendment), but what really grabbed the crowd was his blunt, powerful (and moving) description of his own "abortion problem": lots of his home-state folks, Jesse said candidly, oppose his "out front" anti-abortion leadership; but he vowed his willingness to "go home [i.e., accept re-election defeat] on this one."

- The Helms "lecture" had everybody talking that night about what they all knew would be the big question this year anyway. For Nellie's March brings to town just about everybody-who's-anybody in the anti-abortion movement, producing an annual talk-fest that's as close as they come to an open face-to-face "exchange" of views all around. In multi-various offices, hotel rooms, watering-holes -- even on street-corners -- the "talk" (more often heated debate) sure went on and on this year. No doubt about it: the HLB-Hatch split has split the movement, and badly. As Jesse made painfully clear, the argument is not over "strategy," much less tactics; it goes to the heart of the matter, and can be summed up in one fateful word, personhood. What the Supreme Court did in '73 was, in effect, to declare the unborn ("preborn," as Henry Hyde likes to say) non-persons under the law -- indeed, the Court explicitly noted that, if it were established the unborn were "persons," then the pro-abortion case would collapse. Thus, from the start, virtually all "pro-life" activists worked to reverse the Court, by "constitutional amendment if necessary" (as it was so frequently phrased), on the personhood question.

- That "If necessary" point was merely shorthand for the basic reality: if the Court did not reverse itself (it has, often enough), then it followed that only a constitutional amendment would do the job. The drive for an amendment therefore served both "purposes"; the only thing that could conceivably (if you'll pardon the expression) force the Court to reverse itself was the fear that an amendment would do so. Thus the real "strategy" was to build up anti-abortion pressures to the point where something would give (preferably the Court -- the all-but-doomed ERA shows how tough it is to pass any amendment, certainly one that loses momentum along the way). For a movement that has never been blessed with anything approaching "unity" (there are some who think that its greatest strength has been its sprawling, fractious disorder!) the anti-aborts have been amazingly successful. Those "most Americans favor" polls are all based on loaded questions: when the moral question gets asked (as it was in the now-famous "Connecticut Mutual" poll -- when the pollsters had no interest whatever in the Abortion Question), two-thirds of the same Americans voted abortion immoral -- and, as politicians well realize, it will be decided as a moral issue.

- That is why nobody was really surprised when anti-aborts began winning big election victories, culminating in their spectacular successes in '80. Sure, the "hard core" anti-abortion vote remains marginal (a mere 2% here, but maybe 5% there -- the point is, many if not most elections are decided by that kind of "margin"); what has been demonstrated beyond question is the plus-minus factor: except for a few spots like New York City (or "foreign" lands like, er, well, you know, Oregon, Hawaii ...), abortion helps the candi-



date who's agin' it, hurts everybody else (including the majority who try to straddle the issue -- few are willing to be known as actually pro-abortion). Thus, when the Congress convened last year, it had more than anti-abortion majorities in both houses; it also reflected the general perception that something had to be done, and soon, about abortion.

- That is what launched the HLB, a bullishly pragmatic attempt to cash in on those existing simple majorities (two-thirds majorities were, and remain, nowhere in sight) and the "do something" perceptions. Its success would conjure up a glorious prospect: Congress would confirm the personhood of the unborn, and President Reagan would surely sign it (when he says he's waiting for an anti-abort measure to "reach" his desk, he can only mean the HLB -- amendments don't get/need presidential approval). Thus two of the "three equal branches" would affirm the personhood of the unborn; the only remaining question would be: What would the Court do? Not even pro-aborts have suggested that it would likely stonewall an HLB challenge (paradoxically, some anti-aborts have -- but such arrogance reflects anti-HLB desperation, not a serious legal opinion). If the Court said that an HLB was flatly "unconstitutional" it would be tantamount to a Dred Scott decision on abortion -- which would fuel the drive for a constitutional amendment. It was a rosy prospect.

- Ironically, the HLB was the original "two step" approach (although its supporters never coined the phrase): use the majorities you have to force a confrontation with the Court (the real enemy, after all) and, they argued, you would help the amendment effort if you lost, and very possibly make the enormously-difficult amendment route unnecessary if you won -- a "no lose" proposition. That logic not only gained wide support among anti-aborts nationwide, it has also kept the support of the big majority of activists (if there were a litmus-test for the HLB-Hatch split, it would undoubtedly show just that result, i.e., the grass-roots troops indispensable to any successful amendment-ratification effort are overwhelmingly pro-HLB and anti-Hatch!). In theory, Hatch is supposed to be a First Step that will a) reverse Roe v. Wade and b) empower legislators (in Congress and the several states) to vote abortion up or down -- in short, a modern version of Stephen A. Douglas' "Popular Sovereignty" compromise on slavery (which failed; Lincoln held out for the personhood of the slave and, as everybody knows, he won). The Second Step would follow on the assumption that a) legislators will vote abortion down everywhere, thus "educating" the American people to support a second amendment to actually reverse Wade by actually restoring personhood to the unborn. Of course, Hatch supporters call such a description invidious -- they argue that something must be done now to stop the killing (but not the HLB, which could be passed now ...?), that if all anti-aborts would just agree, and work as if Hatch were what they have worked for Lo these nine years, then a) they could pass and ratify Hatch and b) then have the "chance" to 1) convince every state legislature -- plus the Congress -- to outlaw abortion and 2) convince a majority of Americans to demand that personhood amendment. A tall order, if not an utterly impossible scenario.

- Nobody knows what will happen next. In effect, the Hatch position is that anti-aborts must compromise now if they are ever to achieve "final" victory; opponents (willy-nilly, now, HLB supporters) say victory is impossible if they compromise on personhood (as one HLB proponent puts it: "At the very least, compromise should not come from us!"). The split may be a prescription for disaster, or it may produce the only thing that ever produces unity, action. Which, mirabile dictu, brings us back to Howard Baker. Never forget that he is, on the record, a strong pro-abortion; that Daily News story we quoted up front went on to say that Baker is trying to get Sen. Jeremiah Denton (a Helms ally) to support Hatch, so Orrin, and not Jesse, can "carry the ball" on the upcoming abortion showdown. Which means that Howard sees a great pro-abortion opportunity in the Hatch-HLB split. He may be right, in which case there will be an anti-abortion disaster. But he may be wrong: Jesse Helms is the premier Sarsaparilla-drinkin' Gunfighter in the Senate, quite capable of beating Howard to the drawl; if his shot is first, or best, then the Senate may vote on the HLB, which can pass; if not ... well, stay tuned.

THE REAL BIG QUESTION in Washington was why this year -- after eight straight years of Heavenly sunshine -- the weather frowned on Nellie's March (most Seasoned Washington observers agreed the Lord was determined to stay out of politics).

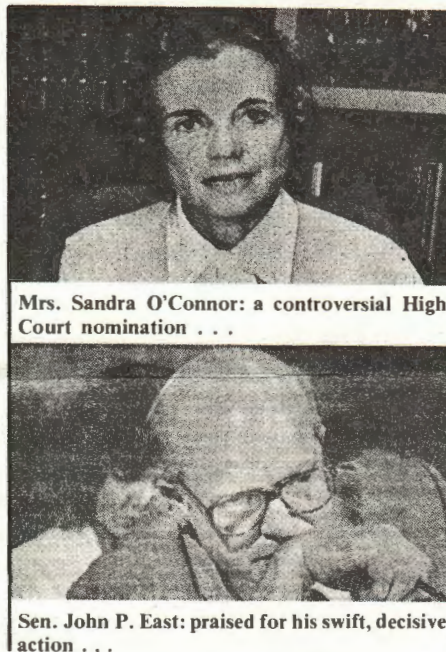


## Abortion Issue Spurs Uproar over Reagan's High Court Choice

White House 'Moderate Mafia'  
Provokes Confrontation with  
Anti-Aborts, 'New Right'

### PRO-ABORT RECORD CITED

Mrs. O'Connor Can't Remember  
Key Votes, Claims Abortion  
Is 'Personally Abhorrent'



## Human Life Bill Wins Crucial Senate Test In Showdown Vote

Helms, Hyde Laud Sen. East's  
Big 'First Ever' Success in a  
Congressional Committee

### FOES CLAIM DELAY 'VICTORY'

Sen. Hatch Would Halt HLB's  
Momentum for Hearings on  
Human Life Amendments

THAT'S THE WAY THE HEADLINES might have reported last week's startling developments -- but in fact the media provided a crazy-quilt of distorted and conflicting interpretations of both stories (especially -- see more below -- widespread "defeat" stories re the HLB victory!). Still one theme did come through loud and clear: abortion remains a dominant issue in the big news.

•The newsmen did make abortion the instant No. #1 when President Reagan made his July 8 surprise announcement that Judge Sandra O'Connor was his "promised woman" for the High Court -- because all Washington was buzzing with a background story that got pretty well buried when the big story broke. Here's what happened: Mrs. O'Connor's name only "surfaced" on July 1, when "Administration sources" leaked her name as a "top contender." Both intent and timing seemed obvious: the advance signal would produce the expected support from the Establishment and -- coming only hours before the start of the long Fourth of July weekend -- the expected opposition from anti-abortionists would be defused. But Arizona papers had already been touting Mrs. O'Connor, and local "pro-lifers" (notably Phoenix Dr. Carolyn Gerster, a national leader as well) had flashed the "awful record" word immediately. Despite the holiday exodus, anti-abortion activists manned the phone banks, and the telegrams and calls began pouring into the White House. By Monday morning (the 6th) thousands of anti-O'Connor messages had piled up (with virtually none in support). Indeed, some of our sources say that the unexpected avalanche unnerved Reagan's "Moderate Mafia" (the White House liberal cabal that urged O'Connor's nomination not least because it would provide a desired showdown with the "too-pushy" anti-aborts), causing the obviously-hurried "let's get it over with" announcement press conference the next day!

•The President certainly seemed visibly unhappy as he got behind the mikes Tuesday morning. He emphasized that he'd answer no questions (Attorney General William French Smith would handle that) after he read his brief prepared statement. But as soon as he finished, the room exploded in a wild flurry of shouted questions -- about abortion. And Reagan (again, visibly unhappy) finally answered. Here is how the New York Times (July 8) reported the exchange: "Q. Do you agree with her position on abortion, Mr. President? A. I said I'm going to turn over all questions [to the AG] ... Q. The right-to-life people may oppose it,

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sir, and we just wonder if ... ? A. All those questions the Attorney General is prepared to answer. Q. Mr. President, yours is a pro position on that; can you give us your feelings about that pro position? A. I am completely satisfied. Q. On her right-to-life position? A. Yes. Q. And did you interview her first personally? A. Yes."

•In fact the AG didn't add much in the lengthy questioning that followed: Yea, she was fine on abortion; no, he didn't think she'd face tough opposition, etc. (Reporters switched over to the news that the Administration had acted so hastily the FBI hadn't even checked on O'Connor yet!). But the "unexpected" opposition instantly went loudly public nationwide as virtually every "right-to-life" group howled -- as did most of the "New Right" organizations clustered in Washington -- giving the media a golden opportunity to label all opposition to Mrs. O'Connor "conservative" (that's still the line as we go to press, even though most newsmen will privately admit that the anti-abortion movement draws its broad strength from all but the far-Left of the political spectrum). And the fires were quickly fanned by the gleeful approval from the Big Spokespersons of Women's Lib groups, all strongly pro-abortion, of course. (What could outrage pro-lifers more than seeing Bella Abzug -- on TV the next day -- calling it a "marvelous" choice of a "marvelous" woman?!)

•Trouble is, "the deed is done," as one Washington anti-abortion strategist ruefully admitted. Mr. Reagan obviously was determined to appoint a Mz, and the political wisdom is that any woman nominated will be approved, no matter how outraged the opposition. This grim reality was instantly plain. Barry Goldwater, "Godfather" of the Old Right, was roused to loud praise of his home-state nominee, even cussed out the Moral Majority's Jerry Falwell (thus splitting the Right); Strom Thurmond -- head of the Senate Judiciary Committee that will in effect confirm O'Connor -- said "I will do everything I can to help the President." Orrin Hatch -- citing Reagan's word that she finds abortion "personally abhorrent," endorsed "an excellent choice" (even though Mrs. O'Connor is at least cautiously pro-ERA, hardly a popular cause back home in Utah?). Jesse Helms reacted with unaccustomed modulation (shrewd as always, he asked the President to set up a meeting with Mrs. O'Connor this week). In his inimitable way, Jesse symbolizes the dilemma: nobody wants to vote against the First Person nominee (perhaps least of all the courtly Helms?). And Columnist William Buckley (see the New York Daily News, July 12) put it bluntly: " ... the anti-abortion constituency will make a grave mistake if it launches an all-out effort to defeat Mrs. O'Connor ... she is going to be confirmed by a heavy majority ... it would be a pity to invite the conclusion that the political strength of the [anti-aborts] is measured by the size of the minority who vote against Mrs. O'Connor."

•Right now, the whole topsy-turvy situation looks like a horrible, potentially disastrous miscalculation by the "Moderate Mafia" (unless of course Jim Baker & Co. wanted to satisfy only those who didn't vote for RR?). As Columnist Joe Sobran put it, Reagan "promised to appoint a woman ... He has kept that promise, but he has also broken another one in the process" -- his pledge to support the 1980 GOP Platform's call for judges who respect "the sanctity of human life." As Sobran points out, "Mrs. O'Connor, in the Arizona legislature a decade ago, was voting for liberalized abortion laws before the Supreme Court made such votes unnecessary." In effect, Reagan is saying that Mrs. O'Connor has changed her mind -- we have his word for it. Trouble is, that's all he has; once on the bench, Justices notoriously become unbound by past statements or positions; nobody can know how she'll vote -- or how any "better" nominee would vote. If she does vote anti-abortion (or at least anti Roe v. Wade) Reagan is home free; if otherwise, she'll become an albatross round the neck of the Administration and the GOP.

•In politics, perception often is reality. Unless/until Mrs. O'Connor herself proves otherwise, the President is stuck with the perception that he deliberately broke faith with that part of his own constituency to which faith means more than anything else. As it happened, a mid-West anti-abortion political organizer (one of the most effective we know) was sitting in Lifeletter's Washington "bureau" when the news exploded: her instant reaction was "I'll never be able to get people to work for them again" -- said with feeling, because most of "her" people are Democrats! To such people, the spectacle of "just another Country Club Republican" nomination makes rubbish of the "promise" they wanted to see in Candidate Reagan: that he would make things different. Presumably, the "Mafia" calculates that such "in-



itial" reactions will fade away; that it's a long time to '84 -- or even '82 -- and, with a little luck, plenty of time before Mrs. O'Connor will face an up-or-down abortion decision. That's conventional political wisdom. But the record clearly shows that, in the politics of abortion, the ordinary rules don't apply: all votes/decisions become up-or-down litmus tests -- ask the Congress (in re Hyde) or last year's flock of defeated Dem senators!

•The President himself may know better already (throughout his remarkable political career, every time he's listened to his "advisors" he's paid dearly, e.g., remember Iowa?). He's already felt the sting of live "pro-life" opposition -- immediately after his announcement, he flew to Chicago for a speech; by the time he returned to the airport for the flight back, pickets were there to greet him with "Reagan Reneges" placards! And he should have little difficulty figuring out what needs to be done. No way he can back off from the O'Connor appointment now, of course. But he can take immediate action to restore his position with a great many (maybe most) anti-aborts: the Human Life Bill is now in the Senate "hopper"; Mr. Reagan could once again -- as he did in his famous March 6 press conference -- publicly support the HLB (and the constitutional amendments as well) and join Henry Hyde in calling for "a little congressional activism" on abortion!

SHORTLY AFTER NOON ON THURSDAY, JULY 9 the press wires crackled with the history-making news: "A Senate subcommittee voted 3-2 today to approve legislation defining life as beginning at conception, taking the first congressional step toward overturning the 1973 Supreme Court decision legalizing abortion ... a major victory for opponents of legalized abortion ... The bill also would prohibit lower federal courts from considering challenges to the anti-abortion legislation ... no previous legislation to prohibit abortions has survived any congressional committee ... the bill ... is supported by President Reagan ... " -- those highlights vividly illuminate what the "Human Life Bill" now means to both sides in the bitter abortion struggle. For those anti-aborts who pushed hard for the HLB (a big majority nationwide, if our own mail is any indication), it was sweet vindication of the bold new strategy that launched this daring flank thrust only last January 19, taking the Congress by surprise, and completely discombobulating the pro-aborts, who were "ready" with zillions of expensive "Stop HLA" materials they couldn't use! Six months may seem long elsewhere. but it is an amazingly short time for so revolutionary a new bill to move right through complicated, in-depth committee hearings and on to the crucial vote (i.e., had the HLB lost this vote, it would be dead).

•Original Chief Sponsors Jesse Helms and Henry Hyde were quick to hail the victory, and praise the gutsy guy responsible: in a joint letter to Sen. John East the following morning, they told East they were delighted by the vote and hoped "that the full [Judiciary] Committee will give this vital piece of interim pro-life legislation the same swift, professional and thorough examination that your fine Judiciary Subcommittee ... gave our bill ... our deepest gratitude for your outstanding and courageous efforts." And no doubt about it, East is the hero of the hour: a GOP freshman (from "Helms' country," North Carolina) who didn't sound like a tough anti-abort pro when he rolled into town last January (polio confined him to a wheelchair 26 years ago), East learned mighty fast. Quickly assembling a first-rate staff, he took firm command of the HLB hearings and pushed them through against strong opposition from both the desperate pro-aborts and not a few "pro-lifers," who gave him plenty of (albeit mainly behind-the-scenes) trouble.

•Indeed, the victory was flawed in the end only by such "friendly" opposition. Back at the start, the plan was for joint hearings by East's Separation of Powers subcommittee and Sen. Orrin Hatch's Constitution subcommittee; on March 20, Hatch's office issued a release setting the opening dates for April 23-4, and stating that "Both senators agreed that the decision to hold joint hearings ... stemmed from the 'paramount importance' of this issue throughout the nation and the need to involve as broad a range of [Judiciary Committee] members as possible." But then Hatch changed his mind; he appeared at the first (April 23) session to announce that he had "reservations" about the HLB's constitutionality (see Life-letter #7 for details). Undaunted East plowed ahead alone, despite the obvious fact that Hatch would end up with the deciding vote; i.e., only East and his fellow Republican, Alabama Freshman Jeremiah Denton, were solid for the HLB; Dems Howell Heflin (also Alabama) and Max Baucus (Montana) are pro-abort. When the showdown came last week, Hatch was still



playing Hamlet (as one observer quipped: "HLB or not HLB, that is the question") he showed up to express afresh his "constitutional reservations"; he "preferred" a constitutional amendment, and announced that his own subcommittee would hold "Human Life Amendment" hearings in the fall -- which will undoubtedly delay full Judiciary Committee action for nobody knows how long!

•Once again the media was quick to seize the opening: while most of the newspapers played the story as above (i.e., as a landmark anti-abortion victory -- the NY Daily News banner head said simply "'Human Life Bill' is OKd"), TV and radio coverage that night ballyhooed Hatch's demurral, and featured the great squeals of relief from pro-abortion spokespersons: e.g., NARAL's Suellen Lowery chortled "We [*our emphasis* -- Ed.] have managed to push this bill onto the back burner, and it shows that we have some real political strength" -- an interpretation that must surely have made Sen. Hatch less than comfortable with what he got in return for his vote. In fact, of course, it's too early to tell what might happen next. What is certain is that, had Hatch voted Nay, he would have snatched stinging defeat from the proverbial jaws of victory (no less for himself than for East!). As it is, the HLB remains fully alive, and ready for the first available opportunity to move it to a vote (if not first in the Senate, then in the House? -- needless to say, we'll have more on all this in upcoming issues).

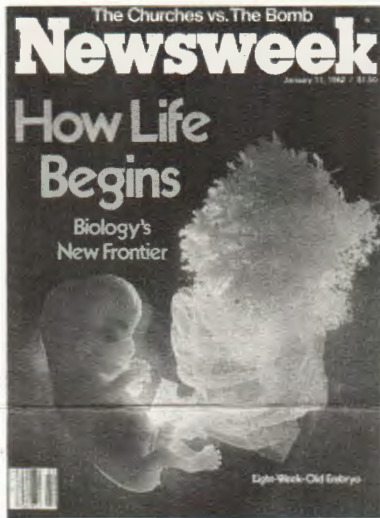
•Meanwhile, Hatch may be happy for some return favors if and when he gets his own hearings underway. The July 9 Action Line (newsletter of the Christian Action Council, the leading Evangelical anti-abortion organization) describes the latest "alternative" being posed by anti-HLB groups: a "two amendment" package that would a) first pass a "states rights" type amendment and b) then pass another one which would make the unborn "legal persons" (i.e., what the HLB would do now!). "Obviously, such a 'two-step' strategy can only protract the battle against abortion," comments Action Line, for many more years, and "More perplexing, these 7 to 10 years of grueling effort will have produced a states' rights amendment" -- which, as everybody knows, has been anathema to many (if not most) anti-abortion groups all along. No doubt Sen. Hatch has in mind consideration of the several Human Life Amendments already proposed; if his hearings get tangled up with a whole new series (based on a wholly new, radical approach that most grass-roots supporters have never even heard of), there's big trouble ahead. So the vote that saved the HLB, however equivocal, may end up paying big dividends for Hatch, who can count on HLB supporters to help him stick to the on-the-table agenda.

A FASCINATING FOOTNOTE to the Judge O'Connor saga: in their July 10 column, Evans & Novak (everybody reads 'em in Washington) report that "A hurriedly prepared, error-filled memo" by a young Justice Dept. lawyer was what convinced the President "to go through with" his Court nomination "even at grave political risk." The memo "softened O'Connor's pro-abortion record," says E & N, and Reagan "took it at face value" -- an example, they say, of the "narrow flow of information" that subjects him to "staff manipulation." The column goes on quoting chapter and verse about the whole disastrous mixup, e.g., that a former colleague of O'Connor's in the Arizona state legislature sent the White House a "stack of clippings" that revealed her pro-abortion, pro-ERA and even "caution in restricting pornography" stands. Worse, they say that RR even called AG Smith to check specifically on her abortion record -- presumably if he'd got the available information he might have changed his mind -- but Smith turned the job over to the young memo-writer, who promptly telephoned O'Connor herself for his answers! Not surprisingly, they say, his memo gave O'Connor a "clean bill of health" on the issue (he also said she had "no recollection" of how she voted on a bill to legalize abortion, whereas in fact she was a co-sponsor!). E & N conclude that Reagan "has lost control" of his administration to "moderate forces in general" -- what we called the "Moderate Mafia"? -- and Jim Baker in particular. All in all, it's a devastating column.

HENRY HYDE'S HOUSE DISCHARGE PETITION #5 (to "spring" Dr. Everett Koop's Surgeon General nomination for a floor vote) now has over 160 signers -- but needs 218; over 100 members who have voted anti-abortion have not signed as yet (better check yours quick?).



January 11, 1982



## It's Official!

## **Startling Newsweek Cover-Story 'Confirms' 1981's Big Story: Human Life Does Begin at Conception!**

THE COVER GRABS YOUR EYE on the newsstand, a spectrum of colors highlighting the stubby little guy with a knobby pate and blackish gaze, dukes up, budding legs braced, tiny toes splayed out -- the whole image, ironically suggesting the miniature fighter, exactly the role some million and a half unborn babies played last year alone in a losing battle against the sudden death of abortion. "How Life Begins" (Newsweek's Jan. 11 cover story) has finally made it in the Big Time, a legitimate major-media event with future potential, as the on-top-of-the-news subtitle ("Biology's New Frontier"! ) boldly predicts.

### • Is Newsweek onto the ultimate update of the Birds and the Bees?

The story reads like it -- full of breathless discoveries such as this flat-out statement of fact: "The process starts at the moment of conception." And sheer poetry: "If newborns could remember and speak, they would emerge from the womb carrying tales as wondrous as Homer's. They would describe the fury of conception and the sinuous choreography of nerve cells, billions of them dancing pas de deux to make connections that infuse mere matter with consciousness ... how the amorphous glob of an arm bud grows into the fine structure of fingers agile enough to play a polonaise ... [it] seems like a miracle. It is as if a single dab of white paint turned into the multicolored splendor of the Sistine ceiling." And there's humility-before-it-all too: "Then the sperm merges its genes with the egg's. Somehow -- scientists don't know exactly how -- that union creates a new life, and raises the scientifically unanswerable questions of just when that life becomes human and whether it can be ethically aborted (page 44)."

• The perfervid prose tumbles along that way through five densely-packed pages before ending modestly: "... human language, nearly mute before the feat of embryonic development, has offered no better explanation than to call it a miracle ... and not even the most complete explanation is likely to detract from the wonder of the journey. For a miracle explained is no less a miracle." Wow. But anti-abortion readers were quick to turn to that "page 44" -- the sixth page on which -- under the sobering title "But Is It a Person?" -- Newsweek tries hard to take it all back. Here, we discover what caused the sudden "in depth" treatment of the "miracle" of human conception (hardly news, after all -- sorta like Columbus landing on Coney Island?): "Later this year," the story drones in normal editorial prose, "the Senate is expected to debate the so-called 'human life' bill, sponsored by Republican Jesse Helms of North Carolina, which holds that 'present-day scientific evidence indicates a significant likelihood that actual human life exists from conception.'" [Newsweek's editors evidently haven't been following the story closely: that first section was changed when the HLB passed in subcommittee last July 9; it now reads simply "The Congress finds that the life of each human being begins at conception." -- Ed.] They don't mistake the HLB's intent: "to extend constitutional protection to human embryos"; they don't fail to get in the damaging thrust that the HLB "appears to be a partisan issue" -- in subcommittee, the three GOPers voted Yea, both Dems Nay. They "note" -- despite the preceding cover-story's rapturous description of the "miracle" that begins at conception -- that the HLB "embraces an extremely broad view of human existence" while admitting that "it has at least the virtue of being unambiguous." And of course they work in the "other side": "Even some opponents of abortion have doubts about extending legal

(over, please)



protection to single egg cells" -- the Doubter quoted here is Georgetown Jesuit Richard McCormack, long a favorite "Catholic expert" source for fudging the moral issue (here he's saying "That's a lot of little people" and favoring "marking human life from the time about six days after fertilization" -- the usual vagaries that are de rigueur in all "objective" pro-abortion stories).

• But there is some very tough stuff woven into the story, e.g., it guts the Court's '73 "viability" nonsense, pointing out that "viability is not absolute; it is a function of medical technology, and the implication of the Supreme Court ruling is that it is essentially the doctor who bestows life. If, as some scientists have recently predicted, embryos as young as eight weeks may someday soon be kept alive in the laboratory, will the sacred protections of the Constitution be extended accordingly? And if so, how can doctors justify aborting, say, a twelve-week fetus now?" (How indeed!) And then this remarkable conclusion: "In the end, the Senate won't find any easy way out of the enigma by seeking answers from scientists. Even many doctors who believe that abortions are justified will concede that life begins at fertilization, and that the fetus becomes human at any point the anti-abortion groups care to specify; the problem is not determining when "actual human life" begins, but when the value of that life begins to outweigh other considerations, such as the health, or even the happiness, of the mother. And on that question, science is silent."

• What does it all mean? We'd say this: Newsweek's amazing "scoop" signals a crucial turn-about in the whole Abortion War. Remember, a prime buttress of the Court's '73 fiat was the proposition that "nobody really knew" when life began -- an argument that has been a main redoubt (a neat visual double entendre, that!) of the pro-abortion defenses ever since -- until Sen. John East (also Republican of North Carolina) held his historic Human Life Bill hearings last spring. For two months, East doggedly listened as prestigious representatives from both sides of the "scientific community" testified. At the end, the result was obvious to all: nobody really doubted that human progeny begin their separate lives at conception. [A fascinating footnote: the most notable pro-abortion witness was Yale's Dr. Leon Rosenberg, who epitomized the vague "Who knows?" position; he was duly praised by Science magazine, which in turn carried a rebuttal letter (see Science, July 31) from an English doctor, Cambridge Scholar C. B. Goodhart, who wrote: "The fertilized egg is certainly human, since it belongs to no other species than Homo sapiens; it is certainly alive, since it can die (as good a definition of life as most!)" -- a joltingly apt description in re abortion!]

• In fact, hardline pro-aborts realized that the "Who knows?" game was up long ago, e.g., the New York Times (last May 18 -- a full month before the HLB hearings ended) published an editorial item by one Soma Golden; it was a bitter attack on Sen. East himself and the whole "arrogant" idea of trying to "amend the Constitution by statute" -- but it also contained this revealing line: "... it is not the facts of life that divide the country; it is the value of life ... " Quite right: the fight has now shifted dramatically to a showdown between the "sanctity of life" -- the traditional Western morality -- and the modernist "quality of life," a highly-mobile "ethic" that can become lethal for anybody. That has always been the casus belli among knowledgeable, committed, anti- and pro-abortion activists, of course -- what the Newsweek story signifies is precisely that the confrontation has spilled over into the public domain, where "the people" can -- will have to -- decide. To anti-aborts, it represents a major victory if they can maintain the momentum of a movement that has made abortion unquestionably the greatest moral issue since slavery. That is of course a very big if -- but the chances of success have been much improved, thanks in great part to John East & Co., and the memorable and effective HLB hearings they guided through the roughest waves the opposition could stir up (kudos too of course to Sponsors Helms, Henry Hyde, the Congressional Pro-Life Caucus, et al). [Another footnote: maybe a kudo is due Ms. Golden; she was -- remember? -- the bristling pro-abortion "newsperson" who, near the end of the sleep-making Reagan/Bush '80 TV campaign debate, asked the heated "Abortion Question" that galvanized RR into the moving anti-abortion declaration which a) woke up the audience, b) won the debate, and c) restored to RR that elan he maintained until he buried Whatsisname on Election Day. Cheers, Soma, may your tribe increase!]



•The sad truth is (as everybody knows by now) that, while the HLB has indeed terrified the pro-aborts, touching off Newsweek's verbal fireworks and much more, its main opposition has come from its own anti-abortion side (for "background" see almost any/all '81 Life-letters). Such a "scandal of disunity" is not only hard to accept for most anti-aborts, but also darned hard to explain -- the most widely-extant theories all center around various explanations for the "official" Roman Catholic opposition -- e.g., that the RC Washington apparatus, notoriously ultra-liberal, was so dismayed by the '80 Reagan victory plus the wipe-out of a whole phalanx of "liberal" Dem senators who, pro-aborts all, regularly rendered unto Caesar (Chavez, etc.) support of so-called "social justice" spending -- all this, such reasoning concludes, caused the apparatus to decide to get rid of the abortion albatross by pushing a compromise amendment (i.e., what turned into the HBA -- the Hatch-Bishops amendment). If such theories are correct, then the HLB simply got in the way of such plans -- reason enough for the apparatus's quick and bitter opposition (the RC bureaucrats definitely do not like what they consider sass from a "Catholic dominated" anti-abortion movement!).

•Whatever the background, the HBA (hereinafter simply Hatch) has had big troubles from the start; HLB supporters, led by Helms and Hyde, moved with lightning swiftness, introducing their bill last Jan. 19 -- the first day of Congress' session; East not only pushed forward with quick hearings (in April) but also made them impressively extensive -- they really covered the whole abortion controversy -- which attracted the biggest major-media attention ever. By the time Hatch wheezed into gear, HLB supporters had visions of a blitzkrieg victory, and thus were outraged at what they saw as a stab-in-the-back from Hatch's forces (without doubt, Hatch is anti-HLB in effect and, many firmly believe, in intent as well). Thus, far from being greeted as "another" anti-abortion effort, Hatch split the ranks, causing such deep-seated bitterness as to virtually eliminate any chance of united anti-abortion support. But Hatch supporters thought they had an Ace to play that would gain them at least a majority: the RC apparatus set the stage for an official endorsement of Hatch by the U.S. Catholic Bishops -- and the bishops confirmed that unprecedented political demarche last November (see Lifeletter '81 #16 for details) -- yet whether it has helped or hurt Hatch remains an open question. For instance, Hatch has suffered from either bad or no "press" from the start: its hearings got almost no coverage except for the day New York's Cardinal Cooke testified, and even that didn't help much (amazingly, neither Time nor Newsweek said a word about what should have been one of the biggest "Religion" stories of the year -- and the big Newsweek story quoted above still doesn't mention Hatch -- it's clearly worried only about the HLB!). On the other hand, the RC imprimatur for an avowedly political (read compromise) amendment has stirred up nothing short of mutiny among many Catholics (including, if Lifeletter's voluminous mail reflects reality, many clergy), plus serious splits among their non-RC (especially Evangelical) allies.

•As if all this wasn't bad enough, there seems to be a sort of "Hatch hex" operating -- mainly because, like most "right-to-lifers," the Hatch-men are memophiliacs (the most damaging stuff imaginable regularly appears on paper and, of course, everybody gets copies -- the Movement may be done in, not by defeat, but by the xerox machine). The latest horror is a stunner: a lengthy memo to Sen. Orrin Hatch himself from his top abortion aide, Stephen Markman. Evidently written last summer, it lays bare all kinds of gamey "inside" stuff that, in toto, deals a severe blow to Hatch's chances, if only because the whole tone of the thing oozes defeat (clearly, Markman does not think Hatch has a realistic chance anytime soon -- he actually writes that "55-60 votes" would be "successful ... from the long-term perspective!"). But the Catholic Bishops loudly proclaimed that their prime reason for supporting Hatch was precisely that it was a "realistic" amendment that could be passed soon -- that, presumably, was why even those who had "conscience" problems with Hatch (like Boston's Cardinal Medeiros) went along with the endorsement. The devastating Markman memo could well cause many bishops to conclude ruefully that, to put it mildly, they have been per insidias penitus circumventi (in the vernacular: had). It remains highly unlikely that the bishops would officially repudiate their endorsement, but these new developments seem sure to cause them more problems with it.



● The unkindest cut of all may have come from the National Catholic Reporter, a far-out left-liberal "independent" weekly (probably favorite reading for many of the RC apparat's D.C. bureaucrats on most subjects?) which broke the Markman story first; its Jan. 1 issue carried a tough story by Mary Meehan (a liberal herself) that not only quoted the worst lines from the memo, but also interpreted the news was that Markman "seemed to concede that Hatch's constitutional amendment ... would be defeated in the House ... or by state legislatures if it should pass the Senate." Then the conservative Catholic weekly, the Wanderer (Jan. 7) weighed in with a blistering story, labelling the memo a "Smoking Gun" that "brings out graphically the cynical realities of politics." Paul Fisher (the Wanderer's Washington reporter), worried that the memo might be a fake designed to destroy Hatch, actually interviewed Markman who, Fisher reports, made no attempt to deny authorship. Then, last weekend, William F. Buckley Jr. (whose syndicated column is possibly the best-read nationally) wrote his piece on "The Bishops and the Hatch Amendment" which really blew open not just the memo story but the whole Hatch controversy: "Many Catholic bishops," Buckley opened, "are experiencing a most extraordinary revolt ... the recent decision by the bishops to back the Hatch Amendment in Congress is being most actively resented by a number of American Catholics. For reasons that have nothing to do with the bishops' authority but with the issues involved, many Protestant and Jewish opponents of abortion also oppose the Hatch Amendment." Buckley then lays out the Hatch-HLB conflict, on his way to explaining that Hatch has been dealt "a most embarrassing setback. Because somebody, somewhere, got hold of a memorandum ... by his legislative aide ... which has been dubbed a 'smoking gun' by its critics ... [the memo] frankly discusses the political prospects ... concedes that [Hatch] probably will not result in a constitutional amendment, and openly acknowledges the likelihood that 'some senators may feel that they can cast a politically advantageous vote in support of the amendment with the knowledge that the measure will be defeated by the House or by the states.' This is an old Congressional habit -- to vote in favor of a bill you know will not be passed; but in so analyzing a measure whose propulsive force is entirely moral, such street-talk analysis tends to sound a little cynical."

● Buckley's clincher is almost too painful to read: "It is the point of critics of the Hatch Amendment, in evaluating the bishops' endorsement of it, that you have here classically a political measure which the bishops have no business identifying themselves with. If it is morally correct that a fetus is a human being deserving the same protections an infant child deserves, then no civil authority ought to have the power to sanction its execution. No Congress, and no state legislature, the anti-abortionists feel, should have the authority to sanction a form of murder." He then makes the inevitable connection with slavery, pointing out that Hatch, just like pre-Civil War legislation (the Missouri Compromise, the Kansas-Nebraska Act), begs the prime moral question; then, it was "whether any states should permit slavery. ... The job of the moralist, throughout those hectic times, was to say what was right, and what was wrong. And to permit others to devise, or to argue for, or ultimately even to fight for, the correct position." Tough stuff, but accurate -- eloquent -- analysis of why the Hatch controversy continues to convulse the whole anti-abortion movement. Sad to say, it's far from over -- stay tuned.

BRIEFLY: Pope John Paul II issued another strong anti-abort blast (Dec. 7), saying there can be no genuine respect for human rights so long as abortion is permitted and "The life of every person, including that of those conceived and not yet born, deserves absolute and unconditional respect." \*\*\* Pennsylvania anti-aborts, elated by legislature's passage of tough bill that "would have severely limited abortions" (see the Philly Inquirer, Dec. 24) stunned when "anti-abort" Gov. Richard Thornburgh vetoed it although he "agreed with many provisions"; said bitter Rep. Steve Friend: "Thornburgh had only one question to answer ... does he support the continued unregulated killing of unborn children?" \*\*\* Time, scooped by Newsweek on big abortion story, may do its own version soon (one key senator already interviewed). \*\*\* Miss Nellie Gray's annual March on Washington set to step off Jan. 22 -- expect usual press hassle over size of crowd (D.C. Post earlier this year gave front-page story/picture to a mere 1,000 pro-ERA marchers!). \*\*\* NARAL claims it will spend \$1 million this year to support "allies" like New York's Sen. Pat Moynihan (see Newsweek, Dec. 28). \*\*\*



## White House Letter 'Unprecedented'

# President Reagan Moves to Break Abortion Deadlock Asks Congressional, Anti-Abort Leaders to Act Now

(From Our Special Correspondent)

Washington, April 7: President Ronald Reagan Monday issued a surprising — and eloquent — call for action to end the congressional deadlock on abortion.

The President addressed his White House letter to congressional leaders and representatives of anti-abortion organizations to express his personal support for "legislation that would restore protection of the law to children before birth."

The letter was sent to Republican congressional leaders Sen. Howard Baker and Rep. Bob Michel, and the Co-chairmen of the Congressional Pro-Life Caucus, Sens. Tom Eagleton (D., Mo.) and Jesse Helms (R., N.C.), and Reps. Charles Dougherty (R, Pa.) and Ron Mazzoli (D., Ky.).

### Move is Big Surprise

Others who received copies of the President's letter, *Lifefetter's* sources report, include Sen. Orrin Hatch (R., Utah) and Rep. Henry Hyde (R., Ill.), sponsors of competing anti-abortion measures now pending in the Congress, plus a "representative" number of national anti-abortion groups.

Mr. Reagan acknowledged the "sharp differences of opinions as to which action is the best one" but he said it was "most important" that the Congress "consider one or more of the proposals" and he concluded "I want you to know that you have not only my best wishes but also my prayers for success."

The Reagan letter evidently came as a surprise to almost everybody on both sides of the abortion controversy. There was no immediate comment from pro-abortion spokespersons ("Say 'stunned silence,' for now" is all *Lifefetter* could elicit from its own best source), and

THE WHITE HOUSE  
WASHINGTON

April 5, 1982

Dear Mr. Mackey:

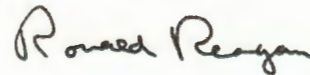
In recent years, sentiment has increased in the Congress to enact legislation that would restore protection of the law to children before birth. It may be possible for the 97th Congress to take that important step. I write simply to express my own hope that we will not miss this long delayed opportunity.

A few weeks back I said that, "We must, with calmness and resolve, help the vast majority of our fellow Americans understand that the more than one-and-one-half million abortions performed in America in 1980 amount to a great moral evil and assault on the sacredness of life." Whether or not our fellow citizens will understand the duty we owe to future citizens depends largely on what action the Congress takes.

I know that on this issue, sad to say, as on many others of great importance, there are sharp differences of opinions as to which action is the best one. Naturally, I hope that these differences will be resolved in favor of the common goal.

But most important, it seems to me, is that the Congress consider one or more of the proposals in the near future. And I want you to know that you have not only my best wishes but also my prayers for success.

Sincerely,



Mr. John Mackey  
Ad Hoc Committee  
in Defense of Life  
Suite 302  
605 14th Street, N.W.  
Washington, D.C. 20005

Copies of President Reagan's letter (above) were also sent to representatives of several anti-abortion organizations; John Mackey is Special Counsel to the Ad Hoc Committee (which publishes *Lifefetter*).



most Congressional reaction came "off the record" from staffers only -- most Senators left town last week for the Easter recess, and House members, still "officially" in session until today, were also going home. But many Capitol Hill observers agreed that the presidential "intervention" in the stalemate, caused primarily by the split among anti-abortion factions themselves, was "unprecedented" and, as one put it, "should break the deadlock if anything can" when the Congress resumes full sessions in mid-April. The "unprecedented" claim seems justified; although the President has repeatedly expressed his support for action on the "social issues" -- and has rarely missed any opportunity to publicly support anti-abortion legislation -- he has not previously made a direct appeal to Congressional leaders. The April 5th letter, however, "elevates" anti-abortion legislation, as one Senate aide puts it, "to the status of something the Administration really wants passed." And a former Hill aide (now in the Administration himself) adds: "This is the first time the White House has actually asked the Congress to go beyond the Hyde Amendment [which cut fed abortion funding] and do something about abortion itself."

●It's still too early to tell what effect the President's letter will have, but there is already much speculation on both what it will do to the Big Split among anti-abortionists and what it means politically. While some Washington strategists continue to try for legislation acceptable to both Sen. Jesse Helms and his supporters (who now back Jesse's "SuperHelms" bill -- see Lifeletter's March 2 EXTRA) and Sen. Orrin Hatch (who so far has refused to budge from his "constitutional amendment only" position), no compromise had been worked out before the Easter recess. Mr. Reagan's letter could provide new impetus for another round of "unity" talks, but the initial reaction of some key Helms supporters suggests that they see the Reagan letter as plain evidence that the President himself supports their legislative (i.e., "SuperHelms" or the original HLB -- Human Life Bill) efforts. "His letter," says one early HLB backer, "speaks only of legislation, and of what Congress can do right now. And he usually closes his public statements expressing his willingness to sign any anti-abortion bill that comes to his desk." (Constitutional amendments, of course, do not require presidential approval.)

●And the Hatch forces have undoubtedly been put in a difficult position by RR's "action now" call. Back on March 10, when Hatch was voted out of the full Senate Judiciary Committee 10-7, it "won" only because at least four senators (Joe Biden, Bob Dole, Alan Simpson and -- most significant -- Chairman Strom Thurmond himself) who publicly stated their opposition to Hatch voted for it anyway (Sen. Hatch only asked his colleagues to let him get his measure to the floor, and that's all they did). And others, e.g., even strong anti-abort Chuck Grassley, also made obvious their tentative support. Grassley said: "I am going to cast my vote in favor ... but I want to make perfectly clear that this is not my ideal choice of an amendment ..." It is also perfectly clear that what most observers predicted -- that if and when Hatch is brought up on the Senate floor it would quickly be amended into a flat-out "states' rights" amendment -- is precisely what Chairman Thurmond means to do (he almost did it in the Committee -- see Lifeletter #4 for details). Understandably, this has dismayed many Hatch supporters, who have been at-trying to fight off the "states' rights" label from the beginning of the HLB/Hatch split.

●Thus it is not surprising that Sen. Hatch has as yet made no move to bring his proposal to a full-Senate vote. But the President's letter will put strong new pressure on him to either do that soon -- or agree to support a legislative alternative. And it's here that the real damage caused by the HLB/Hatch split could hurt even more: both sides have become embittered over the long months of internecine fighting, and a mutual face-saving compromise will be tough to work out. More -- while Hatch himself may want to delay action -- Jesse Helms can be expected to use Reagan's public support quick and hard soon after the Senate comes back in session April 13 (the betting is that Jesse will look for the first opportunity to put his SuperHelms -- or the HLB -- to a vote, and there's no stopping Helms when he's decided that it's time for action). Certainly somebody will be calling for action soon: the President's letter is, in effect, an ultimatum to the squabbling anti-abortion movement to move now, with or without unity in the ranks.



• Whatever happens, Reagan's letter has greatly improved the chances for victory. Back when RR swept into office, it looked like the on-the-record anti-abortion congressional majorities he came in with would support his own pledge to do something about the abortion disaster. That was what the original HLB was all about: it was dropped into the congressional hopper on the very first day (Jan. 19) of the '81 session. Had it come to a vote then, in the first flush of what everybody agreed was a strongly anti-abortion atmosphere in Washington, it most probably would have swept to victory in a rush, carrying with it those "marginal" members (and the dream scenario of Popular President plus Congress vs. Supreme Court would have been reality -- odds are the Court would have backed down!). But then Hatch came along to split anti-abortion strength and make it highly questionable not only how those "marginal" congresspeople, but also many putative anti-abortionists, would vote in a showdown -- the Split, obviously, provided a gaping "out" for anybody who wanted to use it. RR's letter may have closed that gap: now, only a straight-out anti-abortion vote will mean anything. And that may mean that the simple-majority votes are there again to pass the legislation Reagan has called for. It's hard to imagine that the anti-abortion movement will ever again have a better chance to win than right now.

• But there are long-range advantages in "The Letter" too: indeed, if the anti-abortionists are defeated now (or beat themselves), it could provide the rallying-point for the political come-back that will be necessary. For in political terms, RR's bold move seems to signal a "back to basics" move of his own. Nobody doubted, after RR's '80 landslide, that abortion was a key symbolic issue for the coalition that gave him victory: Richard Wirthlin, RR's own pollster, wrote a memorable summary of what everybody "knew" then (it ran in the Washington Post under the headline "How Ronald Reagan Won the Election" on Jan. 18, '81 -- ironically, the day before the HLB hit Congress). Wirthlin said his polling had confirmed "the fact that we had good targets among Catholics and blue collars and in the South" -- read those RC's, ethnics, Evangelicals and Fundamentalists, many of whom switched to RR on the abortion issue. In recent months, of course, Wirthlin has been whistling a different tune (that the "social issues" hurt) -- and there are plenty more Administration "strategists" who also seem to have forgot '80's lessons (not to mention the "Country Club" GOP types who don't want such support). But not Reagan himself: "The Letter" may well be the first shot in a battle to reassemble his winning coalition for the congressional elections ahead. RR must do well -- or at least hold his own -- or his Revolution is in jeopardy. So must anti-abortionists, or their counter-revolution (against '73's Abortion Revolution) will fail. As in '80, it could be the political marriage of the season (made in Heaven?): pro-abortionists try to dismiss the "pro-life" vote as "only one or two percent" -- but even that could be crucial this fall, not to mention the (we'd say) solid six percent or more that anti-abortionists can regularly produce in many places.

• There is much speculation too on just how "The Letter" got past a White House apparatus that admittedly includes many key people who are anything but anti-abortionists. Perhaps the answer is the simple one: RR just did it himself (sounds like him, etc.) -- without question the language demonstrates yet again that Ronald Reagan is utterly sincere in his principled opposition to abortion-on-demand -- that he is the nation's No. #1 "pro-lifer." (One Washington "insider" says he thinks that the abortion bill RR once signed in California haunts him still -- and it's true that he frequently alludes to that "mistake.") On the other hand, it may be that, with those vital elections coming up, somebody is thinking more about RR's best political interests than country-club morality? However it happened, we'd call it a first-rate piece of political work that will benefit the President. Needless to add, it could also save the day for the anti-abortion movement (which has now got more from Mr. Reagan than anybody expected; the debt is payable in November).

• Another surprise showed up in this morning's AP wirestory, which reports that RR made his demarche "in a letter to Sen. Jesse Helms" -- the D. C. Post ran it that way, and the Philadelphia Inquirer even added a picture of Jesse with the caption "Gets letter from President" -- so Helms was the only recipient to join Reagan in the immediate nationwide headlines and TV coverage. Again, the simple answer is that AP's reporter got



his scoop off so quickly he didn't know about the others. And as we noted, the Congress is mostly out of town -- but somebody must have been in Jesse's office (and wide-awake too!). In any case, it's a well-deserved kudo for the guy who's expected to lead the troops Reagan's letter has re-mobilized.

•Some footnotes to the Big Story: Capitol Hill sources tell Lifeletter that Senate Majority Leader Baker must have approved RR's letter -- which indicates that Howard really is serious about bringing abortion to a vote soon. And as we go to press, calls from North Carolina report that the AP story is playing big down thataway (meaning Jesse has got a big boost from it all -- which in turn means that he'll come back spoiling for action?). Little-noticed item in the St. Patrick's Day Congressional Record: Jesse's SuperHelms was introduced in the House by Charlie Dougherty "for himself, Mr. Hyde, Mr. [Tom, of Iowa] Tauke, and Mr. Weber of Minnesota" -- the letter raised eyebrows, because Vin Weber is well-known as one of the "bishops' men" and a Hatch-backer. (maybe there is a deal in the works?).

THE HONORABLE HENRY HYDE has the lead article in the new issue of the Human Life Review (out April 1) -- it's a hard-hitting argument for the Human Life Bill (HLB), of which Hyde is the chief House sponsor (along with Jesse Helms in the Senate). Clearly, Hyde thinks that the HLB -- and the "personhood" issue it raises -- remains very much alive, and he makes a strong case for Congress' power to answer the "when life begins" question the Supreme Court left open in its '73 abortion-on-demand fiat. The Review also re-prints the text of the report on the HLB hearings held by Sen. John P. East's Senate subcommittee last year; the lengthy (over 30 small-type pages) document is another powerful plug for the HLB -- and an impressive writing job as well. Such committee "prints" (very few copies are actually printed) usually remain unseen/unknown even on Capitol Hill, which is inundated by reports -- and a glut of paper in general. But the East report is now publicly available and is being read, especially in Washington (where several thousand copies of the Review are distributed) -- it certainly could provide plenty of good anti-abort ammunition for the floor debates everybody expects soon. In another article, the Review's Contributing Editor Joseph Sobran (who also writes syndicated newspaper columns) provides a "companion" commentary on the East hearings ("The pro-abortion forces," says Sobran, "resisted and resented the Senate committee's very effort to gather and present evidence. They did not sit down before the truth as a little child; they preferred not to hear about little children."). A brother columnist, William F. Buckley, also gave the publication an accolade recently, calling it "the locus of civilized philosophical, legal and polemical discussion on the abortion issue" and adding that the HLR "has the manners of a bishop and the tongue of H. L. Mencken, and if you didn't know the two could fuse, it's because you have deprived yourself of familiarity with this remarkable journal." (Copies of the current issue are available for \$3 postpaid from The Human Life Review, 150 E. 35 St., New York, N.Y. 10016.)

MEANWHILE, BACK AT DICK SCHWEIKER'S Dept. of Health & Human Services, there's plenty happening, some of it little noticed. For instance, the Indian Health Services abortion funding has been cut off -- abortions were fully funded before (and, some charge, pushed, bringing cries of "genocide" from some Braves). And down in Atlanta, somebody finally got Willard Cates' scalp: Wild Willard -- who publicly calls pregnancy a "venereal disease" -- was the long-time boss of HHS's Center for Disease Control, which he made into a sort of Abortion Pentagon (issuing pro-abort propaganda reports, etc.); he's out, although we've seen no official notice. And long-time anti-abort activist Majorie Mecklenberg is in as new director of Title X programs (from which Planned Parenthood has been getting zillions for years), replacing strong pro-abort Bill White. But big news is HHS's "parental notification" proposal to require fed-funded "birth control clinics" (read mainly PP and/or abortion mills) to tell Mom and Dad when Sis (if under 18) gets "prescription" drugs or devices. The new Regs, issued Feb. 22, brought a loud outcry from all kinds of pro-abort groups, who have been bombarding HHS with mail in effort to kill proposal before it actually goes into effect. There has been no similar mail barrage from anti-aborts ("Comment" period ends April 23; pro-notification mail should be sent to Marjorie Mecklenberg, HHS, Rm. 725-H, 200 Independence Ave., Wash. D.C. 20201).



## Abortion's Dred Scott Case?

# Reagan Asked for Strong Action in 'Baby Doe' Case; Bloomington Infant Starved to Death by Court Order

(Special to Lifeletter)

Washington, April 29: President Ronald Reagan is being urged by "pro-life" leaders from both the Congress and national and state organizations to take "strong executive action" in the case of the Indiana newborn "executed" by starving.

Some anti-abortion leaders believe that the Bloomington case could become "the Dred Scott case" in the struggle to abolish legalized abortion because it provides "powerful and emotional proof" that the killing of "unwanted" humans cannot be restricted to abortion alone, and thus cannot be prevented until the U. S. Supreme Court's *Abortion Cases* are overturned.

The congressional leaders have asked the President to take "prompt action" to enforce existing laws protecting the handicapped. The Indiana baby was born with Down's syndrome.

The White House is also being asked to instruct both the Department of Health and Human Services and the Justice Department to take additional action in the case, which has caused a wave of protests that is being widely reported by newspapers and other media.

Specifically, anti-abortion leaders are asking for a full investigation of the court actions involved, and whether the hospital in which the baby was allowed to die—and the doctors who stood by—violated any federal laws and regulations.

### Adoption offers made

The unidentified, un-named, six-day-old baby boy died late Thursday, April 15, in a Bloomington Indiana hospital after the state's Supreme Court refused to strike down an order by the child's parents that "feedings be withheld."

The New York *Daily News* reported (April 16) that "Lawyers for a week-old boy whose parents want him to starve to death" would ask the U. S. Supreme Court "to authorize medical care that may save him." The action came too late.

Before the baby died, press stories reported that the court ruling "brought immediate adoption offers from at least 10 couples," adding that all of them were "parents of handicapped children."

### Letter asks immediate action

On Tuesday, April 20, Rep. Henry Hyde sent a letter to President Reagan (co-signed by Sens. Jesse Helms, Orrin Hatch, and Mark Hatfield) which said: "We implore you, Mr. President, to act now to insure the equal protection of our laws to handicapped children" and pointing out that the 1973 Rehabilitation Act "prohibits any discrimination against the handicapped" by persons or organizations receiving federal financial assistance (which virtually all hospitals do).

Hyde said "The very idea that a court of law would sanction a parental demand to destroy a child . . . they did not want is an affront to the principles upon which our legal system was built and must be corrected immediately before this, too, becomes somehow acceptable." Calling it an "act of eugenic infanticide," Hyde said it was "all the more abhorrent" because other families were "eager to adopt and love this defenseless handicapped baby."

The letter concluded: "Mr. President, we cannot too strongly stress the importance of prompt action in this

matter. Every day can mean the difference of life or death" for other handicapped babies.

On April 22, the *Washington Post* featured a major Op-Ed page article by the nationally-syndicated columnist George Will on the Bloomington baby which drew immediate and widespread attention from editorial writers and commentators nationwide.

### Will column explosive

The Will column is a devastating indictment of the whole Bloomington Baby horror, from the Supreme Court's legalization of abortion-on-demand (which started it all) to the way the media handled the story. The *Post* gave it top billing under the chilling headline "The Killing Will Not Stop." The opening was also frigid: "The baby was born in Bloomington, Ind., the sort of academic community where medical facilities are more apt to be excellent than moral judgments are." About one in 700 babies are born with Down's syndrome, Will explains, which causes varying degrees of retardation and only "sometimes, serious physical defects"—but you can't tell at birth how bad it might be. Baby B needed "serious but feasible" surgery but "The parents refused the surgery, and presumably refused to yield custody to any of the couples eager to become the baby's guardians. The parents chose to starve their baby to death." Will notes the "Orwellian euphemism" their lawyer coined ("Treatment to do nothing"), and that the Indiana courts, "accommodating the law of the *Zeitgeist* . . . sanctioned the homicide," which "was the result of premeditated, aggressive, tenacious action in the hospital and in the courts."



●But Will was just warming up. "Such homicides can no longer be considered aberrations, or culturally incongruous. They are part of a social program to serve the convenience of adults by authorizing adults to destroy inconvenient young life. The parents' legal arguments, conducted in private, reportedly emphasized -- what else? -- 'freedom of choice.' The freedom to choose to kill inconvenient life is being extended, precisely as predicted, beyond fetal life to categories of inconvenient infants ... There is no reason -- none -- to doubt that if the baby had not had Down's syndrome the operation would have been ordered without hesitation, almost certainly, by the parents or, if not by them, by the courts. Therefore the baby was killed because it was retarded. I defy the parents and their medical and legal accomplices to explain why, by the principles affirmed in this case, parents do not have a right to kill by calculated neglect any Down's syndrome child -- regardless of any medical need -- or any other baby that parents decide would be inconvenient."

●"But the broader message of this case," Will charges, "is that being an unwanted baby is a capital offense." Then he goes to the heart of the matter: "In 1973 the Supreme Court created a virtually unrestrictable right to kill fetuses." Yet the Court failed to explain "why the fetus, which unquestionably is alive, is not protectable life"; the Court "offered no intelligible, let alone serious, reason why birth should be the point at which discretionary killing stops. Critics feared what the Indiana homicide demonstrates: the killing will not stop." Why? Because the "values and passions, as well as the logic of some portions of the 'abortion rights' movement, have always pointed beyond abortion, toward something like the Indiana outcome, which affirms a broader right to kill. Some people have used the silly argument that it is impossible to know when life begins. (The serious argument is about when a 'person' protectable by law should be said to exist.) So what could be done about the awkward fact that a newborn, even a retarded newborn, is so incontestably alive? The trick is to argue that the lives of certain kinds of newborns, like the lives of fetuses, are not sufficiently 'meaningful' -- a word that figured in the 1973 ruling -- to merit any protection that inconveniences an adult's freedom of choice." Will keeps piling it on: "... this was not at any point, in any sense, a medical decision. Such homicides in hospitals are common and will become more so now that a state's courts have given them an imprimatur. ... now [the courts] -- whether they understand this or not -- are going to decide which categories of newborns ... can be killed by mandatory neglect." Then Will slams the media coverage: "Hours after the baby died, the parents' lawyer was on 'CBS Morning News' praising his clients' 'courage.'" He notes that the Post itself headlined the story "The Demise of 'Infant Doe'" -- which suggests, says Will, "an event unplanned, even perhaps unexplained ('The Demise of Abraham Lincoln'?)." There is much more -- surely this column is not only Will's biggest but also most eloquent -- and the finale burns the reason into the reader's soul: "When a commentator has a direct personal interest in an issue, it behooves him to say so. Some of my best friends are Down's syndrome citizens. (Citizens is what Down's syndrome children are if they avoid being homicide victims in hospitals.) Jonathan Will, 10, fourth-grader and Orioles fan (and the best Wiffle-ball hitter in southern Maryland), has Down's syndrome. He does not 'suffer from' (as newspapers are wont to say) Down's syndrome. He suffers from nothing, except anxiety about the Orioles' lousy start. He is doing nicely, thank you. But he is bound to have quite enough problems dealing with society -- receiving rights, let alone empathy. He can do without people like Infant Doe's parents, and courts like Indiana's asserting by their actions the principle that people like him are less than fully human. On the evidence, Down's syndrome citizens have little to learn about being human from the people responsible for the death of Infant Doe."

THERE WERE MANY OTHER PRESS ATTACKS on the Bloomington Baby's execution-by-starvation -- two notable ones in the usually pro-abort Chicago Tribune. On April 20 Joan Beck (not only a widely-read columnist but a member of the Trib's editorial board as well) blasted away under the sick-making headline "Waiting for a baby to starve" -- she too made the obvious abortion-connection: "Opponents of abortion have long argued that once it became socially and legally acceptable to kill unwanted infants before birth, it would be easy to slip into condoning their death after birth. Are we already on that slippery slope?" (Beck also noted the grisly fact that "One Down's child left without care in an-



other hospital took 15 days to die"!)) On April 22 Trib editorialist Stephen Chapman did a column headed "From abortion to infanticide" that bored in on the same point: "The right-to-life movement has long been ridiculed for its contention that a society which tolerates the indiscriminate killing of fetuses must sooner or later come to accept even worse -- such as euthanasia for the elderly and terminally ill. It used to be easy to dismiss these analogies as hysterical. But probably not even the most vociferous critic of legalized abortion could have imagined that we would proceed, in nine short years, from allowing abortion to sanctioning infanticide." That "evolution," Chapman charges, "is a natural one. The difference between a fetus and 'Baby Doe' -- the parents' names were kept secret to protect the guilty -- is one of degree, not of kind. Both are recognizably human ... The 'pro-choice' movement seeks to portray us all as recognizably human only on the day we spring forth from the womb, denying any meaningful resemblance between today's infant and yesterday's fetus. But human life is a continuum. It does not begin at birth, or even at the start of the third trimester, Justice Harry Blackmun notwithstanding. A living, unmistakably human organism exists from the moment the ovum is fertilized. It will not develop into a cat, or a plant, or a cyst -- only a person, because it already is a person."

•Another nationally-syndicated columnist (M. Stanton Evans, LA Times Syndicate, April 21) lashed out at virtually the only "defense" of the baby-killing to appear anywhere. He too noted the obvious ("Once we started to justify the killing of unborn babies ... it was only a matter of time before the same logic was applied to babies already born"), and pounced on D.C. Post's Richard Cohen, whose shocking April 20 column was titled "It Depends" -- the two words "most of us [sic] didn't want to hear when it came to the Indiana baby" as Cohen put it. Said Evans: "The logic of death is fearfully on display in the United States today, and we would do well to heed its meaning. ... The philosophical justification ... has been offered" by Cohen, who argued that "allowing this child to die could not have been an easy matter -- a complex question, for which there are no easy answers. On the one hand, we don't like to see a baby die; on the other hand, the columnist inquires, doesn't 'the quality of life' count for something? Infant Doe is dead; but maybe its life just wasn't worth living." In Cohen's "chill summation," Evans says, "all who have eyes to see can glimpse the awful thing we have done in the past decade. By sanctioning a million and a half abortions annually [the U.S.] has made it official policy, with rationale to match, that there is such a thing as a life that is not worth living. Some human beings, in other words, are simply better off dead than alive." Concludes Evans: "... we have crossed some kind of hellish threshold, into a land where 'quality of life' becomes one's death warrant."

•The Post itself did not back up Cohen -- it's pro-abortion, of course, but its April 18 editorial made only some noises about it not being "necessary, as a matter of ethics, to undertake extraordinary medical procedures to prolong artificially the life of a person for whom life would have no meaning" -- but quickly added that "The Indiana baby died not because he couldn't sustain life without a million dollars worth of medical machinery, but because no one fed him" -- in short, the Post tried to keep a few "options" open for another day, but made little attempt to find any "on the other hand" in re Baby Doe. The New York Times did a little "better": that flagship of the media's pro-abortion fleet -- after waiting a full 10 days (until April 27) to handle Baby Doe at all -- managed to begin with the story of another baby with terminal defects who is being treated kindly while it's waiting to die ("When she sickens, as is inevitable, no extraordinary means will be used to save her ..."), distinguishing that case from Doe's, who died "with considerable help" from its parents, in what "the family lawyer said, was a 'private matter.'" But "Why private?" asks the Times, adding boldly that Doe was "deliberately robbed of life. His flaws somehow canceled out his rights." Sounds pretty good? Wait: the Times concludes: "Whether to carry a fetus to maturity is still, and should remain, a woman's choice. But once born, a child is no longer part of another human being; he is part of society and entitled to its protection ... The death of Infant Doe is not 'a private matter.'" Get it? The Times flat-footedly insists that abortion remains a "private matter" right up to birth, and uses poor little Doe's murder to make that point. (There must be some kind of Award due such a performance, but it's probably not "fit to print"?)



•Even TV and radio commentators joined in the agonizing, although few were as tough as CBS Radio's Joseph Sobran (he's also a columnist -- he's done two columns on Baby Doe already) who last week grimly nailed down the lesson: "I am not surprised or shocked that parents would act this way, or that doctors would go along with it. Dr. Everett Koop, now our Surgeon General, has been saying for years that infanticide is an increasingly common practice in our hospitals. What is new is the judiciary giving this horrible practice the sanction of law. I used to think my fellow abortion foes were a little hysterical for predicting that this sort of thing was just around the corner. We now have concrete evidence that they were right: civilization is on a slippery slope, and barbarisms that were once universally condemned are now gaining acceptance as normal behavior ..."

•Sobran's reference to Dr. Koop wasn't incidental: way back in '76 Koop, now U.S. Surgeon General (then world-renowned as a baby surgeon) delivered a speech to the American Academy of Pediatrics; it was reprinted in the Spring '77 issue of the Human Life Review under the title "The Slide to Auschwitz." Although what Koop said -- that infanticide was already being openly practiced by doctors -- should have had bomb-like impact, it went virtually unnoticed then. Re-reading that speech today, in the glare of Baby Doe's execution, is painful indeed. Koop recounted hearing many arguments "that infants with such defects should be allowed to die, or even 'encouraged' to die, because their lives could obviously be nothing but unhappy and miserable." He quoted "medical" support for exactly what happened in Doe's case, e.g., doctors who argued that "the parents' [right] to relief from seemingly pointless, crushing burdens were important considerations" (said Koop: "I am sure that 'crushing' as applied to the burden may not be nearly as crushing as when applied to the eventual guilt of the parents in days to come!"). Koop also quoted Harvard Prof. Arthur Dyck on the equality rather than the quality of life: "The moral question for us is not whether the suffering and the dying are persons but whether we are the kind of persons who will care for them without doubting their worth" -- words painfully apropos to Baby Doe. And of course Koop made the connection between "acceptable" infanticide and what the Nazis had done in replacing "moral, ethical and religious values" with "rational utility," adding: "Remember, physicians took part in this planning." As we say, it all makes painful reading now (if you're game, write for a copy of the Koop issue to The Human Life Foundation, 150 E. 35 St., New York, N.Y. 10016; enclose \$3 per copy).

•Sobran himself wrote a commentary on Koop's speech, printed in the same HLR under the title "Infanticide as an 'In' Thing" -- he too used what turned out to be prophetic words, not least in his conclusion: "So far the case for infanticide has made little headway. It seems doubtful that it will: but so it seemed with abortion itself a few years back. As long as the bogus altruism of killing the child for his own good is permitted to go unanswered, we have no right to be complacent." Just five years later, Baby Doe was given no rights at all. Yet his six-day agony in our new Humane Society may have redeemed most Americans from such complacency hereafter, while -- Who knows? -- tiny Doe himself may now enjoy that "place of refreshment" promised in the ancient prayers, which was denied him here. (Item: the April 25 Catholic New York reports, quote: "Father Robert F. Borchertmeyer of St. Charles Borromeo parish, Bloomington, said he baptized the child April 12 at the request of the parents.")

JOHN ASHBROOK, R.I.P.: Mr. Ashbrook's untimely death April 24 (at 53) shocked his many friends, not least his fellow anti-abortionists. The hard-working Ashbrook had taken a leadership role in recent years, strongly supporting Henry Hyde in the House, and giving his own name to another important measure (the Ashbrook Amendment, passed by the House last year but killed in Sen. Mark Hatfield's Senate committee) which would have cut off abortion funding for federal employees. An Ohio congressman for more than 20 years, Ashbrook was running for (pro-abortion) Howard Metzenbaum's Senate seat with his accustomed intensity when he collapsed and died last week. The usual tributes (that he was eminently a man of principle, who cannot be replaced, and much more) are, in his case, eminently true. May his soul rest in peace.



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February 19, 1982

## Rapes woman, kills fetus

A woman who was six months pregnant was raped at gunpoint and stabbed in the stomach early yesterday after getting into what she thought was a gypsy cab in the Bronx, police said. Doctors removed the dead fetus ... [the attacker] took out a knife and asked her if she was pregnant, police said. When she answered 'yes' the attacker stabbed her in the stomach. 'Oh please, my baby, my baby!' the woman screamed as she was stabbed in the hand in an attempt to prevent the man from thrusting the knife into her stomach a second time. ... the attacker pushed her naked onto the street ... the terrified woman yelled ... for help, pleading 'Please help me, I'm pregnant ...'

and Fox St. in the Morrisania section, according to cops. The driver of the dark colored sedan took the woman 20 blocks before stopping. She was bad and Wilkins to the nearest police station. Then he disrobe. After she complained, the attacker got out of the car and raped her.

HE THEN TOOK OUT a knife and was pregnant, police said. When the attacker stabbed her ...

After struggling with her, the attacker pushed her naked onto the street. Cops said the terrified woman yelled to two passersby for help, pleading 'Please help me, I'm pregnant!'

One of the men tried to help her.

**500 Fetuses Found By Storage Company In Repossessed Crate**

**DA: Unborn baby not murdered**

THE BANNER HEADLINE TOPPED THE PAGE in the New York Daily News

(Feb. 11), and the story was told in the famed garish News-style: "A woman

who was six months pregnant was raped at gunpoint and stabbed in the stomach early yesterday ... Doctors removed the dead fetus ... [the attacker] took out a knife and asked her if she was pregnant, police said. When she answered 'yes' the attacker stabbed her in the stomach. 'Oh please, my baby, my baby!' the woman screamed as she was stabbed in the hand in an attempt to prevent the man from thrusting the knife into her stomach a second time. ... the attacker pushed her naked onto the street ... the terrified woman yelled ... for help, pleading 'Please help me, I'm pregnant ...'

•Two days later, the follow-up story began: "The man who raped and stabbed a pregnant Bronx woman cannot be charged with murder in the death of her unborn child because of the state's abortion laws, the district attorney said yesterday ... A spokesman ... said the brutal crime 'falls between the cracks' of the law ... the attacker could not be charged with murder because the medical examiner ruled that the fetus was a week or two short of six months old. ... According to the state's definition of life, a fetus less than six months old could not breathe and exist on its own. As such, it is not considered a living form and he could not be charged with killing it ... However, if the fetus were six months or older, state law would allow the district attorney to charge the man with illegal abortion, since abortion after six months is illegal in New York ... if a suspect is apprehended, he will be charged with attempted murder, assault and rape." On Sunday -- Valentine's Day -- the News' resident Liberal Columnist Ken Auletta agonized (under the headline "Are they animals? Yes ... All of them? No") "The knife pierced your stomach as you read the story ... the woman thought [saying she was pregnant] would protect her. ... The work 'senseless' does not do this crime justice. ... A more correct conclusion ... would be: animal. ... Whatever the causes, nothing alters the effects of that animal's behavior."

•But the real correct conclusion turned out not to be outrage at the laws, or for the defenseless "fetus" or anything like that, but rather just another dose of social gosperelese (tempered, now, by the awful facts -- plus Ronald Reagan, of course!). After the standard stuff about broken homes and educational failures, etc. and etc., Auletta came up with the mind-boggling conclusion that "What we're left with is a problem in need of definition. When liberals stop generalizing about 'victims' they better see that some people are 'animals.' When conservatives like President Reagan stop generalizing about 'animals' they might see that some unemployed youths require government-supported training. Somehow, without excusing the 'animals,' we have to not lose sight of those who need help." Presto: raped-and-stabbed woman, murdered baby, inane laws -- all gone,

(over, please)



sunk into the gooey morass of mindlessness that is both cause and effect of the "problem" disposed of yet again, with words.

• Indeed, words fail before such stories, which are not mere freak incidents. Just a few days before (Feb. 8) the NY Times had run another grisly story headlined "500 Fetuses Found By Storage Company in Repossessed Crate" -- and in Los Angeles, where it happened, "criminal investigators" weren't worrying about the dead babies either; they just wanted to know whether the packed-in-formaldehyde "fetuses" (some weighing as much as four pounds, i.e., well beyond "viability") had been "improperly disposed of"; that would violate California's abortion laws, which, while of course setting no limit "on the stage of pregnancy at which an abortion may be performed" do insist "that fetuses be disposed of in a particular manner within days of an abortion". The Times ran only a single "color" quote, from a cop who said "They unloaded a box and dropped it and saw a little fetus" (or did he say "baby"? -- we wonder). There was more such in other papers (e.g., the Feb. 7 Memphis Commercial Appeal reports the lift operator saying "I was scared ... It was nothing that anybody's ever seen before. It was sick, whoever did it."). But mainly the sheer horror of the story was left to speak for itself.

• What does it all mean? Well, the bare facts -- stated and unstated -- speak for themselves all too loudly: the Barbarians are inside the gates, the Violent Society is all too real, the abortion laws are uncivilizing moral wounds, etc; the pickled preborns are raw material of the Abortion Industry -- money can be made from the Fetal

• What does it all mean? Well, the bare facts -- stated and unstated -- speak for themselves all too loudly: the Barbarians are inside the gates, the Violent Society is all too real, the abortion laws are uncivilizing moral wounds, etc.; the pickled preborns are raw material of the Abortion Industry -- money can be made from such "products" of already-profitable "terminations" (ironically, the Fetal 500 were discovered only because the lab owner, who signed himself "Dr. Weisberg," didn't pay up \$1,700 due for storage), and so on. And the between-the-lines facts, e.g., the first News headline read "kills fetus" [why not "terminates"?] but the second said "Unborn baby" -- glaring reminders that our "objective" media are caught in their own trap of phoney pro-abortion lingo designed to obfuscate the plain facts. We could elaborate -- anybody could -- at book-length on this kind of thing. But the real story is the symbolism of it all: again and again, in "news" great and small, related and unrelated to those dangerous "products of conception," the abortion horror looms large as the talisman of the truth that a society which tolerates (even legalizes and promotes) the wholesale slaughter of its own children is indeed suffering from a sickness sure to be terminal if the moral cancer is not radically excised (you know, cut out). Sure, the abortionist undoubtedly plies the world's second-oldest profession; like any other sin, abortion will always be with us, etc. But to make "safe, therapeutic, legal termination" of human life a social good is surely the handwriting on the wall for any civilization. As did slavery, it creates the House Divided that cannot stand. So it's not surprising that the news stories get more and more ghastly, the "facts" more twisted (couldn't that mean-spirited New York coronor have played it like John Wayne, and given the poor little kid an extra couple weeks, so the "alleged attacker" would get his if he's ever caught?), and the need for action against legalized abortion more obviously unavoidable.

• Yet so far, talk remains all the action there is. For the umpteenth time, a "spokesman" for the Administration has spoken out boldly about action, just-around-the-corner; this time, it was White House Chief of Staff James Baker III, in an interview story front-paged by the prestigious Christian Science Monitor (Feb. 9). Under the headline "Reagan OK's push on social issues," Baker is reported as saying that the abortion issue is "next in line" for congressional debate, and that anti-aborts can expect strong Administration support. Even though he "acknowledged" that Reagan might lose some Republican support on such issues, Baker made his point in tough political terms: "We lost Republicans on AWACS, but we won the battle." More, he said that such action was necessary to "help bring conservatives back into the coalition" needed to pass other legislation. As we say, straight talk, and political horse-sense as well. Baker may mean every word of it, and the other Baker (Senate Majority Leader Howard), who has also frequently prom-



ised "action" on abortion, may finally help make it happen this time. Trouble is, both gentlemen know what everybody else knows -- that at the very moment when a Senate abortion showdown does seem probable, the anti-abortion movement is grievously split over the Hatch-HLB conflict. Thus the danger is clear and ominous: the anti-aborts may indeed be "given" their chance, and if they muff it because of internal divisions, the same "spokesmen" can again back-burner abortion with righteous "you had your chance" reminders.

•That is why Washington has been abuzz for weeks now with frantic behind-the-scenes efforts to patch together some kind of "Third Way" legislation around which both Hatch and HLB supporters -- still adamantly opposed to each other's basic strategy -- can unite for the floor-fight ahead. "What you need," as one publicist puts it, "is a Helms-Hatch-Hyde bill" -- quite right, obviously, but much easier described than concocted. For the split is about basics, and very possibly right down the middle, i.e., neither side can prove any crushing advantage in terms of the movement's real political power, which is at the polls (and which can't be demonstrated again before November). Thus, to keep the Bakers et al "honest," and to preserve the indispensable momentum needed for any final victory, the effective leadership must come from the Congress -- exactly where it belongs (and has been) anyway.

•Even Lifeletter's far-flung network of Ace Reporters and correspondents is having plenty of trouble keeping up with all the developments, proposals, schemes, and scenarios: if what we saw and heard just last week is any indication, there will probably be a dozen new meetings and parleys happening before we can get this issue off our mammoth mimeo and into the mails. But as we go to press, nobody seems to have hit on an acceptable formula.

•Again, this is largely due to the emotional split (not to mention some of the personalities) involved: given the "we're right" and "no compromise" rhetoric of the polarized factions, it's unusually difficult for the respective congressional champions to sit down and do the kind of political horse-trading that is the glory of the American System. Ideally, a "Helms-Hatch-Hyde" solution would be something really new (after all, this would "preserve" both the HLB and Hatch for another day, at least theoretically), which both factions would accept in the deadly-serious need for unity, without which there may be no "next time." But those basics keep intruding: Hatch supporters have simply refused to answer the most fundamental objection -- that no constitutional amendment can be passed now (the two-thirds majorities required just don't exist). If they would admit that, the way would be open for a new legislative initiative.

•Here, there should be plenty of room for some kind of above-faction Grand Coalition. Very few HLB supporters (none of the leaders, so far as we know) have argued that their proposal is anything like the only way to go re legislation; rather, the claim has been that it is a good bill that could be passed; most will also admit, in addition, that because Hatch has been perceived, however wrongly, as an anti-HLB measure, the bill's original bright prospects have been greatly dimmed. And that itself raises a crucial point: another albatross hanging on Hatch is the widespread perception that its chief supporters would accept a "respectable showing" -- those 55-60 Senate votes that Hatch Aide Steven Markman wrote about in his now-famous Memo (which everybody has now read -- see Lifeletter #1 for the background story) -- as "victory" enough in this congressional session. Helms-Hyde supporters remain passionately convinced that any loss could be devastating for the long-term objectives of the movement (and could kill that vaunted momentum); they certainly can't understand accepting probable defeat before going into battle. Especially when the "dynamics" of congressional warfare arguably support their position: usually, when a proposal is judged to be short of the votes needed to pass (and Hatch needs a whopping 67 votes in the Senate!), it will get fewer votes from those "fence-sitters" who make up the decisive swing-vote; after all, if Hatch went down 45-55 -- a dozen votes short -- nobody would be the visible villain who killed it. Conversely, with the putative anti-abortion majority in the Senate, any on-the-record anti-abortion senators who would vote down simple-majority HLB-type legislation would be Marked Men (if you'll pardon the expression) for anti-abortion voter wrath; ditto any fence-sitters who supplied the visibly-decisive nay-votes.



•That is why the most plausible movement-healing (if only for this crucial moment) proposals have shifted away from any amendment to legislation. Paradoxically, one problem is that this sensible approach produces too many "good ideas" -- variations on the HLB itself, statutes that would "accomplish" Hatch's intent, brand-new proposals to achieve what to many remains a prime goal, i.e., to "send abortion back" to the Supreme Court -- all this and more is on (and often quickly off) meeting tables all over Washington. As we say, nothing definite has "broken" yet, but that's normal: on the one hand, nobody wants to compromise too soon; on the other hand, the time-pressures are mounting. Jesse Helms has his HLB ready to go, but his moment-of-truth for Senate floor action could be circa early March -- if he's going to change his plans he'll need some lead-time; Orrin Hatch can't keep sitting on his amendment; he's either got to push for a full Judiciary Committee vote or explain why not (and as of now, it is by no means a sure bet that Hatch will pass even in committee -- we may know as soon as next week).

•Whatever happens, most Washington observers who have closely watched the tortuous "progress" of the brawling anti-abortion movement for years (and they now include a good many pro-abortion media types who are clearly fascinated by what has to be a unique spectacle!) agree that things will never be the same. To the national pro-abortion apparatus (i.e., the paid professionals who wring each other's hands in Washington today, New York tomorrow, and vice versa), the Hatch-HLB split seems a much-needed reprieve from the implacable growth of anti-abortion strength that they have viewed with horror since '73. It's a pretty horrible scene for anti-aborters too: they now realize that growth isn't enough in itself; that astounding voter-strength can achieve not objectives but O'Connors (never mind if the lady should vote anti-abortion for the rest of her life, the initial shock hurt, bad); that unity will never come naturally, and that no deus ex machina lurks behind the scenes (for many anti-aborters, the Catholic Church was something like that -- when it finally stirred itself, they said, things would happen ... it has, now, and the Split has happened) to plop easy victory down on the Good Guys. Whether or not anti-aborters can beat disunity into a United Front in time for a Senate showdown, they will soon face another moment of truth: without question, they have managed to dissipate much of the political capital won in the '80 victories. This November, a "respectable showing" won't do. Despite awful odds -- an off-year election, none but safe (e.g., Teddy Kennedy) Big Name pro-aborters to shoot at (ironically, they gunned down most of the Birch-Bayh-type bogey-men last time!), the chronic shortage of big money, the possible exhaustion of front-line troops unrelieved during a decade of trench-warfare -- the squabbling anti-aborters must yet again find the interior resources to do the impossible, to re-convince the politicians that they must get rid of the abortion issue on morally-acceptable terms.

•An impossible agenda, to be sure -- but then the whole notion of a genuine Citizens' revolt to overturn a "final solution" from the Supreme Court, that Most-equal Branch, looked impossible from the start. Yet anti-aborters have managed to raise a nationwide outcry roughly equal to that raised against slavery by the Abolitionists (and in much less time -- thanks to the instant-communication power of a pro-abortion media that can't avoid reporting the story!). As it happens, the same NY Daily News that ballyhooed the knifed "fetus" ran (on Lincoln's birthday) a feature on Abe's famous Cooper Union speech (delivered on Feb. 27, 1860). Like Nellie Gray's marches, Lincoln drew a huge crowd. With his political ambitions on the line, he spoke of slavery: "Thinking it wrong, as we do, can we yield to them? If our sense of duty forbids this, then let us stand by our own duty fearlessly and effectively ... Let us have faith that right makes might, and in that faith let us, to the end, dare to do our duty as we understand it." It's hard to remember now that, when Lincoln said that, the reigning Establishment had no intention of helping him destroy legalized slavery; worse to recall the awful upheavals necessary to produce that result. It is unlikely that such unique historical conditions can be repeated; unlikely that Ronald Reagan will -- anti-abortion as we believe him truly to be -- re-play Abe's role (and more unlikely that any future President will do so). As we say, the whole thing sounds crazy. Still, we are no longer half slave, half free. Who knows? Maybe the New Abolitionists, even in division, even after defeats, can pull it off? It sure would help if they could unite now, for one battle at least. We should know soon, and Lifefletter will be back soon with the answer.



# LIFE LETTER '81 #6

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April 21, 1981



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THE DRAWING SUMS UP what happened: a wounded and stunned nation rescued by the victim. When Ronald Reagan was dealt the biggest role of his career, he played it like John Wayne, and won one for all of us. We note, only because it's our place to do so, that the loudest cries about "violent America" came, predictably, from the very "liberal" voices loudest in support of the violent killing of some 1,500,000 unborn babies each year. As we fight for their survival, we rejoice that Mr. Reagan and the good men with him survived. May it symbolize a new era of much-needed "Luck of the Irish."

•Naturally, a chief media spokesthing is the New York Times, which we've often described as the Old Gray Flagship of the pro-abort media fleet. But we give the Devil his Due: the Times graciously pointed out (among its first batch of assassination-attempt edits -- which of course included mention of RR's plain-marvelous wise-cracks such as the historic "Who's minding the store?") that all the wounded were "Sons of Ireland" -- Reagan, Brady McCarthy, Delahanty (one might add the Angelic Doctor O'Leary, who suddenly materialized as the Perfect Spokesman!). Combine with RR's one liner to the doctors ("I hope you're all Republicans") and you get another strong dose of symbolism: we'd bet all these guys (we all know it's true of RR himself) were "born Democrats," typical representatives of the "new coalition" RR represents, people the Dems lost last November precisely because the American Establishment has abandoned them on the issues that really matter (yep, like abortion).

•For years the pro-abort media (meaning all the "major" leaders) has "reported" that a majority of Americans support legalized abortion-on-demand. We've argued that the pollsters have been asking the wrong questions (and probably the wrong people too). Well, along comes a new nationwide in-depth survey by an insurance company (Connecticut Mutual), which set out merely to "profile" the American public's values, for comparison with their policyholders. What happened is startling, and well-described by Michael Kernan in the Washington Post, April 3: "Much to its own surprise," Kernan reports, the survey "unearthed an overwhelming new surge of religious feeling and commitment ... the second surprise was that there are no vast differences [among all Americans] on what are conventionally considered major political issues ... To the contrary, the issues today that divide Americans are moral ..." The list (headed by What Else?): "... abortion, homosexuality, marijuana, extramarital sex, pornography." In short, the "standard fare" of TV and movies, the Great Causes of the Liberal Establishment -- what Columnist Joseph Sobran recently labelled "The Abortion Culture" -- is exactly what the majority, liberals and conservatives alike, oppose.

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•The "Third Surprise" is the best -- and least surprising: "... a great gap on moral perceptions appears between the public and leaders chosen from business, government, education, law, the military, the media, religion, and other areas." And yet again, guess what supplies the prime example? "For instance," Kernan writes, "the survey says 65 percent of the American public believes abortion to be immoral, while only 35 percent of the leaders do." Of course, Kernan notes that the questions used didn't deal with "the complexities of the abortion controversy but simply asked for a check mark: 'abortion -- morally wrong or not a moral issue.'" I.e., none of the loaded "trimester" this and "hard cases" that stuff the pollsters use. The results speak for themselves (just as, this time, the people polled were able to speak plainly); only one age-group (predictably, 25-34) fell below the general public's 65% "morally wrong" opinion -- and then only down to 59%; the 14-20 group matched the 65%; 21-24 exceeded it (67%). Also predictably, women were more anti-abortion than men (67-64%), and those with the "Highest level of religious commitment" were 85% anti.

•You must keep in mind that these are "inclusive" figures, i.e., when 57% of the "lowest" on the religious-scale said abortion was "Not a moral issue," the remaining 43% believed it was morally wrong. Then, as you pore over the figures, you begin to see exactly the pattern you'd expect. Pro-abortion "support" -- less than 65% opposed -- is found in the Northeast (61% opposed) and West ("only" 56% opposed); large cities (59%); income "above \$25,000" (56%); political liberals (58%), and so on. Nor should it surprise anybody that Democrats (68% opposed) are more anti-abortion than Republicans (64% -- i.e., Howard Baker is no fluke) or "Independent/Other" (62%) -- think about that in the light of what actually happened last Nov. 4. On the other hand, the Congressional Black Caucus -- a solidly pro-abortion Establishment group -- ought to be surprised by the Black/White figures: 73% of Blacks oppose abortion, whereas whites register only 64% (i.e., the 11% of American Blacks add a full point to the national anti-abortion score!). Another non-surprise: the "some college or more" group is the second-most "pro-abortion" (after the least religious) at 54% "morally wrong."

•Which of course neatly explains why the survey "discovered" that "the majority of leaders are out of touch with the public." It's no longer just a case of "Go to Harvard and Turn Left" (indeed, change may be starting in such Establishment sanctuaries, e.g., Harvard Law produced Mr. Stephen Galebach, Esq., who authored the Human Life Bill ... gosh!); "education" leaders as a group rank far below (a mere 26% opposed) the "leaders" 35% average -- but then law and science people are even worse (25%) and government leaders (29%) not much better. The fact is, the only reason our "leaders" reach 35% opposed is because religious leaders are over twice as anti-abortion -- 74% -- a whopping difference that single-handedly improves greatly the otherwise miserable scores (next most anti-abortion are business leaders at 42%). The piece de résistance is also found exactly where you'd expect it: "News Media" leaders exactly reverse the general public's 65-35 anti-abortion opinions (geez, was Walter telling us the way it wasn't all those years?).

•Nor can the leaders take comfort in any notions that, after all, the "important" people are with 'em -- only the yahoos hold these screwy, atavistic opinions. As Top Political Columnist David Broder (who also wrote a Post column on the survey April 5) pointed out, "what the survey clearly shows" is that the "intensely religious and strongly moralistic" -- i.e., exactly the anti-abortion types -- "are also the ones who are the doers, the talkers, the joiners and the voters in their communities. Therefore, they 'extend their influence far beyond that which their numerical strength alone would suggest' ... this minority is twice as likely to believe that voting is the main thing that decides the way things are run ... seven times as likely to attend community or neighborhood meetings ... They are 28 percent more likely to vote in local elections." In a masterpiece of understatement, the survey concludes that such amazing findings "illuminate the political successes" of such groups! They certainly ought to be enough to scare the bejabbers out of such pro-abortion politicians as remain, as well as turn them into a dying breed unless the survey is wrong about another conclusion: "It appears that our society is at a transition point and ... may be willing ... to throw its entire weight behind a leader who strikes the correct 'moral' of 'reaffirming' tone." Which brings us full cycle, back to President Reagan, whom we set out here to wish well -- and to the Irish (who might put it: "May the Lord keep him in the hollow of His hand").



•Speaking of the moral and "social" issues, Majority Leader Howard Baker (as we noted above, it really isn't strange that an "Old Time Republican" like Baker would be pro-abortion -- with a voting record even worse than Teddy Kennedy's on the issue!) tried a vest-pocket putsch on March 26, "disclosing" that he had support from all 53 GOP senators in his "plan" to derail "controversial social issues" -- you know, like abortion -- until next year; RR's budget cuts must come first, etc. As it happened, Lifeletter #5 (advance-dated March 30 -- the very day the President was shot -- but actually in Washington early Friday, the 27th), was headlined "President vows fight on abortion" and blanketed Capitol Hill just as the Post and Times reported Baker's ploy. It all caused quite a flap then: the Times' Hedrick Smith wrote it as if Howard's fiat was exactly that; he just wouldn't "get bogged down in these emotional issues," which could jolly well "wait for next year." The Post's was another story: Baker said it, sure, but did all the GOP senators agree? Anti-abortion stalwarts like Jesse Helms (who said politely something like "I said what?") and Orrin Hatch ("Howard never spoke to me") demurred and, the Post noted, Baker himself quickly backed off the claim. It was more like a dozen who had, er, met, and/or agreed, guys more like Sen. John Tower (another strong pro-abortion) i.e., people who never had any intention of bringing up abortion anyway. On Sunday (March 29) the Post ran two more stories; Sen. Bobby Byrd, the minority leader, was quoted as saying that these issues had helped defeat "a number of prominent Senate Democrats" (he might have added "virtually the entire pro-abortion leadership") and if the GOP wouldn't raise them, the Dems sure as shootin' would (they don't want to face 'em in the '82 elections!). Also, in a Post interview, RR was asked about Baker's "strategy." Replied RR: "I can't quarrel with that," but added "This doesn't mean that we've drawn back from our position" on "these social goals." Inconsistent? Sure. Much of the rhetoric of politics has the same consistency as hot air (and vice versa). But the facts are that RR did indeed say (see #5) that his administration has "one agenda," which includes the social goals and -- as we hope to have the chance to explain in future issues -- there's plenty of "social power" in that budget (prime example: Planned Parenthood could well have its fed millions amputated just below the chin, etc.). Of course not everything can be done at once. And of course RR "Can't argue" (you note he didn't say he agreed with Howard!) with his top Senate leader (that's the problem, for RR and the anti-aborts) who's just publicly announced he'll go all-out for what RR wants and badly needs. The point is, it's all just normal political tug-of-war, between and within the parties and factions, to find out who's got the power. If you've got it, the will to use it seldom lags far behind. If Baker can stop his opposition, he will. But if the surging anti-abortion forces can force the issue, Howard's noises will be just another example of "How do you know whistling in the dark won't work until you try it?"

•The test, of course, can and should come -- maybe soon -- on the Human Life Bill. Although regular Lifeletter readers may by now feel that they know "all they ever wanted to know" and then some, permit us another synopsis: the sine qua non of successful political efforts is winning (no tautology: in some cases you can win by losing, if it is perceived as a victory); since the High Court legalized abortion-on-demand in '73, the goal of the whole anti-abortion effort has been to reverse the Court. The stated means has been, and remains, a Human Life Amendment. But an HLA remains beyond the power of anti-abortion forces -- thus the concentration on Hyde-type battles, Con/Con, and elections to generate more power. Well, Nov. 4 generated such startling new voltage that anti-abortion strategists decided that they must use it boldly in a breakthrough attempt that could lead to victory. But how focus a notoriously fragmented "movement" on a single goal? That takes leadership, which the anti-aborts seem to have found exactly where it should be at this stage of the struggle: in a new and strongly-anti-abortion President, backed by a tough core of Congresspeople -- led by the new "Pro-life Caucus" -- on a Capitol Hill where both houses now have anti-abortion majorities. (Put another way, the Court centralized the abortion disaster in Washington, which must send it back to the people.)

•If the HLB can be passed by this available power, it should decide the Abortion War, no matter how much fighting remains. It would shift the focus to the decisive issue: Is the unborn baby a human being? If the Congress says "Yes," then -- as with slavery -- the political issue will have been settled in the only way Americans have ever been able to settle such issues. True, the Court could dig in and fire off an abortion "Dred Scott." But the whole basis of the Court's position is refusing to answer the central question



(When does human life begin?). If Congress answers it, the Court would at best (we'd argue) be fighting a rear-guard action: if living persons -- Americans -- need protection of their basic right to life ("which the Constitution already protects," as Ronald Reagan put it March 6), then they'll get it, in the form of an HLA and/or any other legislation that's necessary. Again, slavery is the painful but real historic analogy.

•And the HLB is off and running. It was strongly approved by the Congressional Pro-life Caucus (hereinafter CPC) last week and went into the House hopper April 10 -- just hours before the members went off on Easter vacation -- but still it got 14 co-sponsors, with dozens more expected to support it after the April 27 return. For the record, the House HLB is now HR-3225, replacing Henry Hyde's original HR-900; Ron Mazzoli (D., Ky.) is now chief sponsor, joined by Charlie Dougherty (R., Pa.) -- they're the co-chairmen of the House CPC (their Senate bipartisan counterparts are Tom Eagleton and Jesse Helms). Next step: Senate hearings, due to begin this week (April 23-4 -- see our #5 for details and more background); there have been no congressional hearings on abortion since ex-Sen. Birch Bayh sand-bagged anti-abortion efforts back in '75. This time the power equation should be reversed. Naturally, Lifeletter will be there to cover it all.

•As predicted, the press is making the HLB the biggest abortion story ever. We said all three major newsweeklies would run big articles in early April (we even took a flyer and "betcha" that Henry Hyde would be on Time's cover: he wasn't, but the abortion story -- in which he was prominently featured -- was, April 6); only U.S. News "failed" us -- and we still expect that one, probably this week (April 27 issue). All in all, not bad: Newsweek ran two abortion stories, one on the Court's Utah "parental notification" decision, another bigger one beginning with a quote from the original HLB text; it gives a surprisingly "fair" appraisal, i.e., only about 60-70% is pro-abortion flak. Time's huge (eight full, high-priced pages!) cover-story wanders so far and wide that it had to include some good stuff, but it ends up sounding like a Planned Parenthood fund-raiser (no kidding: read for yourself the PP quote on p. 28; then read what Time's writers add immediately after -- if you took out the quotes you'd never know the difference). A final Sermonette instructs us that those "willing to leave abortion decisions to individuals, are more in tune with the spirit of a pluralistic society"! (Will some Time Senior Editor tell his cubs about slavery, the Civil War, etc? It might help avoid such embarrassing pap.) Both stories try to make much of "expected" opposition from "pro-life" groups -- indeed, that was a worry when the HLB was unveiled last January (as a tactical surprise to catch the pro-aborts off guard -- which it sure did). But three solid months of often-heated debate seem to have won it the most widespread grass-roots support. The reason seems obvious: it has enormous appeal for those who (as one New Jersey activist put it) "want to end the killing now, any way we can" -- the prime motivation for the vast majority of anti-abortion foot soldiers.

•Widely-read Columnist Joseph Sobran wrote a column (April 9) on the Time story, with a neat twist: he opened with a report (strangely unnoticed by the "major media") of a riot started by pro-aborts when Henry Hyde himself came to speak in Seattle March 27 (rocks and bottles thrown, two cops and two demonstrators hurt, etc.) -- as Sobran makes clear, such violence hardly squares with Time's claim that anti-aborts are attacking "pluralism." Worse, he says, Time simply assumes that unborn babies are not among the "individuals" whose rights are at stake -- precisely the "error" the HLB will correct. (He also notes that Time refers to the "unborn fetus" -- "a redundancy," says Sobran, "since the only fetuses other than unborn ones are dead ones.") A few days earlier (April 7) Sobran did another abortion-related column on the current troubles of the famous Dr. C. Everett Koop, already appointed as an assistant to HHS Boss Dick Schweiker, who is "in line" to become Surgeon General -- but may not make it, because congressional pro-abortion forces are doing all possible to block Koop's appointment. Aided by some shameless support from various medical "authorities," they have attacked Koop's qualifications -- but in fact Koop's professional credentials are tremendously impressive, so they have retreated behind a little-used age requirement: Koop is a few months over the 65-year limit, and could be dumped if Congress won't waive the limit. Thus, as Sobran points out, a proven-tough 70-year-old President can't have a 65-year old SG because Tip O'Neill (with his 68-year-old vigor) is helping the pro-aborts stop Koop! We'll have more on this one soon. Stay tuned.



# LIFE LETTER <sup>'81</sup> #7 *file*

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*Pro Life*  
May 15, 1981



THE POPE STEPPED UP HIS ALL-OUT ATTACK on abortion, and Mother Teresa led an anti-abortion march in Rome last Sunday as Italy prepared to vote this Sunday on repeal of easy abortion (while back here an official representative of the U.S. Catholic Bishops was slamming the Human Life Bill!); the Supreme Court ruled "for pro-lifers" in another back-down decision and Sen. Mark Hatfield seemed to be suggesting that the Congress just "drop" the Hyde Amendment! And Sen. Orrin Hatch attempted to torpedo Sen. John East's dramatic HLB hearings (luckily the warhead didn't explode) while pro-abortion Propaganda Impresario Larry Tribe was get-

ting five former Attorneys General to make fools of themselves (the sixth man was Ramsey Clark, who is his own best agent for foolishness) by rubber stamping an anti-HLB blast -- all this and much else is keeping abortion hot news everywhere, with plenty more coming up on a crowded stage still dominated by the explosive HLB controversy.

•The Italian referendum is, er, pregnant with meaning for the world-wide anti-abortion effort, and nobody is predicting what might happen. Gone are the days when a pope could simply step in and turn the electorate around, as Pius XII did against Communism in the late 40's; and although Italy was relatively late in "liberalizing" anti-abortion laws, it then went further than many other countries, touching off the strong reaction that has produced Sunday's vote. The uncertainty is evidently reflected in the gingerly coverage the whole thing is getting in the press, e.g., the New York Times (May 11) ran photos of JP II and Mother T, with a caption stating the Pope "Calls abortion 'murder'" -- but no story. Presumably the pro-abortion media fear that, if anybody can beat the Zeitgeist it will be precisely this Pope and that woman, both of whom literally never pass up an opportunity to attack abortion. Example: the Pope said recently "Those who think and assert that this is a private problem [and] ... defend the strictly personal right of decision, do not think or speak the whole truth ... The problem of responsibility for life conceived in the womb ... is an eminently social problem."

•His statements read almost like an endorsement of the HLB (via which Congress would decide that burning "social problem") and indeed there is a strong HLB connection, which was pointed out by the National Catholic Register (May 3): an anti-abortion "victory" in the Italian vote would merely "tighten restrictions" on abortion, not ban it, and -- in a slap at some anti-aborts (not many, now) who oppose the HLB because it won't ban all abortions -- the Register notes that the Pope is giving his all-out support to a measure that he knows is only the first step in the right direction (the editorial adds: "No one, it seems reasonable to say, would suspect [the Pope] of waffling or compromising, especially on abortion."). Gosh, we hope not. But, in one of the most ironic twists in the eight-year-long abortion struggle (which began with derisive taunts of "Catholic issue" from the

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pro-aborts), no less a personage than the General Counsel of the U.S. Catholic Conference (one Wilfred Caron) has bitterly attacked the HLB, arguing in effect that a full-fledged Human Life Amendment is the only action the Bishops could or do support! Worse, the obviously-deliberate timing of Caron's blast leaves little doubt that it was designed to deal the HLB a mortal blow if possible.

•The Caron "Memorandum" was dated April 8, the day before the Congressional Pro-Life Caucus (CPC) endorsed the HLB (after hearing from representatives of various "pro-life" groups, including the Bishops' -- for all we know Caron's paper may have been presented to the Caucus at that time -- if so, it obviously didn't sway the members!). The CPC endorsement cleared the way for the Senate's HLB hearings, scheduled for April 23-4. The previous week, the Caron story appeared in some Catholic diocesan papers (e.g., the April 16 New York Catholic News front-paged it under the headline "Congress Lacks Authority!") but got little or no major-media attention until the Washington Star headlined "Abortion Bill Is Termed 'Unrealistic' -- Bishop's Aide Says Congress Can't Act" on April 17 -- Good Friday. The author was Star Religion Editor Jim Castelli, who formerly worked for the Bishops' news service (he was then generally considered "anti-anti-abortion" -- see Lifeletter #3 for background), so no surprise. What was a surprise is that no other pro-abortion paper ballyhooed the story. (We were so flabbergasted that we consulted a media-pro friend: "Beats me too," he said; "Maybe they thought that Caron doesn't really speak for the Bishops, and a big play would bring a loud denial?" -- true, nobody has affirmed that Caron is speaking "officially" -- nor has there been any denial so far.) But as the hearings approached, other papers began referring to Caron's blast -- e.g., the New York Times' Bernard Weinraub, in an advance story on the HLB hearings (April 23), noted that "Even the [Bishops'] ranking legal advisor" had said that the HLB "would substitute Congress's judgment for the Court's and restrict the Court's right to interpret the Constitution"! (At least Caron got the point: how he or anyone else can expect to undo the Court's abortion-on-demand fiat without restricting the Court's "right" to enforce it beats us!)

•To nobody's surprise, the pro-aborts were passing out copies of the Castelli story the morning Sen. East's long-awaited HLB hearings began April 23. But there was a sharp surprise: Sen. Hatch showed up in person to disassociate himself from the whole thing! That, of course, grabbed the first day's headlines ("Abortion Probe Loses Key Sponsor," trumpeted the Star's Capital Report that afternoon) but -- paradoxically -- it also added to the tremendous nationwide publicity the HLB is grabbing; the result may well be that Hatch -- whatever his intention -- has helped more than he hurt the HLB's ultimate chances! What did he intend? Here, you've got to stop for at least a synopsis of what is a long, complicated, and tangled story, as uncertain in meaning as it is in vital details. And begin with one indisputable fact: Sen. Hatch (who is up for re-election next year) has maintained a strong and public anti-abortion stance ever since he was first elected in '76: he has not publicly altered that stance (indeed, in his April 23 statement he said "I am second to no one in my opposition to abortion").

•Up to now, of course, the GOP anti-aborts were in the Senate minority -- Dem pro-aborts like Birch Bayh had conducted previous hearings, and/or headed the vital committees (e.g., Warren Magnuson on Appropriations). A prime factor in the whole HLB strategy is that now guys like East, Hatch, and Strom Thurmond hold the key positions, and can take anti-abortion action. Lifeletter #5 reflected what anti-aborts "expected": re the HLB hearings, we said "Hatch has a golden opportunity" to provide "just the kind of tough leadership that's needed at this crucial juncture." Then (late March) Hatch was thought to be preparing joint HLB hearings with East. But strange rumors began flying. The first was easily dismissable (somebody distributed a bootlegged tape recording of the mid-February NARAL meeting on which pro-abortion pundit Alan Baron can be heard saying that Hatch had told him privately that he was really a "libertarian" and did not want to outlaw abortion, etc.; Baron has also written in his Baron Report newsletter -- widely read on Capitol Hill -- that "New Right" conservatives want to keep the abortion issue unresolved so they can go on using it to get Dem "social conservative" votes). Then Hatch "aides" evidently did meet with pro-abortion spokespersons, who argued that the East hearings would be "stacked" with anti-abortion witnesses. Soon Hatch's "aides" were voicing exactly those fears. Again, background: "aides" are usually deliberate pawns in the political game; no matter how powerful



in fact, they remain "faceless" in public, standing ready to take blame if things go wrong, letting the praise go to the Boss if otherwise. On the HLB, Hatch's aides have suddenly become among the most-quoted "sources" on Capitol Hill, and seem to have gone well beyond the normal call of duty, e.g., the Star (smack up front in that Capital Report story noted above) reports that Hatch "was concerned, the aides said, that the witness list was a 'stacked deck' -- too 'one-sided' in the anti-abortion direction" -- Lifeletter is told, by presumably equally reliable sources, that the Senator did not say any such, only his aides did, etc.

●Clearly the whole picture remains murky. Hatch's own statement at the hearings' opening was delivered in friendly tones, and is quite bland in content (he generously -- elaborately -- compliments East for doing all the things that he, Hatch, is bothered so much by, etc. and etc.). What can't be explained away is the timing: Hatch could have said whatever he wanted to say, either before or after the actual hearings; any "misunderstandings" would then have been arguably benign; instead he coolly chose the worst possible moment to launch a torpedo that could well have sunk East's ship. As noted, it didn't, for at least two good reasons: a) the hearings themselves were one heck-of-a show, and hyped the already-intense media interest in the whole HLB extravaganza; b) this caused even pro-abortion media-persons to belittle Hatch's knife-thrust (see, e.g., Mz Judy Bachrach in the April 27 Star, who offered the withering opinion that Hatch simply "can't be too pleased that East has plundered his thunder"!)). The half-dozen anti-abort witnesses were impressive (for a good in-depth run-down see the National Right to Life News, May 4), most especially Dr. Jerome Lejeune, a Le Grand Charles (DeGaulle and Boyer) type Frenchman and world-renowned geneticist, who wowed everybody with a lyric paeon of praise to the surging, tumbling human life that conception explodes in the womb. On the second day (April 24) the sole pro-abortion witness, Dr. Leon Rosenberg of Yale, got most of the headlines, but not for his scientific testimony (his main point was that abortion was really a "religious, metaphysical" question -- on which Geneticist Rosenberg is certainly entitled to his opinion, but has no more expertise than he might on, say, El Salvador.) The East committee will conclude the medical testimony next Wednesday (the 20th) and start hearing legal opinions the following day.

●Nobody is now sure when the hearings will end. One thing Hatch evidently did accomplish was to shake loose any plans to concentrate solely (or nearly so) on the latest scientific/medical evidence about life in the womb. Yet that is the whole point of the HLB: the Bayh hearings got thoroughly bogged down (with Chairman Birch's cheerful help) in all kinds of extraneous stuff -- and who really thinks that the legal arguments on both sides are anything but over-elaborated already? But East -- who got mainly pro-abortion wails at first -- is now getting solid support from "pro-lifers" nationwide; more important, he himself is both tough and smart (still a little-known Freshman, in fact he has a distinguished academic and literary record). The betting is that he will hold firm, and wind things up as soon as practicable. At that point, of course, his subcommittee will have to vote on the HLB; as it happens Orrin Hatch could well be the key vote. If the HLB goes on to the full Judiciary Committee, ditto. Back when the HLB was still just an idea (i.e., last December), one supporter said that -- if it did nothing else -- it would separate "those who really mean to do something about abortion from those who really don't." Lifeletter bets that Sen. Hatch does, and will. (May he raise us one!)

●Another mystifying event happened May 7 in the Senate appropriations subcommittee. As noted, Sen. Mark Hatfield (R., Ore.) has replaced defeated Dem Warren Magnuson as chairman; "Maggy" used that powerful slot to fight hard-as-Hades against every version of Hyde; like Hatch, Hatfield has always projected a strong public anti-abort image -- and he too was expected to use his new power to turn those words into action. Indeed, he may -- but imagine the surprise when last week (see the DC Post, May 7) Hatfield led his committee in a sudden and overwhelming vote (8-2) to "delete" all abortion restrictions -- read Hyde! -- from the stop-gap funding for the Labor/HHS bill! Again, ugly rumors immediately surfaced: Hatfield was reported as claiming that Ed Meese had OK'd the move -- that, anyway, the Senate would soon be voting on "either" the HLB or an anti-abortion amendment (HLA), so it was "unnecessary" to vote yet again on funding. The whole affair caused a convulsive flap in Washington's anti-abortion "community," and it's hard to tell what if any real sub-



stance was involved. But anybody can see why the flap: the mere idea that Hyde would simply be dropped is ... unthinkable. More, it's politically out of the question: significantly, the two "Nay" votes were cast by anti-abortion Dems William Proxmire and Tom Eagleton (even if pro-abortion Howard Baker and the GOP leadership do want to cut off more abortion votes, the Dems wouldn't let 'em!). Not to mention the fact that Hyde is already firmly embedded in the House version of the bill which means that at best Hatfield would merely replace Magnuson as the Senate leader sitting opposite his House counterpart in an inevitable conference committee showdown -- he's William Natcher, and it's virtually unthinkable that he would back down on Hyde (quite aside from the fact that he too is a Dem). Frankly, Lifeletter is delighted that Sen. Hatfield is so certain that there will be an HLB vote soon -- we hope he's right -- but no new abortion battle is reason to dismantle the hard-won Hyde victory. We also frankly doubt that the White House (Meese or anybody else) was seriously involved (Meese too is pro-abortion -- but reportedly doesn't know that much about the issue, and may have "said" more than he understood?). Our own best guesstimate is that Hatfield -- one of the few liberal GOP senators who is anti-abortion -- was trying to spare confreres like John Chafee (facing a tough re-election in heavily anti-abortion Rhode Island next year) embarrassing floor votes. (The best way to do that is simply to leave Hyde in the bill: odds are that not even Bob Packwood will be anxious to lead a hopeless fight against it, meaning that it will slide through as a fait accompli.) Once again, our bet is that Hatfield will stay solidly anti-abortion.

•The Supreme Court's April 27 decision upholding an Indiana law mandating hospital abortions after three months could be another landmark in the retreat from the Abortion Cases. The New York Daily News labelled it a "major victory" for anti-abortionists, and that may be understatement. Again, timing is everything: the decision comes at a moment when everybody (certainly including the Court!) is looking at the total abortion scene through HLB-tinted glasses. A prime point of anti-HLB arguments (cf. Mr. Caron) is that the Court will "certainly" knock it down. Well, "they" said the same thing about Hyde, the Bauman Amendment (permitting states to cut off funding), and so on. But in fact the Court baptized Hyde, and has not shot down the other "unconstitutional" anti-abortion initiatives. The Court might view the HLB as a person-sent opportunity to shuck the abortion albatross -- we'll never know, as they say, unless we try it. As one Washington lobbyist puts it: "The issue is phony anyway. If we had the Court we wanted, there would be no abortion problem. If, as Caron says, we dare not confront them, then we have no business doing anything whatever to overturn Roe and Doe." And he makes another point: "You notice that nobody has attempted to refute Galebach's [Lawyer Stephen Galebach, the "originator" of the HLB -- Ed.] arguments? They just say it's unconstitutional. But most of them, like Larry Tribe, have supported what Galebach is suggesting on other issues in the past."

•Tribe's unflagging attempts to kill the HLB continue. On April 21 he masterminded a letter from a dozen law professors telling Congress that the HLB was "unconstitutional" (five were from Harvard-Yale: Tribe thinks that the center of U.S. political gravity still resides somewhere between those Ivy League institutions, whereas in fact it has shifted dramatically southwestwards!) The "letter," a spindly eleven lines, called the HLB a "dangerous circumvention"! Tribe next (May 1) got six former U.S. Attorneys General to "sign" the identical letter -- there were no actual signatures of course (did they as much as hear it over the phone before "signing," we wonder?); the former AG's were Herbert Brownell, Nick Katzenbach, Elliot Richardson, Bill Saxbe, and Ben Civiletti: some would find that list unimpressive, true -- but the Sixth Man is Ramsey Clark (just back from sticking his nose into Irish affairs!) an undoubted Godsend to the anti-abortion side ("Like having Bella Abzug against you," quipped one delighted HLB supporter). Nor is there much doubt that Tribe was behind it all: the Star's Ace Political Reporter Lyle Denniston put it in print May 3 ("The arrangement ... was coordinated by ... Laurence H. Tribe ..."). Lifeletter salutes Prof. Tribe's indefatigable scholarship, and predicts that, if there are any 8-year-old heroin addicts who oppose the HLB, Tribe will know where they live. Needless to say, we'll have plenty more on the whole HLB brouhaha in coming issues ...

THERE IS AN INTERESTING ABORTION-RELATED FOOTNOTE re Dem "defectors" who voted for RR's budget: of the 63 who switched, 45 have anti-abortion voting records, only 10 pro-abortion (five have mixed records, three are Freshmen).



## President vows fight on abortion

**"Just as surely as we seek to put our financial house in order and rebuild our nation's defenses, so too we seek to protect the unborn . . ."**

THAT HEADLINE IS THE REAL THING (it ran over a UPI story in the Boston Globe) -- and so, obviously, is Ronald Reagan, who spoke those words in his first major political speech in Washington Friday night, March 20. The President was addressing the Conservative Political Action Conference, long-time supporters and loyalists (many of whom had pushed RR's candidacy ever since he stood fast for Barry Goldwater in '64); he was obviously there to tell them what they came to hear, and he did it in his usual bang-up style. But we wonder whether mere political allies have nearly as much reason to rejoice in RR's true-blue stand as do anti-abortionists, who are comparative late-comers (however ardent) to the vineyard! The plain fact is that the President, that night, before that audience, could easily have stuck to "pure" politics -- just as he could have ducked abortion and the "social issues" on a dozen other occasions since his landslide victory last November. But once again he clearly chose not to, and once again his all-out anti-abortion headlines were "only" the biggest and best of a nationwide explosion of abortion-related streamers (and, as we go to press, Lifeletter hears that all three major newsweeklies -- Time, Newsweek, and U.S. News -- will run special abortion stories this week -- you should know by the time you read this!).

•The competition is now fierce as the "major media" struggle to outdo each other on abortion coverage -- after long years of burying and/or pooh-poohing the enormous upsurge of anti-abortion feeling and action. A good example was last Monday's Supreme Court decision on a Utah statute requiring doctors to "inform" a teen-age girl's parents before aborting her. Even the New York Times (the old gray Flagship of the pro-abort media fleet) headlined it "Court Backs Law to Notify Parents Before an Abortion on a Teen-ager" -- and most other papers followed suit, hailing the ruling as "yet another" major anti-abort victory. The perception is right, but the facts are a little different. It's a complicated story, but briefly, here's what it's all about: paradoxically, the case was important precisely because it wasn't so important -- the Court has knocked down all true "parental consent" laws; Utah specified merely that parents be informed. More, a lower fed court had already ruled that even so mild a requirement did not apply to either "mature" (whatever that means) or "emancipated" (e.g., putatively self-supporting, etc.) teenagers. But the case remained a booby-trap: a) any abortion-related case is now big news; b) it may sound "no-ble" to prevent parental "interference," but denying mere knowledge to Mom and Dad puts the onus on the Court; c) simply slapping down the whole law might be going too far (we'd sure say so), thus triggering yet more anti-abort backlash, and so on. So what the Court really did was, well, duck the real issues involved by ruling that, shucks, the actual Mz involved (identified only as "H. L.") was only 15 and neither "emancipated" nor "mature," so she really didn't have legal "standing" to challenge the Utah law. The point is this: just a few years back, the media would have covered this kind of thing with a three-inch

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filler, and most of that would have pointed out that another Mz with "standing" could/- would overturn the law (no doubt some ACLU-type challenge will now try exactly that). But times (even the Times!) have changed. The mere fact that the High Court didn't seize the opportunity to H-bomb the anti-aborts now translates into a "major victory"! In politics -- and the Court has long since sunk scalp-deep into abortion politics -- perception is reality. Thus nothing more than a missed opportunity chalks up as another backdown by the Mr. Justices from their (admittedly and increasingly) untenable '73 abortion-on-demand fiat: it will make it that much harder for the Court to "reverse" itself in the case.

•The whole abortion question is now a labyrinth of such detail and nuance, with the vital momentum clearly on the anti-abort side. Take another example: just after he ranked protecting "the unborn" right up there with the economy and national defense, RR added his pledge to "end the manipulation of schoolchildren by utopian planners and permit the acknowledgement of a Supreme Being in our classrooms" -- read busing (a lot more, really: add tax credits, non-harassment of private schools, etc.) and "school prayer," more social issues yoked together with abortion. And before RR said any of that, he said "ours is a consistent philosophy of government ... we do not have a separate social agenda, a separate economic agenda and ... foreign agenda. We have one agenda." Again, perception: a great deal can and will be read into those words, taking the meaning far beyond the bare text. E.g., "liberal" GOP leaders have been saying for months that the economy must get full priority while "social issues" (read primarily abortion) are back-burnered. RR's words have just outflanked that Maginot Line (Sssshh! Don't wake Howard Baker!).

•Dozens of other hot stories now fit this kind of "here's what it all really means" analysis -- but none remains hotter or more complicated than the Human Life Bill, which continues to shag media notices like Joe DiMaggio once caught fly balls. Amazingly, the NY Times is belatedly out front here too: after weeks of down-playing the HLB (most other major papers, especially the Washington Post and Star, featured the crucial importance of the HLB bomb almost immediately after it was dropped last Jan. 19), the Times headlined (Mar. 13) a major story by Bernard Weinraub: "Abortion Becoming a Top Priority Issue in Congress." Poor Weinraub had to begin by summarizing the developments long since reported elsewhere: "A campaign ... to end legalized abortion, coupled with the appointment of prominent antiabortion figures to key jobs in the Reagan Administration, has turned the delicate and potentially volatile abortion issue into a priority item in Congress, ranking just behind the economic issue." Not too bad as a mea culpa (although the "potentially volatile" description remains hilariously rear-guard stuff). The main appointment he's worried about is, understandably, Dr. C. Everett Koop's emergence as a key figure in anti-abort Richard Schweiker's Dept. of Health and Human Services (the good Doc is already an HHS deputy-secretary and slated to be the new Surgeon General -- which means he'd become boss-man over such now-terrified pro-abort Big Bureaucrats as Wild Willard Cates down there at the so-called "Center for Disease Control" in Atlanta -- a real "Koop de Main?!"). The legislation is the HLB, which Weinraub describes as "perhaps most significant, a new legislative maneuver to bar abortions."

•Weinraub next quotes Henry Hyde himself as saying "We now have the votes, and what President Reagan has said gives us great encouragement," and also predicting a vote on the HLB by "early summer"(!). A little later he writes "What most concerns the people who favor permitting abortions are the identical bills introduced by Senator Helms and Representative Hyde that would ban abortion without a constitutional amendment" -- is Weinraub so shell-shocked by it all that he doesn't realize he is still -- again -- talking about the same HLB? Sure sounds like it: indeed, the whole article wanders back and forth over the same ground; toward the end, he "reports" what he already quoted Hyde as saying, i.e., that President Reagan has already given the HLB "a substantial push"; he doubles back and quotes NARAL's Karen Mulhauser as saying the HLB "is only an interim measure ... They will never lose sight of the ultimate goal -- a constitutional amendment." Later he reminds everybody that "In his election campaign, Mr. Reagan strongly supported a constitutional amendment prohibiting abortions." All true, of course, but, as we say, evidently confusing to Weinraub. (He does zero in clearly on one important point, quoting Hyde as strongly denying the pro-abort canard that any anti-abort legislation is designed to "make illegal" certain birth-control devices: "it is my intention to make surgical abortions ille-



gal," Mr. Hyde said. "It is not my intention to deal with matters concerning the pill and the IUD. It's not feasible, practical or attainable.")

•But the Times was just warming up. On St. Patrick's Day (Mar. 17) it fired off what it obviously hopes is a Big Gun salvo at the whole HLB concept. In an Op-Ed piece titled beguilingly "Let There Be Life," noted Harvard Law Profs. John Hart Ely and Laurence Tribe weigh in with a curiously mincing too cute attack on the HLB: "Sometimes it's hard to keep up. First it was life created in a test tube. Then patented life forms. And now we're told that all Congress has to do is pass a statute redefining 'life' -- by declaring fetuses 'persons' from the moment of conception -- and presto, *Roe v. Wade* ... will disappear. No muss, no fuss, and, most important, no struggle for all the votes it would take to amend the Constitution the old-fashioned way." Reading that kind of stuff, you'd think that the pro-aborts had won legalized abortion-on-demand in the noble "old-fashioned" good-American way, fair-and-square, rather than having victory handed them as a gift by seven men on the Court. But that's just openers. What comes next is, we'd say, intellectually direputable: "The two of us have been on opposite sides of the debate [*our emphasis -- Ed.*] over the constitutional legitimacy of *Roe* ... But we have no trouble at all agreeing that this formula for overturning it is badly misguided. It won't work, and it's a good thing it won't." Sounds like an anti-abort agreeing with a pro-abort to oppose a "bad" means of accomplishing what one of 'em would want, right? Wrong: both Ely and Tribe are strongly pro-abort "spokespersons"; Ely did oppose *Roe & Doe*, but as lousy constitutional decisions (there we agree, of course) -- he's always made it perfectly plain he agrees with the Court's intentions.

•The Deceptive Duo keep up this gamey barrage throughout the lengthy (for coveted Op-Ed space) piece, using all the usual pro-abort "lines," e.g., "If fetuses really are to be regarded as persons from the moment of conception [*i.e., exactly the way they were regarded until '73 -- Ed.*], that would seem to require states to punish rape victims who get abortions as murderers and the druggists who provide them morning-after pills as accomplices to murder." Gee, they sure didn't miss many "buzz words" or euphemisms in that brief shot, did they? Obviously the typical abortees will be "rape victims," who will be charitably rescued by "druggists" -- not highly-paid abortionists -- who will use not curettes or even coat hangers but sweet little ole' harmless pills, etc. -- you have to wonder how the Republic got along for almost two centuries before *Roe & Doe*, when abortion was illegal in every state (and none of these Torquemada-style outrages ever materialized!). After more such, they actually charge that Jesse Helms "wasn't conceived yesterday," and knows that the HLB "must fail. Obviously, the idea is to score points with the 'pro-life' constituency at the expense of the courts, which, as the senator well knows, will have no choice but to strike the statute down. When *Roe* was decided, many screamed -- including one of us (Mr. Ely) -- that the Court was playing politics. With treatment like this at the hands of the Congress, what else can we really expect?"

•Tribe-Ely really over-did it there. Jess Helms and Co-Sponsor Hyde wrote the Times (we haven't seen it printed yet) that "Despite the scorn expressed [by Tribe-Ely] the Human Life Bill is proceeding toward Senate Judiciary Committee hearings on April 23-4, with the approval of the President and the support of some very respectable constitutional arguments. When the Supreme Court declares the judiciary not competent to 'speculate' on 'when life begins,' legal scholars should not feign surprise that Congress takes up the question." They could have said much more too, e.g., Jesse Helms is hardly championing the HLB to "score points" with his "pro-life" constituency: if Tribe-Ely will read Mr. Weinraub's story in the same NY Times, they will note that he reports the very "pro-lifers" who support Helms' anti-abortion amendment are "uncertain about, if not opposed to" the HLB. (We charitably absolve the Times' editors for not having re-read their own story -- that's too much to ask of anyone.) We do grant Tribe/Ely one point: the Court does indeed "play politics," and it is by no means certain that -- if Congress passes the HLB -- smart politics will not inspire the Mr. Justices to find it just as constitutional as, say, the Hyde Amendment, which the pro-aborts (including Tribe, etc.) also "assured us" was unconstitutional. (Ditto the Utah law.)

•But the Times never quits when it's behind: the following Saturday (Mar. 21) it leveled



two more blasts at the HLB. The lead editorial ("No Constitutional Shortcut on Abortion") echoed Tribe/Ely, even to the cutesy tone: "The scheme is intriguing -- but unconstitutional." (Well, that's that: no reason for Congress to struggle with such thorny questions anymore -- just ask the Times for the answers, and go home.) It too "recommended" that the "Right to Lifers" take the noble, albeit "cumbersome" amendment route: a "forthright amendment, although it would take the country in the wrong direction, is the only legitimate avenue open to those who would now take shortcuts." (Would the Times consider it "legitimate," we wonder, for the Court to reverse itself -- as a "Reaganite" Court might some day -- and send the country back in the "wrong direction"? But then there's no need for the High Times to hand down that final judgment prematurely.) In fact, the stuffy edit was much funnier than the lead Op-Ed piece by Resident Humorist Russell Baker, who should have known better than to accept so impossible an assignment. He begins lamely "Two leading Congressional scientists [Helms and Hyde] anticipate the Nobel prize for their researches into the nature of life." The joke is that "life begins long before conception" -- parents have parents, and grandparents -- get it? "... Professors Hyde and Helms should be urging the Congress to enact ... that life for each American begins with great-great-great-great-grandparents in the last quarter of the 18th century." Incredibly, poor Baker ends: "The goal of Professors Hyde and Helms is to punish people who end life once it has started. My grandmother is beyond the power of Congress these days ..."

• Helms and Hyde sensibly did not bother about Baker in their answer to the Times (what do you say to a "humorist" when his joke involves 1.5 million unborn babies per year brutally butchered alive?), but they did gut the Times editorial, calling it an "effort to avoid the obvious conclusion that if something is a human being then it is also a person under the law. We believe it is legally and morally unacceptable to say that some human beings are not worthy of the constitutional protections ... The last time the Supreme Court was willing to find a human being to be a non-person under the law was in 1857. The case was Dred Scott." Wonder if the Times will run all this? So do we.

• That Dred Scott theme was repeated in another document: a Mar. 20 press release issued from the office of Sen. Orrin Hatch (R., Utah) announcing "joint hearings" with Sen. John East (R., N.C.) on the subject of "When 'Human Life' begins" for April 23-4. The senators said they mean to "determine the proper meaning of the word 'person' under the Fourteenth Amendment. The Supreme Court has been most uncertain about this issue, and it is Congress' duty, through its power to enforce the Fourteenth Amendment, to provide federal courts with a clear understanding of the matter." And Hatch added this clincher: "... this is not the first time that Congress has been concerned about the Supreme Court's definition of the word 'person.' In the infamous Dred Scott case," continued Hatch, the Court "narrowly defined the word to exclude blacks, and we corrected that with the Fourteenth Amendment. Our inquiry now is whether we must once again provide the courts with guidelines." Obviously the gentlemen mean business (Gosh, don't they read the Times?) and they now hold the key to the whole HLB effort, i.e., speed. Veteran anti-abort strategists remember well what ole' Birch Bayh did with the original Human Life Amendment hearings: he began them in early March '74, dragged them out cunningly until July '75, and then put off a committee vote until October. Birch of course had presidential ambitions, and what the Times still calls the "potentially volatile" abortion issue was so volcanic even way back then that it blew him right out of contention. Hatch has a golden opportunity to do just the opposite; he has been a long-time -- and outspoken -- anti-abort stalwart, and he's a cool/capable pro who can provide just the kind of tough leadership that's needed at this crucial juncture. We'll have more on this in the next issue (and the next, and ...).

BRIEFLY: \*\*\* Michigan "bi-election" (to fill Dave Stockman's old House seat) won by tough anti-abort Mark Siljander in big upset that has Washington pros saying "November 4 was no fluke!" -- i.e., he beat Stockman's hand-picked candidate with strong "Pro Life" and Moral Majority support. \*\*\* In Phoenix (see Ariz. Republic, Mar. 21) doc saline-aborted a woman "19 weeks pregnant" then had to scramble to save live child of some 32 weeks (little girl reported "holding her own") \*\*\* D C Post (Mar. 20) ran big story outlining HHS Boss Dick Schweiker's "proposal" to limit fed abortion funding to "life of mother" exception only -- across the board -- bringing howls of "outrageous" from feminist groups (it would end Hyde battles for good!) \*\*\* Henry himself on Time's cover? We betcha.



August 12, 1981

## ***House Would Prohibit Civil Service Abortions***

WASHINGTON, July 30 (AP) — The House voted today to bar three million Government workers and their dependents from using Federal health insurance to pay for abortions, except when the mother's life is endangered. The vote, 253 to 167, would bring Civil Service insurance in line with such Federal health insurance programs as Medicaid.

IT RATED JUST TWO TEENSY INCHES in the New York Times (and that crammed down at dead-bottom of page 9) but it could prove an important strategic victory for anti-abortion forces -- the key to even bigger wins ahead, and evidence that the messy "O'Connor Dilemma" may not be as bad as many anti-abort leaders first feared it would be (for more see below).

The timing was perfect: the day before, the front pages blazed with those two historic weddings -- the love-match of Lady Di and Prince Charlie, and the shotgun mating of Tip O'Neill's House "majority" to Ronald Reagan's whopping tax cut, when 48 Dems helped give the President his triumph by a 238-195 margin. Political

pros were quick to note that the "defectors" were largely "social conservative" types (they sure were: at least 40 vote anti-abortion by our count; the sole GOP defector was Vermont's Jim Jeffords, pro-abortion, Yale/Harvard, etc.). So the next day, when the House met to consider spending what's left, the stage was set for another Grand Coalition. John Ashbrook (R., Ohio) greeted his colleagues with a letter reminding them that, while "Congress has denied the use of Medicaid funds for abortions" (via Hyde) a "glaring inconsistency" remained: the continued funding of "more than 20,000 abortions annually" for fed employees and congressional staffers. The Congressional Pro-Life Caucus, said John, "urges your support for the Ashbrook Amendment ... which would end this practice." His letter was co-signed by Caucus Co-Chairmen Ron Mazzoli (D., Ky.) and Charlie Dougherty (R., Pa.). The House erupted into the usual emotional debate, with the pro-abortion remnant sounding more desperate than ever before ("This madness has gone too far," cried Oregon Dem Les AuCoin, etc.). The issue was hardly in doubt, but the actual vote stunned even anti-abortion leaders: Ashbrook carried by 253-167, an 86-vote margin that was exactly twice what RR's had been -- and included 105 Dems.

• When Ashbrook first introduced his amendment last summer, he won by a "mere" 228-170; but that one was never voted on by the Senate -- it got mixed up in the "continuing resolution" deferral that the abortion issue forced on FY (Fiscal Year) '81 bills. Last May, when that snarl was untangled, Ashbrook won again 242-155, but Sen. Mark Hatfield maneuvered to dump it in the Senate/House conference committee (see Lifeletter #9 for details); also, it contained no "life of the mother" exception, which helped Hatfield's kill. But the new version has that exception, and has picked up 25 additional House supporters to boot. Thus Congress faces the "annual" Abortion Donnellybrook when it returns in September (members scurried home for the August vacation as soon as RR's tax package got final approval last week), with the anti-abortion forces holding their strongest-ever position. It should be quite a show -- and could keep the abortion issue hot while the other abortion-based uproar -- over Judge Sandra O'Connor's confirmation -- dies down.

• No doubt about it, RR's first Supreme Court nomination has convulsed the "pro-life" movement like nothing before. Lifeletter's own mailbag (usually an accurate barometer) runs the gamut from the nasty ("Betrayal") through "outrage" to many anguished "How could he do it!?"'s -- and while it's slowed, the torrent certainly hasn't stopped. It may be just too early for any cool analysis, but nobody -- not even the President -- can get around the fact that he has done it. Nor, short of circumstances now unthinkable

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able, will he withdraw Judge O'Connor's name (no weak president would; Mr. Reagan is at the peak of power). Nobody sees strong Senate opposition; the staunchest anti-abortion leaders remain mum (and Teddy Kennedy-types are gleefully predicting unanimous confirmation -- who wants to be the only guy to vote against the First Justiceperson?). Yet some "pro-life" groups vow to fight anyway (just how remains vague); not to fight, they argue, would "concede defeat," and so on. They may get strong emotional support from grass-roots troops (we repeat, many seem bitter enough for kamikaze attacks now, and "get even" guerrilla warfare later).

● But a long hot August could produce cooler second thoughts about what might be a "no win" situation for just about everybody. For instance, the President's prime purpose was to fulfill his campaign promise to appoint a woman to the Court; he had no desire to alienate his "social conservative" support. Maybe his Moderate Mafia advisors did; clearly Reagan was given a less-than-full summary of Mrs. O'Connor's pro-abortion voting record in the Arizona legislature. The result is that RR is perceived to have angered those who voted for him, while pleasing those who didn't (and never will). In turn, the pro-aborts who hailed the nomination are now stuck with Mrs. O'Connor too: if she does think abortion abhorrent (as she told RR she did), well, she's "their person" now. (Remember, she will replace the pro-abortion Justice Stewart, so even a "neutral" performance would be a net gain.) But all such considerations/possibilities are long-term (it may take years to assess Mrs. O'Connor's effect on the Court or the abortion issue). In the short run, the anti-aborts are seen as the big losers. What they wanted was an on-the-record anti-abortion nominee; the anguished howls sent up over the President's "breaking faith" reminded everyone that their greatest strength -- passionate dedication -- can be a weakness: they want to treat abortion as a purely moral issue, whereas to win they must keep it a political one (as history shows, all American solutions are political). That is why the Ashbrook victory is both significant and symbolic: it demonstrates that -- whatever else the "O'Connor Dilemma" produces -- it has not diminished anti-abortion strength in the Congress: just the opposite, evidently! Nor, obviously, has it produced fewer anti-abortion voters nationwide: like all previous abortion-related battles (again, a big plus in the whole O'Connor furor is the public perception that abortion is the issue) it will cause "new" people to think hard about where they stand. To date, that's always produced new recruits for the anti-abortion armies.

● Most important of all is the way Ronald Reagan himself sees things. Right now, the same Media Establishment that for years underestimated him is comparing RR to the strongest presidents in history. Quite right: he has now demonstrated conclusively that he knows what he's doing, and how to do it. He has kept his promises -- and then some -- on the budget, taxes, and much more. We have his word for it that he believes Mrs. O'Connor is anti-abortion. If she's not, well, it wouldn't be the first time RR has been badly served by advisors (remember Iowa, and the Jerry Ford fiasco at the Detroit convention, etc.); each time Reagan himself has taken charge, and won out. True, Court choices pose terrible problems for any president: there's simply no way to be sure until it's too late. But RR knows that an Imperial Judiciary can wreck much of what he has and hopes to accomplish, and that court fiats on abortion, school prayer, busing, and much else are prime concerns to his "social conservative" supporters (e.g., the very people who switched to RR last November). He'd betray himself if he didn't try to change all that, as he promised he would. Thus the critical moment has arrived: with his economic package now gift-wrapped by a willing Congress, the President can turn his attention -- and his power -- to those "other" promises. On the record, there's no reason to think he won't.

● Success is another matter, of course. If anything, the "social issues" could be a lot tougher than the economic ones, on which the opposition feared not to confirm RR's "mandate" (the economy is so messed up that something had to be done, and now it will be RR's problem if things don't get better, etc.). He won't have such monolithic support on abortion: from Senate Leader Howard Baker to key members of his own "team" (in the White House and elsewhere), pro-abortion types occupy powerful slots, with political goals of their own. (Some observers don't hesitate to describe this situation in strongly-partisan terms; e.g., Pundit Kevin Phillips, in a July 21 syndicated column, writes: "There are well-positioned people in the administration, mostly former George Bush cam-



paigned aides, who dote on seeing President Reagan sour his relations with the right-to-life crowd.") But RR is the Boss, and right now such "Bushmen" (we prefer our own catch-all "Moderate Mafia" moniker -- they aren't all for George!) may be worried that they've overdone things a bit re O'Connor, and had better show visible activity on the "social issues" front.

• Speculation aside, one "private" overture was made by White House Chief of Staff Jim Baker on July 21; he asked in several "New Right" leaders, plus a "pro-family" (Gordon Jones, who heads a Mormon group called United Families of America) and an anti-abortion (John Mackey, boss of the Ad Hoc Committee's Washington operations): roughly speaking, Baker wanted to know "what we can do" to defuse the O'Connor brouhaha. It was all supposed to be confidential -- but somebody instantly leaked the story, which appeared as an exclusive Knight-Ridder Service feature the very next day! The Columbus Dispatch gave it Top Page One treatment under a full 6-column banner head "White House Tries to Appease Right Wing" -- vividly illustrating one painful loss l'affair O'Connor has inflicted on anti-aborts, i.e., providing the media with another golden opportunity to label the most broadly-based movement around as merely another rightist cohort. But the Boston Globe headlined the story "Reagan chief vows to aid antiabortion bill" -- which accurately describes what Mackey at least was there to talk about (obviously there were other subjects, including other anti-abortion actions -- discussed).

• Whether post hoc propter hoc or not, some interesting things began to happen, e.g., the long-stalled confirmation of Dr. Everett Koop as Surgeon General may soon get action, both quick and favorable (that story is so complicated and muddled that we'll wait and see before trying to describe it all). And the "antiabortion bill" is obviously the Human Life Bill. The story reports that Baker said "'Why don't we work ... towards some type of anti-abortion bill that would carry out the President's commitment?' Mackey asked if Baker meant the East bill [i.e., the HLB] ... 'Have we made a commitment or taken a position on that?' Baker asked ... [an aide replies 'no'] ... 'Well, we should look at that,' Baker said." Here, two interesting points: a) Baker did not suggest that his sudden interest was to be a quid pro quo for dropping opposition to Judge O'Connor -- and nobody offered to do that; the point was to discuss ways to minimize mutual damage tacitly accepted; b) Baker himself was not only fuzzy on the HLB, but also evidently unaware that the Boss had publicly endorsed it way back in his now-famous March 6 news conference (see Lifeletter #4 for full details).

As it happened, the President himself provided a refresher course a day later: on July 23, he met with state legislators in the White House (such meetings are routinely recorded, but get little attention from the Press Corps -- Lifeletter, of course, reads everything); one Mike Manning, a Minnesota senator, began by pointing out that he was a Democrat who "supports you very strongly in your program" for which he is "censured once in a while by my party. (Laughter.)" He then spelled out his strong anti-abortion convictions, and said "there are some questions" about the O'Connor appointment -- would the President comment? RR did: Judge O'Connor "has assured me" that she's against abortion -- and finds it "a proper subject for legislation and legislative action" -- clear code-words for opposition to the kind of judicial lawmaking that legalized abortion. RR clearly hopes she means it (so do we). He could have quit right there, but instead he launched into a lengthy discussion of -- what else? -- the HLB: "... we had all these hearings up in the Congress to establish when does life begin ... they couldn't quite arrive at a conclusion ... as for me, I think they did arrive at a conclusion without knowing it" -- he then went into what has become his standard homily on abortion, concluding that, even if in doubt, "don't you in the meantime opt for life ...?" Obviously RR does know about the HLB, and has been following the hearings.

The clincher came in an interview RR gave to the expiring Washington Star, published Aug. 5; Reporter Lisa Myers writes that RR "specifically supported congressional efforts to outlaw abortion ..." and while he "did not specifically support ... he did embrace the concept of" the HLB "sponsored by Sen. John East ... to establish that human life begins at conception ... He noted that hearings on the bill produced conflicting testimony ... as to when life actually begins, and insisted [that] that itself is an important



conclusion." Because -- yet again, the standard refrain -- "If there is that much doubt in the world of science and theology ... as to when life begins, then, until you're certain, don't you opt on the side of life?" Then this fascinating addition: "White House counselor Edwin Meese III said the administration as yet has no position on the East bill but would favor 'something in that direction.'" (We'd favor RR's having a little tete a tete with Meese and Baker to a) tell 'em what the HLB is all about -- RR obviously knows -- and b) suggest that they get a "position" that will back up the public support the President has already given the bill!)

•So what's next? It's hard to say: as usual, the anti-abortion movement seems to be thriving on confusion and disunity. On the one hand, it is enjoying incredible luck in leadership at the highest levels, e.g., Who would have imagined, even a year ago, that a President would be taking every available opportunity to push for quick legislative action against abortion? (Imagine the difference if Whatsisname had been re-elected!) Or that there would be a powerful Congressional Pro-Life Caucus directing concerted action to provide and support such legislation? On the other hand, the HLB is the linchpin of all this Washington success, yet it has failed to win support from several "right to life" groups which still claim "leadership" in the movement. On the third hand, groups on both sides of the HLB split are further splintered on the question of how far to push quixotic opposition to Mrs. O'Connor -- a vexed question aggravated by yet-further divisions between mainstream anti-abortion groups and those allied with a) the Catholic bishops' apparatus (strongly and actively anti-HLB) and b) fringe groups which are primarily "New Right" fronts capable of putting abortion second if it conflicts with ideological priorities (as our Washington Wag puts it, "They long to make the O'Connor thing Bluster's Last Stand"). The prognosis? More troubles, greater strife, and more victories. How and why? Well, we'd say because the anti-abortion movement really has grown well beyond control by any group; the leadership has clearly passed to Washington, from whence the signals will and should come until the Congress passes something (HLB, HLA, both -- what it takes) that will spread the fighting out into the states.

REMEMBER SOLOMON GRUNDY ("Born on Monday" etc.)? Meet Joe Smith, the newest Congressman from Philadelphia, elected on Tuesday (July 21), took his seat in the House on Wednesday (the 29th) and voted against abortion on Thursday the 30th (for Ashbrook). Joe is a walking demonstration of a "social conservative" -- a long-time Democrat like his father (a Dem committeeman for 63 years) before him, a pro-labor bluecollar -- the whole bit. So he runs as an Independent (with GOP support!) against Boss Mayor Bill Green's hand-picked candidate. The district is 4-1 Dem, Green's man has all the money and organization, etc., and Green calls in his good buddy Teddy Kennedy, who tries to turn the by-election (to fill the seat vacated by Abscam's Ray Lederer) into an anti-Reagan referendum. What happens? Joe wins by 10 points, with most of his votes on the GOP line (yep, life-long Dems pulling that lever). He'll be a Dem in Congress, of course, but as the Philadelphia Inquirer (July 23) reports "Even so, Smith is expected to be philosophically in tune with the Republicans on such matters as a strong national defense, which he favors, and abortion, which he opposes." To ice the cake, Smith's election reportedly will help ensure the reelection of Charlie Dougherty next year (Charlie is the only GOP Philly congressman -- and the Co-Chairman of the Pro-Life Caucus). Wonder what Joe did on Friday.

BRIEFLY: \*\*\* Columnist Bill Buckley (see DC Star July 28) did bitingly-funny piece on "Sen. Jones" asking Mrs. O'C how she'd vote if Human Life Bill comes before Court; she says she'd have to hear the arguments; "Jones" asks How about Dred Scott? She: " ... it's very clear to everyone now that slavery was wrong" but her view of abortion is "not relevant to how I would vote" -- Jones gives up. \*\*\* Columnist Nick Thimmesch (July 15), a long-time anti-abortion, urges the "Pro-Life movement to be more measured in their estimate" of Sandra, but adds she "has some explaining to do" re her pro-abortion record. \*\*\* Sexual Medicine Today (July) runs attack on HLB -- even listing it as "Senate Bill S158" -- claiming it "cannot stand up to the scrutiny of science" -- but calls it an amendment throughout (some scrutiny). \*\*\* Betting is that strong pro-abortion Sen. Harrison Williams (D., N.J.), convicted in Abscam trial (his defense was Feds didn't give him a fair Sheik), will be expelled from Senate soon.



# LIFE LETTER '81 # 9

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June 24, 1981

**“Abortion is a terrible thing, and I fear the greatest destroyer of peace in the world today, the greatest destroyer of the family. The world is afraid for one more child to be born . . .”**

—MOTHER TERESA



THE ABORTION ISSUE IS AS HOT AS THE WEATHER in steamy Washington this June. It continues to grab headlines -- from Mother Teresa's whirlwind anti-abortion stumping to the powerful wind-up of the Human Life Bill hearings -- and seep into dozens of other big stories (e.g., Mr. Justice Stewart's resignation). You can hardly turn on TV news or interviews without hearing more about the issue; nor walk about Capitol Hill without getting audio/visual proof -- placards, lobbyists, buttons, heated "conversations" in corners, in hallways -- and the Congress faces an "abortion intrusion" in almost anything it touches, from the budget battles to the continuing donneybrook over Dr. Everett Koop's nomination as Surgeon General. Also visible: while the anti-abort troops continue to occupy most of the high ground, the pro-aborts -- clearly terrified that the HLB could indeed pass this session -- are mobilizing an all-out attack that may be half as impressive as it is costly (the tab for newspaper ads alone will run into the millions soon if Planned Parenthood and NARAL keep up the present pace!). The whole crazy picture is tough to describe, but the leading actors help symbolize the main plot-lines. Just now, there's no doubt about who is the Leading Lady in this "woman's issue" drama.

MOTHER TERESA SWEEPED THROUGH AFFLUENT WASHINGTON in two days of almost non-stop meetings and talks that ended (June 4) at lunch with President Reagan. Up to then at least, she quietly but persistently delivered a long litany of misereres for the unborn (we'd bet anything she treated RR to the same eloquent pleas "not to fear" life -- but nobody's talking about what she said at the White House). It all began Wednesday morning, June 3, at a symposium sponsored by the prestigious American Family Institute; a big room in the new Senate office building was jam-packed with newsmen, cameras, congressmen and visitors -- a throng of notables and nobodies that was a rare sight on Capitol Hill. Former Sen. Jim Buckley (now a top State Dept. man) introduced Mother T with a brief but moving description of her wonders performed (ending with a beautiful aside to her: I know you don't want to hear all this, said Jim, but we need it!). Then the diminutive nun levitated onto the crate she needs to reach mikes and calmly intoned an Our Father for the wounded Holy Father! Most of her awed listeners stayed reverently bent forward for the rest of her words, which again and again pleaded for "the little ones": abortion is the worst crime against the poor; we must not fear new life; if "you know anyone who doesn't want the child, who is afraid of the child, then tell them to give that child to me" -- grown men wept, literally.

(over, please)



• Next came a luncheon talk in the big Senate Caucus Room, mostly notables now, with senators and congresspeople prominent. Jesse Helms was among them (fittingly). So was Sen. Mark Hatfield, who just the night before had sold Senate-House budget conferees on paying for abortions for federal employees. Hatfield came out of the crowd, went straight up to Mother Teresa (who was praying her beads at the main table) and -- with flashbulbs popping -- kissed her on the cheek. Then the speechifying began. When it came Mother T's turn to talk again, the mike ... wasn't working. So she glided down to center-front, among the tables -- just a few feet, as it happened, from a smiling, nattily-attired (pink sports jacket, etc.) Sen. Hatfield. Once again, she gave her pro-life litany, often directly to Hatfield, and adding some even-stronger language (including a soft "pure murder"). Once again, there were wet eyes in the hushed crowd (Hatfield gamely kept a fixed smile throughout). Then came the featured speaker -- George Gilder, the hottest "economist" of the new Reagan Era, whose book "Wealth and Poverty" is a national best-seller ("Is Mother T sitting on his supply side?" quipped one diner, as she and George chatted). Gilder's main theme was that Big Spending government was disastrous for families -- but he too got in repeated anti-abortion shots! (Oh yes: the mike was working again.)

• The next day the Tiny Tornado visited Henry Hyde himself for a laugh-filled hour (see photo above: yes, she's got great humor, and Henry is a famed raconteur); she also went over to see Dick Schweiker at HHS -- no need to explain the symbolism involved! She talked to lots of other people on the Hill, always coming back to abortion, asking and listening. She heard plenty. Maybe she even saw the Washington Post story (June 3) describing Hatfield's pro-abort coup (regular readers will recall that Hatfield earlier tried to knock Hyde out of the Labor-HHS funding bill, claiming that it would be put back in the conference committee -- precisely where he knocked out John Ashbrook's anti-fed employee funding rider!). Hatfield got invited to the White House lunch; as we say, nobody is saying what they talked about (RR said only that he "listened" -- clearly it was a moving experience for him), but the following Monday (June 8) the New York Times ran a fascinating item in its "About Washington" column, reporting that Hatfield "resents" the "invective and misinformation" coming from anti-abort groups since his Hyde-Ashbrook ploys, which reached "its cruelest point last week in a visit from an old friend, Mother Teresa ... According to the senator, her entourage included two anti-abortion workers ... Mother Teresa asked, 'Tell me, are you for abortions?' 'That's the kind of stuff going on with this,' the senator says, sounding more angry with the anti-abortion lobby than wary of it. He responds to his critics by asking whether their compassion extends 'beyond the fetus to other human concerns of mine: birth control, nutrition programs, the arms buildup.'"

• Hatfield's compassion litany is all too familiar: it's what pro-abort liberals have been telling anti-aborts from the start. But his "facts" are all mixed up. Not two, but all of Mother T's entourage is anti-abortion, and her own indisputable compassion begins with abortion (dead babies don't need nutrition, nor need they fear bombs). True, Hatfield has voted anti-abort -- back when the GOP was a near-powerless minority in the Senate. But now that he's chairman of the powerful Appropriations Committee -- long dominated by pro-abort Dem Warren Magnuson -- he's busily making pro-abort moves. Naturally he's getting flak from anti-aborts, outraged by the mere suggestion that Hyde be dropped for any reason; they were hardly reassured when Hatfield killed Ashbrook by doing exactly what he'd said he wouldn't do on Hyde. Sure, he couldn't have done it without support from the other conferees (all congressmen obviously fear messing with the plush perks of the bureaucracy, that "Great Muddle Class," as our Washington Wag puts it); point is, Hatfield was the guy who pushed it through. If he is now "more angry with than wary of" his anti-abort critics, well, then both Mark and his "tormentors" are in for more of the same. Nobody doubts that Hatfield can do major damage to the whole phalanx of anti-abort legislation if he wants to, just as his predecessor, ex-Sen. Magnuson, did -- but everything has its price, and last time out the anti-aborts made it a pretty stiff one. No doubt Lifeletter will have more on this one soon.

HENRY HYDE OPENED THE FINAL SESSION of Human Life Bill hearings June 18 with a rousing call for "a little Congressional activism" against legalized abortion, which he blasted (a la Malcolm Muggeridge) as a "humane holocaust of the unborn" -- than whom "A blade of grass has more protection under our law." Hyde also praised the Chairman, Sen. John East,



for standing firm against "an incredible display of journalistic abuse" for "daring to explore this fundamental question" of when human life begins. Indeed, East has shown an impressive toughness throughout, and obviously has no doubt himself about what his long (it began April 23) ordeal has demonstrated: he told several witnesses that their refusal to admit that human life begins at conception was like "refusing to admit that the world is round" because they objected to the consequences. And, even though the pro-aborts turned out some of their Big Guns, they didn't do too well: Sarah Weddington, Jimmy Carter's Chief Aide person (and winning attorney in one of the original Abortion Cases) sounded petulantly defensive in sticking to the grim "life is not the question" line -- unborn babies just don't have any rights, and that's that, etc. Yet another AMA doctor was there to defend the abortion trade -- a billion-dollar industry -- and inform East that the "practical effects" of the HLB would be "staggering" (East wondered aloud how medicine men knew so much more than the Congress about laws, etc.) And when "Expert" Singer Judy Collins came to testify for "the women who have no voice in this room" -- she read letters from women anguished over having had defective children, etc. -- East of course had to take it sitting down (crippled by polio at 24, he zooms about Capitol Hill in a wheelchair), but his reply hushed the entire room: "Eliminating the handicapped," he said with suppressed anger, had special meaning for him and "smacks of a Nazi-like mentality" (he gave his own and some other examples of how such humans, if allowed to live, "might accomplish something"). Collins had no answer (indeed, her gaucherie is a perfect example of the kind of ignorance/arrogance that has disastrously flawed so many pro-abortion spokespersons throughout the hearings).

•Another emotion-grabber was the testimony of Dr. Carolyn Gerster (a former president of the Natl. Right to Life Committee) who described the "perfectly formed 3½-inch baby boy" she had once miscarried. Dud of the day was Dr. Naomo Goldstein, representing (all too well?) a "psychiatric association" -- he revealed that unwanted kids are "at high risk for abuse" (see, if you kill 'em, nobody can hurt 'em, etc.). The final witness was one of the best in the long parade: John Ashcroft, Missouri's attorney general (and president-elect of the national AG's org), who testified in effect that not only was the HLB constitutional but also exactly what the states wanted/needed -- they would use the restored powers immediately, con gusto, to attack the legal morass that abortion litigation has inflicted on the several states. East promptly used Ashcroft's taut statement as base for an impressive wind-up that summarized all that the hearings had accomplished -- and how much (Henry Hyde had struck the right chord) they have cost him in terms of abuse and effort (it was virtually a one-man ordeal). He called it his "baptism of fire" and, clearly, East has emerged as a rugged new leader of the anti-abortion effort, determined not to waste his sweat-and-blood performance. Next step: a vote by his 5-member subcommittee that, if favorable, would send the HLB to Strom Thurmond's full Judiciary Committee. Our bet: East (with Orrin Hatch's help) will win it, and pretty soon too.

•An interesting footnote: East several times blasted the notion that the rights of the unborn should depend on "the polls" -- mentioning specifically the Washington Post/ABC poll (see the Post June 8) that claimed Americans "support legalized abortion by a wide margin" (40% approving abortion-on-demand, another 34% "in most circumstances"). As well he might: it certainly was "timely" of the Post to come up with such startling new results right in the midst of the HLB hearings; just a few days earlier, Time (June 1) could only produce a 56-35% pro-abortion split -- and of course the Post itself was startled when it reported the Connecticut Mutual poll back in early April: it showed a 65-35 anti-abortion result! Meanwhile, the June 22 Newsweek (owned by the Post) runs a story telling how GOP polls showing Teddy Kennedy and Pat Moynihan "to be surprisingly vulnerable" are, well, baloney maybe, quoting one of Bob Packwood's aides as saying politicians "do their very best to keep their opponents on the defensive. That's part of the game and it goes on all the time." Sure does.

•Another -- amazing -- footnote: way back when the hearings began, Harvard's Larry Tribe (a Stakhanovite pro-abortion if there ever was one) rounded up a dozen "prestigious" law professors to sign a letter calling the HLB "unconstitutional." Anti-aborts matched it with a dozen of their own, who signed a much stronger letter submitted on the final day (June 18). The amazing thing is that the other great pro-abortion paper, the New York Times, actu-



ally ran a story on it (June 20)! But it wasn't exactly "equal times": Reporter Stuart Taylor opined that the anti-aborts are "less well known" (i.e., not Harvard-Yale types), then proceeded to identify the most famous of them, Prof. John T. Noonan, as representing "Boalt Hall Law School"! As is well known, Noonan teaches at the Univ. of California Berkeley (Boalt Hall is a building there), surely a famous place, as for that matter is Washington's own Georgetown, where two of the other signers (Paul R. Dean and Richard A. Gordon) teach. It's as hard to believe that Reporter Taylor would do such a thing deliberately as it is to believe that he wouldn't even recognize U/Cal Berkeley (plainly printed on the letter); take your pick.

IT'S HARD TO COVER ALL THE OTHER abortion-related stories around, but then we don't really have to anymore -- the media are doing the job (finally) themselves. E.g., Justice Potter Stewart's resignation predictably brought forth plenty of press speculation as to how much the abortion issue would influence President Reagan's first Supreme Court appointment (plenty, we hope!). Little-noticed was the Court's June 8 action ordering a fed appeals court to look again at four Nebraska anti-abortion laws it had held "unconstitutional": they provided for various "consents," delays, mandatory reporting, etc.; in effect, the action means that the Court has taken another step backward from Roe & Doe, following closely on the Utah "parental notification" case backdown (which presumably OK's the Nebraska laws). Who says the Mr. Justices aren't following the HLB hearings? What the Court fears is any congressional assault on its jurisdiction, as Justice Stewart himself admitted at his press conference (June 19): the HLB would restrict only the lower fed courts, but the High Court can spot "a clear and present danger" when necessary.

•Another hot HLB-related story broke in the Washington Star June 22: as reported (see Life-letters #7, #8), one Wilfred Caron, general counsel for the U.S. Catholic Conference, issued an early-April blast charging that Congress had no right to pass the HLB because it would "restrict the Court's right" (sic!) to interpret the Constitution. That didn't sit well with Henry Hyde; on June 11 he sent Caron a blistering letter -- copies to all Catholic bishops -- calling on Caron to "cease and desist" opposing the HLB if only to get Caron out of "the company of ... the National Abortion Rights Action League" -- strong stuff indeed. Now the Star's Religion Editor Jim Castelli (who used to work for the bishops himself) reports that Caron sent a "hand-delivered" reply to Hyde (Henry's office says "no comment" so far) deploring the "hostility" and "acrimony" in the abortion debate, wherein everybody "should treat each other with respect despite their differences," and so on. No explanation, evidently, as to why Caron didn't treat RC legislators like Hyde, Ron Mazzoli and Charlie Dougherty (all House sponsors of the HLB) to a little advance consideration before he damned their bill -- but as we go to press we haven't yet managed to get a copy of Caron's latest ourselves; we'll have more on this one later.

•Fact is, Big Henry is a Commanding Force astride the whole abortion battlefield: standing there like a Stonewall against pro-abortion efforts to break support for Dr. Everett Koop as Surgeon General; dispatching his cavalry (a la Jeb Stuart) around the flank in a dashing Discharge Petition to force Koop's nomination through the House (Hyde got over 70 signers the first day -- a record, surely? -- it's over 100 as we go to press); galloping off on a long-distance strike (like Phil Sheridan) to the Natl. Right to Life Committee's annual convention in Omaha June 19 to rally support for the Human Life Bill which (as he told Sen. East) he is "proud to support" (we're told 23 of the 50-odd NRLC directors signed a declaration supporting Henry and his HLB -- but a majority, led by newly-reelected Prexy Dr. Jack Willke, still won't get behind the bill -- even though the 2,000-strong delegates gave Hyde a standing ovation after his all-out HLB pitch!). Whew. The man's sheer energy wilts comparisons (not to mention Carons). And more: like Sherman, Hyde marches straight ahead and over opposition, no matter what; when, on June 3, the Natl. Pro-Life Political Action Committee (a small but big-talking PAC run by Rev. Charles Fiore, a Dominican priest) held a press conference in Washington to announce its '82 "hit list," Hyde -- joined by Sen. Jake Garn and Reps. Marty Russo (D., Ill.) and Bob Young (D., Mo.) -- turned the session into a fiasco by announcing their resignations from the PAC's "advisory board" (they hadn't been consulted, or even advised). But every clout has a silver lining: the Rev. Fiore is also a loud opponent of the HLB.



## Planned Parenthood Groups Investigated on Use of U.S. Funds

By ROBERT PEAR

Special to The New York Times

WASHINGTON, Dec. 5—The Federal authorities have begun a nationwide investigation of groups affiliated with the Planned Parenthood Federation of America to determine whether they illegally used Federal funds to promote abortion as a means of birth control or to finance political lobbying.

Thirty-five of the federation's 188 affiliates throughout the country have been named in the investigation.

Waxman, Democrat of California, chairman of the panel's Subcommittee on Health, have also expressed concern.

In a letter last week to Mr. Schweiker, they said that simultaneous investigations by two auditing agencies appeared to be "an expenditure of duplication" and that the image of the family through federal funds was being damaged.

Human Services, said in a telephone interview. "It's not a general audit technique. But we wanted to satisfy ourselves that Federal regulations were complied with."

The auditing agencies, the Minnesota Department of Social Services and the Minnesota Department of Health, said they were not involved in the investigation.

ing that "radical right-wing political forces" were promoting a constitutional amendment to outlaw abortion.

Abortion, a Federal ...

said the affiliates -- year in Federal ...

THE HEADLINE WANDERED ACROSS an inside page of the huge Sunday New York Times (Dec. 6) as if Times' editors didn't quite know where to put it or the quarter-page story it described -- after all, there's never been a story quite like it before, and the obvious symbolism of it all has no niche in the pro-abortion Zeitgeist. What kind of government would investigate a progressive, do-gooding group like PP, anyway? The times (if not the Times) really are a'changing!

•The story itself hardly amounts to any great anti-abort victory: it seems that fed investigators aren't finding much "wrong" -- i.e., no great financial irregularities, etc. But then who expected that an established nationwide organization with a budget of \$122 million (showing: Lord knows what it would be if all PP's Establishment "connections" could be assessed) wouldn't afford itself smart accountants? No, the real story is the symbolism: for the first time since -- almost nine years ago now -- the Supreme Court legalized abortion-on-demand, pro-abort forces are on the defensive everywhere, with bigger troubles looming ahead in '82. Thus, as the first year of the Reagan Era comes to a close, anti-aborts can point to a bagful of advances large and small to go with the very real defeats and disappointments they had in what many hoped would be a breakthrough year.

•Topping the list of symbolic victories has to be the final confirmation of Dr. C. Everett Koop as Surgeon General. Once again, the Times put it in perfect focus: "The Senate today [Nov. 16] confirmed ... a pediatric surgeon who is a prominent foe of abortion ..." In fact, Koop may well be the most impressive man to be appointed SG in living memory; his biography strains the imagination; he seems to have done everything, been everywhere, studied/written about more medical subjects than seems possible -- yet he also found time to become a prominent Christian layman and outspoken anti-abortionist. Those last two accomplishments (most especially his anti-abort efforts) were what produced the bitter battle over his confirmation, of course: virtually the whole Establishment (not just the medical bureaucrats) rose in secular-liberal wrath that such a man -- no matter his credentials -- could hold so prestigious a post. In a way, it was very funny: in the "twin" uproar, the Establishment types were indignant that Justice Sandra O'Connor should actually be opposed solely because she was pro-abortion; yet they thought nothing of simultaneously denouncing Koop as "unfit" solely because he was anti-abort.

THERE HAVE BEEN PLENTY OF OTHER appointments that have outraged the pro-aborts (and more that would scare them if they realized just who's turned up where since last January!). Richard Schweiker as head of HHS was a highly-visible blow; Rex Lee as Solicitor General (he's an anti-abort Mormon and former Brigham Young law dean who wrote an anti-ERA book, etc.) hurt too; less prominent is Donald Devine, now the Office of Personnel Management's director, who startled not only pro-aborts but also fed workers by moving to cut abortion monies from the bureaucracies' lush medical coverage. As we say, the list is too long to detail here, but knowledgeable anti-abortionists will agree that, whereas once they trudged through the corridors of congressional and agency power with hardly a friendly

(over, please)



face to see, there's a whole lotta hand-shakin' going on today. No doubt about it, the Reagan Administration is very different from its three abortion-era predecessors. Not everything is rosy. President Reagan himself is strongly anti-abortion -- otherwise none of the above would have happened -- but he badly shook his "pro-life" troops via the O'Connor appointment, with long-term results nobody can yet measure. The reason for that remains the big problem: virtually all of RR's top advisors are either pro-abortion, or don't give a hoot about the issue, or are not in a position to influence abortion decisions (curiously, two of the latter, CIA's Bill Casey and the now "on leave" Dick Allen, have had the rough-est time of all RR's men). Which means that the much-improved anti-abortion position depends on RR himself.

• Indeed, those victories raised grand-scale hopes of far more than merely an "improved" situation -- however vital such gains may prove in the long run. Many anti-abortion strategists saw real hope for a quick breakthrough to take advantage of what nobody had dared expect -- anti-abortion majorities in both houses of Congress. That hope was the genesis of the now-famous Human Life Bill; within weeks of the election, most key members of the Washington anti-abortion apparatus were working furiously -- with full support from the top congressional leadership -- to ready the HLB as a blitzkrieg thrust. Amazingly, they did it all, on schedule -- a unique accomplishment in the topsy-turvy world of anti-abortion efforts which, for better or worse, made the HLB the abortion story of the year. Consider the record: on Jan. 19 (Congress' effective opening day) the HLB was introduced by Jesse Helms and Henry Hyde, the eponymous Senate/House leaders; it soon got solid endorsement from the newly-powerful Congressional Pro-Life Caucus; Freshman Sen. John East's subcommittee swung into action with the most publicized abortion hearings ever.

• In retrospect, the net result was much more than impressive. Nobody doubts that the prime strategic aim of the anti-abortion side is to keep the fight hot: no final victory is attainable -- no "solution" will work -- until the heat of battle melts the Abortion Power's claim that the American "consensus" supports abortion-on-demand. Up to now, the tactical focus has been the "annual" Hyde uproar that not only convulsed the Congress, but also spawned all kinds of satellite wars that spilled over into fed agencies, the courts, state and local legislatures -- not to mention darn near closing down the government several times! In the event, that kind of thing was virtually eliminated this year by the Armageddon fought over the Reagan Revolution (the Congress will undoubtedly finish out its '81 session next week still fighting over RR's budget: as we go to press, it looks like last year's Hyde funding ban will stay in without a fight, but Ashbrook (no abortion funds for fed workers) may not get a vote. But the HLB kept the abortion pot boiling throughout the year -- mightily aided, of course, by those "twin" controversies (O'Connor and Koop) that kept abortion front-page news nationwide -- and Congress never had a chance to forget "the" issue. And while the budget frenzy did prevent any action on the "social issues" this session, the HLB moved on through all the confusion until -- ahead of schedule -- Jesse Helms took decisive action by putting it on the Senate calendar Oct. 15. That day, Helms noted the fact that, since Sen. East's HLB hearings, even pollsters like Gallup show that a majority of Americans now agree that "life begins at conception" -- exactly the point that the HLB exists to make.

• Post hoc propter hoc? The pro-aborts loudly argue no, of course: from the beginning, they have clung desperately to those "favorable" polls as gospels proclaiming that the killing of 1,500,000 unborn babies a year (the current "rate" -- it's probably even higher now) is supported by "the majority" of Americans. Anti-aborts have countered that the "public" pollsters have always asked the wrong questions, e.g., they still ask about the "first trimester" -- in fact the Court OK'd abortion up to live birth -- and load questions with rape, incest, and other such "hard-case" stuff. But there's a more fundamental point involved: what really "loads" most major polls is a "women's rights" bias; the standard question is "Do you feel that a woman has a right ...?" -- and most Americans have long since got used to answering all "rights" questions "Yes" no matter the issue. But here too times are a'changin': a big jolt came from the (Connecticut Mutual) insurance company poll that surprised everybody (see Lifefletter #6) by getting a 65% "Yes" response when it asked if abortion was immoral. The point is clear: the morality of abortion caused respondents to think about the baby, not just the "mother." What would hap-



pen if the pollsters asked "Do you think that a baby has rights as soon as it is conceived?" That is what Sen. East was asking -- what the HLB is all about -- and that's precisely why the "personhood" question is to the anti-abortion cause exactly what the humanity of blacks was to the anti-slavery cause, i.e., the sine qua non of victory. As one Washington observer puts it: "If a majority of Americans come to agree that the unborn have that inalienable right to life, they will compare anti-abortionists with the Abolitionists; if not, they will compare them with the Prohibitionists."

•Of course, the HLB stirred up plenty of opposition which, as everybody concerned realizes, has now gone well beyond adding to the publicity bonanza. For the opposition has come not only from pro-aborts, who clearly consider it a "nightmare threat" (rightly, we'd say -- it could be passed anytime now!), but also from highly-visible segments on the anti-abort side. Lifeletter has reported this yawning split-in-the-ranks endlessly (it seems to us) in all recent issues; here, we'll try to summarize some of the crucial points only. Most immediately crucial is the strategy question: the basic HLB premise is that it could be passed now, and that -- if only as part of that fundamental need to keep the fight hot -- that's vital. If HLB backers are "wrong," their main crime will be losing: even a bare 51-vote majority is by no means certain, if only because nothing close is ever certain in politics -- and on abortion, the most volatile issue around, strange things can happen on a showdown vote. (Our own current headcount "sees" a 54-vote maximum -- hardly a comfortable prognosis!) In the House, although the majority seems certain, the problems are greater: the Dem leadership's key members are strongly-dug-in pro-aborts, and short of some bold legislative legerdemain, a Discharge Petition may be needed to get a vote -- again, a by-no-means-certain thing. Worse, top congressional leaders are acutely aware that defeats hurt, and can cause unpredictable results, e.g., back in the 60's the strong drive for a school prayer amendment lost in the Senate by one vote, and poof went the steam from the whole effort. Again, a prime advantage of the HLB is that it's "only" legislation: if halted once, supporters can come right back again. There is no such favorable outlook for any anti-abortion amendment in the current Congress. Here, Dr. Koop's confirmation vote speaks volumes: he won 68-24, i.e., by one more Senate vote than needed to pass any amendment. Does this show that there might conceivably be 67 "anti-abortion" votes available? Nope: of the 24 anti-Koop votes, 23 were hard-line pro-aborts, as were 18 of the "Yeas" -- mainly GOP'ers supporting Reagan's choice. That adds up to 41 -- seven more than the bare 34 needed to stop any amendment. The eight absentees would have split evenly, meaning that the current Senate has 45 hard pro-abort votes, eleven more than needed. Nor is there substance to the wistful notion that, on the Big Day, lots of the "other guys" will be absent: the average vote on constitutional amendments in recent decades is 95, present-and-voting!

•Given all this, the nagging question remains: Why are Senator Orrin Hatch and his allies (now including, officially, the U.S. Catholic Bishops) pushing for action on his "Federalism" amendment as an alternative to the HLB? It's hard to avoid the only obvious answer: the Hatch Putsch is primarily intended as a stop-HLB effort, and not -- whatever its merits vis a vis the Human Life (i.e., "personhood") Amendments -- as anything actually passable in this Congress, or any other until the yawning gap between votes there and votes needed is closed by election victories that, at best, can only be hoped for. That point illuminates what seems the ultimate irony: the HLB has "worked" -- it is the only anti-abort effort ever to get through hearings, a subcommittee vote, and onto the Calendar -- precisely because it was tailored to the existing political reality, i.e., use of those majorities putatively won last year. Notoriously, "off-year" elections usually reverse presidential-year trends; thus failure to strike in '82 with the HLB (the only weapon available now) could well mean that, by '83, the HLB might be as unpassable as an amendment is now, while all amendments recede into dreams rather than realistic "ultimate goals." More, the only thing likely to produce new anti-abort victories in the '82 elections is the kind of galvanizing boost that an HLB victory would give the grass-roots "troops" upon whom such against-the-odds victories depend.

•It remains too early to tell what effect the surprising -- unprecedented -- endorsement of Hatch's amendment by the Catholic bishops will have on the also-unprecedented unity the HLB has forged among those grass-roots troops plus, mirabile dictu, the great major-



ity of anti-abortion groups, who have put aside their famous squabbles to join in the still-growing HLB Coalition that now numbers (we're told) over 100 organizations. True, the bishops' Washington apparatus was an early HLB opponent, first behind-the-scenes, then openly via a totally-gratuitous blast (dated April 8) by one Wilfred Caron, the prelates' chief legal advisor, who said, in effect, that Congress had no right to pass the HLB! (For background -- or for your sins? -- see Lifefletters #7-#15.) But it is also true that Hatch was trying hard to line up "independent" anti-abortion support, and clearly failing. It didn't phase Hatch who, although visibly angry at the broad-based opposition, plunged ahead as if the RC support he said was promised was all he needed ("A Mitre Fortress is our Goal?" quipped our Washington Wag).

•Hatch certainly got it, and then some. First, on Nov. 5 (again, see Lifefletter #15) New York's Cardinal Terrence Cooke testified at Hatch's still-continuing subcommittee hearings (originally touted as HLA hearings, but in fact concerned only with his own HBA -- the "Hatch-Bishops' Amendment") and gave the kind of specific endorsement for Hatch's proposal that the bishops had religiously withheld, previously, from any specific wording or legislation. Up to then, most people thought that the D.C. apparatus didn't really speak for all the bishops -- but surely Cooke did? Well, the answer to both questions seems to be both Yes and No. When all the bishops assembled for their annual confab in Washington (Nov. 16-19), Cardinal Cooke informed them that they had indeed adopted the apparatus's pro-Hatch position "officially," and would they please confirm their decision? There was much consternation (e.g., see the Washington Post accounts, especially on Nov. 17) and even outright opposition. Bishop Joseph Sullivan (Baton Rouge) said he "couldn't defend it before my people" (in the event, Sullivan was the only bishop to hold firm against Hatch); even Cardinal Humberto Medeiros of Boston, who (noted the Post) "rarely speaks up in meetings of the hierarchy," said "In my conscience, I do not see how I could endorse [Hatch] which grants power to destroy some innocent life ... I would not want to have those innocent voices shouting at me in the future." But the next day, Bishop Sullivan stood alone in opposition to a "unity" endorsement of Hatch.

•It was an impressive victory for the RC Washington apparatus -- no doubt about that -- but sticky too. While the bishops assembled had given an ex post facto imprimatur to the policy their representatives had been implementing, de facto, all year, there was also no doubt that hackles aplenty had been raised among their putative bosses, and the pressure was now on them to produce the only thing that might justify so dramatic a moral-to-pragmatic switch, i.e., success. Nor was it any longer their "private" affair: the Big Switch was being publicly drubbed by such nationally-read commentators as Columnist William F. Buckley, who wondered (see the New York Daily News, Dec. 1) had they forgot to open their conference "with prayer for guidance," and then drove the point home: "... suddenly they have become tacticians, backing [Hatch] which would return to the states, by constitutional amendment, the right to make decisions on whether, when, and how abortions might be undertaken. Now, there is reason for thoughtful laymen to back the Hatch Amendment (although it will not be passed). But none for the bishops [who] should not be concerned with process, tactics, dealings, wheelings. It is the bishops' task, pure and simple, to tell us what they are consecrated to study, namely the moral issue. It is up to the Hatches, and other senators, to decide how ... we need to travel politically. The bishops have been sorely misled. The result, unhappily, will be their loss of the only kind of authority to which they should aspire." Thus there was mutiny in the air when the apparatus assembled "their" troops for a "Secret! -- No Leaks!" meeting in Washington (Dec. 2-3). Cardinal Cooke and Hatch himself joined the D.C. bureau men in exhorting the "field" leaders to work for Hatch. But there was evidently as little enthusiasm as secrecy: anti-Hatch leaks abounded, and a long "insider's" story appears in the Dec. 10 Wanderer (an independent RC weekly) that, if accurate, could severely damage Hatch's chances. It reports that Hatch "strongly suggested" that his amendment "will not pass the Senate this year or in 1982," and then "pointedly observed that it took four years to pass legislation ... for a ski patrol -- a subject which is not nearly as controversial as abortion." Also, there are reams of "quotes" which -- again, if accurate -- would indicate that there is strong and deep opposition to the bishops' "no dissent" demand. Stay tuned.



# The Ad Hoc Committee in Defense of Life, Inc.

605 - 14th St. N.W., Suite 302, Washington, D.C. 20005, Telephone (202) 347-8686

May 20, 1982

## Chairman

J. P. McFADDEN  
New York, New York

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Miami, Florida

## Special Counsel

JOHN P. MACKEY, ESQ.  
Washington, D.C.

Mr. Morton C. Blackwell  
Special Assistant  
The White House  
Washington, D.C. 20500

Dear Morton,

The U.S. Catholic Conference's legislative arm on the abortion issue, the National Committee for a Human Life Amendment (NCHLA), is circulating the enclosed around the country and I thought you might be interested in seeing it.

Sincerely,

  
JOHN P. MACKEY, ESQ.  
SPECIAL COUNSEL

Enc.



# NCHI A NEWSLETTER

National Committee for a Human Life Amendment, Inc.

1707 L Street, N.W., Suite 400, Washington, D.C. 20036 Phone: (202) 785-8061

May 10, 1982

## PRESIDENT SUPPORTS HATCH AMENDMENT

"The President is in favor of both of the major proposed remedies" (Hatch Human Life Federalism Amendment and the Helms Bill). That was the word last week from Morton Blackwell, Special Assistant to the President, during a meeting with pro-life leaders, including NCHLA's Executive Director, Ernest Ohlhoff.

Mr. Blackwell further stated "...So far as I know, there is no Administration plan to advance one in preference over another. The President is on record in support of both."

## LIFE ROLL CARDS EVERYWHERE!

The LIFE ROLL card project conducted across the country in January was a huge success. Millions of American Catholics added their names to the LIFE ROLL, standing in support of LIFE, and specifically the Hatch Amendment. Many Dioceses, including Springfield, Illinois (shown at left) transferred the information from the LIFE ROLL cards to computerized sheets before the list of names was sent on to the Senators and Representatives asking their support of the Hatch Amendment. Our thanks to all who worked to make this project a huge success, especially all who signed the LIFE ROLL.



Springfield, Illinois. Shown looking over the computer print-out of names are, from left: Father John Ossola, Diocesan Director of Pro-Life; Bishop Joseph A. McNicholas, Steve Matheis and Jane King, both members of the Springfield Deanery Pro-Life Committee. (Photo by Father John Beveridge).

## ALLOWING HANDICAPPED CHILD TO DIE BREAKS FEDERAL LAW

President Reagan has responded to the death of an Indiana infant with Downs Syndrome, because his parents instructed authorities to withhold food, by charging that the action was illegal discrimination against the handicapped. In a memo to H.H.S. Secretary Richard Schweiker and Attorney General William French Smith the President cited a federal law that says that services must not be withheld from the handicapped if they normally would be provided to others.

The President directed Schweiker to notify hospitals and other providers of health care that if they receive federal funds they must abide by that law. He told Smith to seek "federal and constitutional remedies" to be used against those who break the law.

The 6 pound baby, known only as "Baby Doe", was unable to eat normally because his esophagus was not connected to his stomach. After living 6 days the infant died April 15 of starvation.



# NCHLA NEWSLETTER

National Committee for a Human Life Amendment, Inc.

1707 L Street, N.W., Suite 400, Washington, D.C. 20036 Phone: (202) 785-8061

May 10, 1982

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# The Ad Hoc Committee in Defense of Life, Inc.

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July 21, 1982

## Chairman

J. P. MCFADDEN  
New York, New York

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## Special Counsel

JOHN P. MACKEY, ESQ.  
Washington, D.C.

Mr. Morton C. Blackwell  
Special Assistant,  
Membership Groups  
The White House  
Washington, D.C. 20500

Dear Morton,

We, the undersigned, were dismayed to read today of the unwarranted public criticism and threats to this Administration at the polls, as voiced by one Right to Life organization in the enclosed United Press International and Washington Post stories concerning the showing here in Washington of the President's recent taped message on the pro-life issue.

No one in our organizations would wish President Ronald Reagan to use his prestige, good will and commitment to the pro-life cause in support of a Constitutional Amendment that its own sponsor's staff admits has only fifty (50) votes or less, and is doomed to fail.

It is our understanding that Senate Majority Leader Howard Baker has already scheduled full debate and the opportunity for "passable" anti-abortion amendments to the second Debt Ceiling bill (House Joint Resolution 520) which will be before the Senate shortly.

The real debate and test of the abortion issue in the legislative arena will thus come on this second Debt Ceiling bill, and Senators Helms', Denton's, and Jepsen's efforts to pass some meaningful legislative proposals on this "must pass" bill. We will look forward to working with, and hopefully gaining full Administration support at that time.

Very truly yours,

s/John P. Mackey, Esq.  
AD HOC COMMITTEE IN  
DEFENSE OF LIFE, INC.

AMERICAN LIFE LOBBY

CHRISTIAN ACTION COUNCIL

s/Dr. John Kelly  
FAMILY LIFE LEAGUE

s/Joseph Scheidler  
Executive Director  
PRO-LIFE ACTION LEAGUE

s/ Mrs. Ann O'Donnell  
as a Board Member  
MISSOURI CITIZENS FOR LIFE

P.S. On the contrary to threatening retaliation, we who truly speak for the anti-abortion movement, ask for, and hope for Administration support in the real battle as outlined.



# Abortion foes hint retaliation if Senate skips vote

From Sun-Times Wires

WASHINGTON—Abortion opponents eyed the prospect Tuesday of political retaliation if the Reagan administration fails to force a Senate vote on a proposed constitutional amendment to discourage abortions. At a press conference called by leaders of the anti-abortion movement, John Wilkie, president of the National Right to Life Committee, said the failure of the Republican-controlled Senate to vote on an amendment sponsored by Sen. Orrin G. Hatch (R-Utah) would have "a very chilling effect on some of our administration candidates this fall." Wilkie first put that sentiment in even stronger terms. He said the lack of a vote would have "an absolutely disastrous effect on the administration's support from our movement in November." The amendment, dormant since winning committee approval in March, would let Con-

gress and the state legislatures regulate or prohibit abortions.

The Rev. Edward Bryce of the Office of Pro-Life Activities of the National Conference of Catholic Bishops, also pushed for a vote. He said he prayed "that by the end of this session of Congress, the accusation that our elected representatives have abdicated their responsibility will not be appropriate."

And Rosemary Meyer, president of the National Committee for a Human Life Amendment, accused Senate Majority Leader Howard H. Baker Jr. (R-Tenn.) of defying President Reagan and the 1980 Republican platform by failing to press for a vote.

"We find ourselves blocked by Senate Majority Leader Howard Baker's refusal even to schedule the amendment for debate," she said.

Anti-abortion leaders, attempting to project an image of unity, pointed to a recent statement by Reagan as indicating the time is ripe

for a full congressional debate on the issue.

In a videotaped message to last weekend's National Right to Life Committee convention in Cherry Hill, N.J., the president said: "The time has come for Congress to face the national tragedy of abortion, to fully discuss and debate on the House and Senate floors the heartbreaking dimension of this tragedy."

Reagan did not endorse any of the three specific proposals now before the Senate—sign supporters of the Hatch amendment interpreted as a presidential desire for debate on all three.

Legislative strategy has deeply divided the anti-abortion movement for the last year.

The National Conference of Catholic Bishops, the National Committee for a Human Life Amendment and Pro-Life Ministries all support the Hatch proposal.

Other groups, such as the American Life Lobby and the Christian Action Council, favor

a bill by Sen. Jesse Helms (R-N.C.) that would "recognize the unborn child as a person under the 14th Amendment."

The third proposal, sponsored by Sen. Mark O. Hatfield (R-Ore.) would cut off all federal funding for abortion.

Baker has agreed to allow a vote on attaching the Helms bill to a piece of "must" legislation—the debt limit bill that is expected to come up in late July or early August.

A spokesman for Baker said abortion foes had agreed on the Helms' proposal as the anti-abortion legislation they would try to enact, but he did not rule out the possibility that proponents of the Hatch or Hatfield bills would try to push those measures.

The anti-abortion leaders did not claim to have enough strength in the Senate to pass the Hatch amendment, but they appeared eager to force senators to take a position on the measure before the elections.



# Reagan: Time Is Now To Explore Abortion Ban

By Penny Chorlton  
Washington Post Staff Writer

President Reagan is calling for a full discussion of legislative proposals to outlaw abortion, saying that the time has come for urgent consideration of what he described as a "national tragedy."

But in his strongly worded speech taped for antiabortion groups attending the National Right to Life Conference in New Jersey last week, Reagan did not indicate which of three measures he favors. This was interpreted by the antiabortion organizations to mean that he favored all of them.

Reagan's videotape was shown to reporters here yesterday. In it, Reagan said that the country's 1.5 million abortions a year are "an assault on the sacredness of human life."

"The time has come," he added, "for Congress to face the national tragedy of abortion, to fully discuss and debate on the House and Senate floors the heartbreaking dimensions of this tragedy." Reagan went on to name each of three proposals now on Capitol Hill.

"We welcome the president's active support and we think it is clearly the only factor that will break this roadblock," said Rosemary Meyer, a lawyer from Arizona and president of the National Committee for a Human Life Amendment.

The three proposals include the constitutional amendment proposed by Sen. Orrin G. Hatch (R-Utah), which would overturn the Supreme Court's 1973 ruling that legalized abortion. Hatch's proposal would give jurisdiction over abortion to the states, except when congressional legislation is more restrictive.

The proposal is believed to have little chance of success because it requires a two-thirds majority. Only a simple majority is required for the other two measures—the Human Life Amendment Bill, proposed by Sen. Jesse Helms (R-N.C.), which would define and protect the fetus from conception, and the Federal Abortion Funding Restrictions Bill, proposed by Sen. Mark O. Hatfield (R-Ore.), which would end federal financing of abortions.

After months of internal division, the antiabortion groups said yesterday they supported all three measures. Father Edward Bryce of the National Conference of Catholic Bishops said that his colleagues still favored the Hatch amendment; he called for it to be scheduled for immediate discussion.

Dr. John Willke, president of the National Right to Life Committee, welcomed Reagan's commitment but warned that in the "unlikely event" all three proposals failed, the administration would suffer at the polls in November.

Nanette Falkenberg, executive director of the National Abortion Rights Action League, said she believed that the president had paid only "lip-service" to the abortion opponents and had made no outright commitment.

"We agree that a full debate of the issues is needed, especially on the Hatfield amendment, which has never been discussed," she said. NARAL, the political arm of the pro-abortion movement, is concerned that the Hatfield amendment would allow a Supreme Court more conservative than in 1973 to decide the abortion issue all over again.



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605 - 14th St. N.W., Suite 302, Washington, D.C. 20005, Telephone (202) 347-8686

October 21, 1982

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## Special Counsel

JOHN P. MACKEY, ESQ.  
Washington, D.C.

Mr. Morton C. Blackwell  
Special Assistant, Membership Groups  
The White House  
Washington, D.C. 20500

Dear Morton,

Enclosed are some copies of the election '82 issue of our newsletter, which responds to a charge of being too(??) pro-Reagan in another right to life publication (see enclosed copy of same, page 5).

Thought you might enjoy the contrast!

Very truly yours,

  
JOHN P. MACKEY, ESQ.  
SPECIAL COUNSEL

Enclosures!



# The Ad Hoc Committee in Defense of Life, Inc.

605 - 14th St. N.W., Suite 302, Washington, D.C. 20005, Telephone (202) 347-8686

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New York, New York

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JOHN P. MACKEY, ESQ.  
Washington, D.C.

February 1, 1983

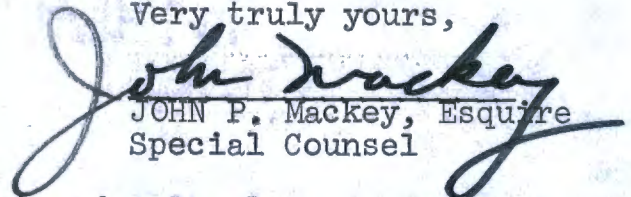
Mr. Moerton C. Blackwell  
Special Assistant, Membership  
Groups  
The White House  
Washington, DC 20500

Dear Morton,

As the press has again challenged President Reagan's statements on the abortion issue, this time on "pain and the unborn" (again he was correct), I thought you might find useful the enclosed bound and indexed by subject matter and author copies of the Human Life Review (HLR).

They have proven to be an invaluable resource for us and so many others, and I hope they will also do the same for your office.

Very truly yours,

  
JOHN P. Mackey, Esquire  
Special Counsel

P.S. The HLR is the first and only place I have seen articles on pain and the unborn (Noonan, Fall '81).



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## Special Counsel

JOHN P. MACKEY, ESQ.  
Washington, D.C.

Februaury 10, 1983

Mr. Morton C. Blackwell  
Special Assistant,  
Membership Groups  
The White House  
Washington, DC 20500

Dear Morton,

Enclosed is the Journal of American Medicine Association article by Dr. Gary Hodgen that you mentioned to me recently concerning fetal therapy.

If we can be of any further assistance please let us know.

Very truly yours,

  
JOHN P. MACKEY, ESQ.  
SPECIAL COUNSEL

Lux Wed Ceremony  
Thurs. Head Rabbi





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July 25, 1983

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PERSONAL

Mr. Morton C. Blackwell  
Special Assistant to the President  
for Public Liaison  
The White House  
Washington, D. C.

Dear Mr. Blackwell,

I am in receipt of a copy of the article by the President entitled "Abortion and the Conscience of the Nation." I appreciate having this information for our research files, and do hope that we are now on your list for other informational issues as they arise.

We have a large and strong constituency in all 50 states, and we believe that it is most important that information on key issues be made available to the grass roots of America in order that they may evaluate the issues on the caliber of men and women who seek their vote. To this end, we would like to work more closely with the White House in the hope that you will feel free to call upon us at any time.

For your information, I am enclosing a copy of an open letter to President Reagan which I hope you may be able to call to his attention.

Sincerely,

*Martha Rountree*

Martha Rountree  
President

MR/dg

Enclosure



web from  
office & set  
up.

done  
8-16  
at 1:00