

“Wondering Where the Lion Is:
Finding Substance In This World We Inhabit.”

A widely read social commentator, Matt Walsh, recently wrote an essay called, “Just Pretend This Dead Lion Is A Human Baby, And Then You Won’t Be So Upset.”¹ The essay begins by addressing a firestorm of negative blowback over a facebook page of a young woman who hunts big game in Africa and posts photos displaying her with her kill. The theme of the essay can be summed up in Walsh’s simply asking why “of all the filth and depravity online, it takes an image of a dead zebra to really rile people up.”

His central thought issues from his astonishment at the sheer quantity of hostile reactions to this young woman’s facebook page, saying that “the condemnation is near-universal, and the anger directed at her is unlike anything I’ve seen in a very long time.” (Whether one likes or does not like Walsh, this is coming from a guy who makes his living from his blog, which takes on very controversial positions, and who knows like few others the world of social media and the visceral commentaries it elicits.) What attracts Walsh’s attention is the simple question of what riles us these days, and more pertinently, he asks that we exam why it riles us, venturing that we likely don’t have a good answer, or at least not an answer that is morally consistent. He explores what he can only conclude as arbitrary the internal process of selecting who or what deserves our attentions that this singular passion of this singular person should release such a flood of anger while the subject of abortion, for example, is left in the pale. While the contrast is made to the tepid engagement afforded human abortion, derivative of this is really a call to explain ourselves in the subjects that so deeply affect our sensibilities, such as this young woman hunting big game in Africa.

Well, Walsh’s commentary on the cascade of commentaries evoked in turn still another cascade of commentaries on his commentary, many of them likewise negative and which largely fall into the category of noting that the two subjects are unrelated—that is, the furor over big game hunting in Africa versus the pallor of responses over abortion. Nevertheless, even as they say the two subjects are unrelated, many of these same people go on to defend why killing large game in Africa is indeed of greater concern than abortion, and these arguments seem to hold largely to the basis that we are over-populated while these animals are few in number, if not near extinction, or that a fetus is not yet meaningful, and the arguments that trail from those positions.

This is where I pick it up. While my reasoning becomes poignant in these reflections, as I believe the subject requires of us, I don’t pretend to solve or to prove anything so much as I hope to have at

least a meeting of hearts and minds, that the reflections and the heart of them are not perhaps so different from your own as the public discourse (or lack thereof) would have us believe. It is more to the point that the subject is compelling and enduring, that I should ponder it with care and gentleness and then wish in turn to share my thoughts on things which I think important, as is the wont of deepening and sustaining human relationship. Naturally, it is also in the hope that in fact you might see the reasonableness to the views I share, if not be persuaded by them. I write with an audience in mind of people whom I know and love, even while the appeal is general, and I pray you are rewarded if at least in having made time with me to ask questions of life and its value.

So, if I may start my inquiry by a negation, let me say that to respond that one might care more about this lion because it is far closer to the brink of extinction, for example, does not address the substance of the object in question. Phrased differently, what determines the value of the object (the lion) over any other object (e.g. the human fetus)? What is it about the lion that I should even care if it poof out of existence?

Begin with an arbitrary comparison for the sake of illustration. I might ask if it would grieve you to discover that toaster ovens were no longer going to be manufactured, or if you have ever mourned the passing of 8-track tapes. I will make an assumption here that the very use of the words “grieve” and “mourn,” for example, do not even precisely apply to the objects above, but that grieving and mourning apply to fairly narrow objects, and most notably to humans. (Still leaving the originating question unanswered, of course.)

Perhaps the kindred sentiment of nostalgia is more accurate. After all, nostalgia is a sort of fond pang that is evoked on contemplating the ephemerality of our existence. So, one might not err completely in saying that we are at the farthest fringes of mourning at the loss of 8-track tapes, and suggest that feeling nostalgic about a thing reflects some intrinsic moral value to the substance of the thing. Yet on reflection we may more likely conclude that in the present case the value is not in fact in the object itself, but only in that it reflects something about the observer and serves more as catalyst to an emotional response—8-track tapes remind me of an era and meaningful relationships and events in my life, but are otherwise in themselves without any moral substance. Nevertheless, it seems to hold that nostalgia might well be defined as a lesser degree and broader scope of mourning, and we can feel nostalgic at the mention of any countless number of objects.

Poking just a bit more at this, I would surmise that one thing these sentiments of mourning and nostalgia have also in common is that each points ultimately to something formerly dynamic but which dynamism can be no longer rekindled. Still more precisely, it is the sense of a self-directed dynamism to

which we think. After all, at the atomic level, one might venture to say that all matter is held together by the dynamic relationship of protons and neutrons circulating round a nucleus (or something like that), but not all things that are held together can be said to have being, even as they exist. From any perspective, from the empirical to the metaphysical, it can be said that there is a mysterious leap from mere existence, as say with a rock or a toaster oven, to living being. Even beings without any apparent states of consciousness exhibit a sort of self-will or self-directed dynamic that vies against an otherwise natural tendency to dissipate. However crudely or finely expressed, there is behavior to it. Of course, we might dwell on the vibrancy and the beauty of the natural world—including the non-living, such as rock formations, and colors and sounds in the atmosphere, in which instances value is surely in the eyes of the beholder, as these demonstrate no intrinsic inclination to reproduce or self-replicate. (I do not speak of benign self-replication, as with a Xerox copy, for example, but of an innate determination to self-replication.) But it seems that you and I would attribute varying levels of moral worth in the preservation of the elements of the natural landscape. A geologist can chip merrily away at a rock, but a child cannot pull on a kitten's tail. In all, we speak here of textbook, descriptive distinctions of the living and the not living, which has to do with metabolism, organization, reproduction and all that stuff.

Returning then to the point, we might ask if our mourning and if the degree of our mourning determines or is reflective of the inherent value of the object mourned, to which I would say that to some extent it does, but perhaps not enough to make a rule. Moving from toaster ovens and 8-tracks, I remember in my youth when my parents seemed to be going through a particularly rough patch, my two brothers and I were standing outside in the driveway with a couple friends when we saw our cat get run over. We were shocked and saddened, to be sure. We loved our cat. But on seeing it from inside the house, my father came out and began to weep bitterly as he knelt over her and took her up into his arms. We watched stunned at his wailing and as he carried her off alone to go bury her in the woods. One of our friends quipped something about the melodrama, which ticked me and my brothers off, seeing our father as we did in such anguish. But neither could it be ignored that we were all taken aback at the degree of his emotional response, even as we shared in the same emotion and even as we brothers empathized with our father. It was not a matter of right or wrong, per se, but that it seemed disproportionate. The fact is, as my father would later share with me, he had developed an attachment to our cat that seemed to fill a void in the tumult of his life. She would walk with him through the woods and come to sit and watch as he worked. She kept him company.

In this instance I think it is safe to say that you and I might attribute a degree of inherent moral value to the object (our cat) while also the degree in value of our cat, at least in the eyes of man, resided

in the projection of the inner life of my father. While the cat herself had the highest level of self-interest in the preservation of its life, its value derived also from the evaluator, if I may say. I don't mean to sound crass, but our cat fell somewhere between an 8-track and a child. Perhaps mourning to any degree has at least these two dynamics at work, a marriage of the intrinsic value of the object with the value of the object determined in the heart of the observer, and insofar as our estimation has any importance, there must be a reasonable agreement on the intrinsic worth in order to justify the importance we afford it, for surely it would have crossed a whole other threshold had my father manifested the same response to a chewed up 8-track tape. Or conversely, what if it had been one of his children who had been run over and his emotional response was little more than with a toaster oven burning out?

Let me add still another, more recent example. As my wife is from the Democratic Republic of Congo (DRC), I have become familiar with the history and current events in her country. In Eastern DRC, where instability is the norm and the average life span is short, there remains an apparently strong practice in the occult and its syncretic kin. Whatever one may think of the so-called pagan or syncretistic religions, I saw one expression of it as caught in an image posted on facebook that made many of the Congolese laugh and joke but which made me recoil in repulsion. The picture showed these boys holding a cross, about twenty inches in length, with a cat stretched out and crucified on it because it had been suspected of being a demon in disguise. I felt so terribly for the cat and in my mind I rebuked others their laughter, even if their laughter was to acknowledge the backwardness of that part of their own homeland, and I was compelled to hope that their hearts all be softened and their thinking made sober at the fruit of their apparent moral disregard at the reverence for life, as I saw it and still do see it. My horror, I would say, was a natural response to the inherent value of the cat, even as I had no personal attachment to it.

But again I find on reflection that it was not just for the value of the cat's life, as a natural or even accidental death of a cat, especially one several thousand miles away, would have no effect on me. It was perhaps two things that stirred viscerally in me: the cat's own suffering; the children's own disregard for that suffering. Surely the notion of suffering is operative in them, but is weighed on a different scale and perhaps applied to different objects to them than to me. But however we may define it, to whom or to what we may attach it, and wherever we are on our sensitivity to it, suffering matters, if at least to the sufferer. That said, comparing the cat which has been tortured to death to the cat that experiences a natural death, whether those cats' deaths occurred observed or unobserved by human

eyes, the substance of them remains the same. My attribution of mourning applies differently to different things, but does not alter the substance of the thing. A cat is a cat.

Still, for all that my father was moved at the death of our family cat which he saw as a very personal companion, and for all that I was repulsed at the crucifixion of the cat in Congo, I must say that these cannot have attained to the depth of loss my father would experience some years later at the passing of each of his three sisters, but which he expressed conversely in silent contemplation, nor to the dread that would shudder through me on seeing an image of eight men who had been tortured and killed and left to hang in a crucified posture in Iraq by the Islamic jihadist movement known as ISIL (or ISIS). Right or wrong, there is relatively little outcry over the countless fowl whose throats are cut daily for food, while two men who are beheaded on camera stir the world into combative response. We rightly decry conditions of animal treatment and heartless, industrialized butchering, but the ante is upped exponentially when the self same happens to humans. In any case, it seems that this is the way we ought to feel. One can value life, but we tend to place lesser and greater value on lives, specifically, on the life of various species, the species *Homo sapiens* being most preciously revered by *Homo sapiens* themselves, at least in principle.

Allowing that this is the case, we ask why this is so. So far as my knowledge goes, the reigning tendency these last four decades or so has been to establish values for the social and legal normalization of humane treatment of both humans and non-humans. The hope is laudable, and some very positive results have come from this, particularly in the arena of defending animals' right to humane treatment, as well as in a general regard for the preservation of ecosystems, for example. For somewhere along the way we have to begin collectively to draw lines where we are and are not to be held accountable for how we treat any species as also the biosphere we inhabit. I can kill flies at random, but can I pluck their wings? I can accidentally run over a cat, but can I put its head in a vice? So the inquiry carries into our own species, and it is figured that since we take into account which animals are deserving of which rights, we ought then to apply that same measure to our own selves, for equity's sake. In other words, while self-interest dictates that humans have moral value worth preserving, the pervasive notion today is that there is nothing intrinsically exceptional about the species *Homo sapiens*, and so we need to stand in line to take the same test as cats and dogs, even as the test itself is established by humans and based on human criteria for a serious regard of the right to life. We can go on exploring this order of inquiry alone for volumes I imagine, but I will leave the observations at that for now.

So, regarding the degree of mourning in relationship to the value of the object mourned, if I learn that a young woman completely unknown to me died of natural causes in some town in some far

away country, I may agree that there are those who surely mourn her passing, and I may empathize with these unknowns, but I do not respectfully mourn her loss. Were my wife to die today, however, it would evoke in me a much more dramatic and enduring response. However, as with our observation that, substantively, a cat is a cat, I trust we would all agree that my lack of emotional attachment to the stranger does not substantively devalue the young woman. It is simply a matter of relationship between subject and object. Tangent to this, we are thus put into a quandary of personal responsibility, especially as the globe appears smaller every day. For it comes as an outrage to many people in the world that the beheadings of large numbers of Syrian and Iraqi men, women and children provoked relatively little action from outside nations for example, but when we saw the beheading of one of our own, so to speak, we were quick to justify retaliatory response. The question becomes then whether relationship should rightly fit into the equation of moral value, and if so, then how and to what degree?

Moving on, I would suggest that affective relationship acts like something of a moral sensor to the observer, but it does not necessarily determine the intrinsic moral value of the object. In Christianity, we must indeed heed the demand of Christ that we love our enemy. At its most basic understanding, it is as much to say that my relationship to my neighbor does not alter the substance of my neighbor, who is made likewise in the image of God. That I may love you, gives hint, at least, to what I would determine is something of the inherent moral worth to you, but as a Christian I need to trust in a principle that transcends my personal inclinations toward valuing some people over others in my social life. (I pray I need not go into questions of just war to find agreement on the principle here.)

Consider furthermore, if a child were raised alone in a cage, let's say, fed and hosed, warmed and cooled by an involuntary machine, and he or she were eventually to die in this condition—never having been known to the world, would that child's life have had any meaning? If so, then to whom? A dead person cannot mourn for himself, after all. So, if moral value to our existence were determined merely on our own self-interest, or if it were determined relationally by shared experiences, then who or what would have determined the life of that child spent out in absolute anonymity had any meaning or any value, if even spent miserably?

I believe it is safe to say that mourning generally works concentrically in degrees of intensity: the better I know and am emotionally invested in a person, the closer I am to them, the more acutely I experience mourning at their passing. But what is important to note here is that in the instance where we have an object for which we may rightly attribute mourning (thereby excluding our 8-track tapes and toaster ovens) the relationship is not the standard of measure to the inherent value of that object. Just because I cannot relate to that person does not mean that person's moral standing is diminished.

Where my pro-life position begins to brush in broad strokes here is that it does not require that my heart wrench with the ending of human life at its earliest stages, even as that life is yet morphologically tiny, invisible to the naked eye and having such an aspect along the normal course of human development as to be relationally worlds away from my current reality for the time being (while yet moving at breakneck speed from alien-like to a wholly familiar form). But for want of all the familiar measures by which I see the “you” in you, that lack of ability to affectively relate directly to the human life which has been taken does not vary the value of the human being whose right to go on living I defend. For consider, just as I may regard my newborn with ready attachment, his or her substance did not alter with a change in environment from womb to world, any more than it changed at every progressive stage of his or her development leading to that passage. Most assuredly from a biological perspective the trajectory is unbroken and orderly from conception to birth. Substantively, I would posit in this instance that the value of a human life does not change with successive stages in its natural development, and certainly human entity does not suddenly infuse the child simply as that child appears to us through the curtain of birth. Consider, for instance, that you can’t have half the child emerge from the womb fully human, while the other half which has yet to emerge remains not human.

Well, our toaster oven and 8-track tapes may seem like silly examples. Yet they serve as the starting point to a closer examination into our view on the value or the poverty of the objects of our attentions. We begin with asking why animate or inanimate objects have differing worth for us, or if they do. Mass alterations of primarily mineral landscapes, strip mining for example, might well raise alarm among many of us. Our concern, however, seems ultimately to be less for the moral value in the minerals themselves, than for their function as the foundation upon which our primary attentions indeed lie, which is the organic life, the animated matter held in balance there, if not for our anthropomorphic sense of beauty.

So I ask why my toaster oven is not valued as much as my son. (And yet we ironically sacrifice so much of our lives to have that proverbial toaster oven.) Why indeed am I more concerned about the extinction of a species (our lion) than I am the demise of the Edsel? I must concede at first that the threshold between life and stuff may not always be so evident on closer examination. When I ponder the integration of Eastern mysticism with science, for example, I see an inexhaustible array of life in the least likely forms to the Western mind. Even in the Judeo, Christian and Muslim faiths, all creation from the starry host to the lowing cattle is said to be good (at least at their creation), which is a moral designation. And is the empirical, scientific method even the right tool to make such a determination of what life is, let alone how one ought to evaluate it on a scale of moral worth? We can discuss the

phenomena that are typical to all that we call living, usually entailing some metabolic explanation. But science itself does not pretend to know what, at its heart, life really is. So we see pop up a generation of so-called bioethicists who try to putty in the metaphysical gap. Personally as a Christian, I have the starting and ending point that God is the Great I AM, and that Jesus is the author of Life. That is the long standing claim of Scripture, in any case. I cannot convince the reader of this if the reader has not already believed it for himself, but I nonetheless offer it for your consideration. Respectfully then, I can only conclude in the meantime that, whatever life is, it is more valuable (at least to the living) than *not* life. Indeed, life itself is most valued among the living. All else pales into inconsequence next to it. Surely we agree on this as we endeavor to probe the cosmos for sign of life, however primitive that life might be.

To this, and as a stepping stone to my own inquiry, I draw testimony from the field of genetics where one indeed investigates that which animates matter, and in the case of human reproduction, the question is asked, *what forces matter to take the form of a human being? What is it that produces the leap from mere matter to altogether human?* The geneticist's answer simply stated is "information." There is a formulation that strikes a spark in matter. And the information that animates matter to become you and me has been present in us and has uniquely defined much of who you and I are from our very conception. A bare mechanistic action did not simply take place at our first formation as zygote; genetic coding concludes we were human from then and henceforth; and there was no doubt to being, as we existed, we were alive and we were self-directed. You can no more separate yourself from the very potency that would direct the emergence of you as zygote, as you can from every successive stage of development into embryo and fetus and infant progressively into adulthood and ending in senescence and natural death.

So, life is valuable, while various forms manifested as having life have differing degrees of value, if at least according to the beholder. Should a lioness value its cubs more than human babies, for example, however a lion estimates value, the act of attributing levels of value as an operating principle yet remains. I suppose it would stand to reason then, that from the human perspective those forms of life, those species which come closest or stand farthest away from our estimation of what it means to be human, and hence pen-ultimately valuable to us, those species which share most in behavioral if not in physical attributes that we might say are particularly humanoid are most valuable in our eyes. Is it not so? For example, the ability to rationalize, as we understand it, is put on a scale today of moral value which we might apply to other non-human animals, when in fact I would say that while it is most highly developed in humans, it is nothing other than evaluating moral worth anthropomorphically and not by some third party standard of moral measure, like a neutral standard of weights and measures, if you

will. Because I can rationalize, the reasoning goes, and I hold that my life has moral value because I say so, then others who can rationalize as I do must therefore have the same moral value. Conversely by this same measure, absent that capacity to rationalize, moral value is diminished. And since we can even go so far as to take measure of neurological development and activity, for example, we can point to the ascension of a rational being, and thus pretend that we have objective criteria for determining who or what has a serious right to life. So, enough of us give ascent with a hearty “Here! Here!” to the proposition that the capacity to rationalize puts one in the pantheon of worthy to be saved, and we carry on as a select society of most rational beings that determines moral value using not simply our own selves as the standard, but specifically, those functions about us that we deem most human.

The first problem we greet with this, which I have already insinuated, is that the choice of rationality as a hallmark for having a serious right to life is human-centric and morality driven, yet without having basis to the morality that chose a function of rationality as a moral height. For all that we might pretend an air of sophistication in our so-called bioethics in dicing up human value into merely functional, constituent parts (as we will see), the question remains: *Why* is it more moral to be driven by rationality, for example, than by a hungry belly? (As the linguist muses, “If lions could talk, would we understand what they had to say?”) Ought the gorilla to be embraced for its passivity and the hyena chastised for its brutality? Do they have inner moral governance in these pursuits? We want to save the lions an ocean away as we spray the cockroaches at our feet. Yet here is an irony: I can just about guarantee you that the extinction of cockroaches would have a far bigger impact on far more ecosystems and hence on human life than the extinction of lions. (Ah, one might say. But there are lots of cockroaches, while lions are on the brink of extinction.)

Yet, interestingly, by our own self-identification as ethicists or moralists such criteria of self-awareness or the ability to reason, for example, have no moral value in themselves, but are indicators of a being who is moral. These are, after all, but traits that serve to define the species *Homo sapiens*, and not a moral system. Should non-human animals share in these traits does not make them more valuable substantively, but relationally in the eyes of the beholder, *Homo sapiens*. And if cockroaches could have a word about it in the greater democracy of the biosphere, they might well say our criteria are a bunch of phooey—all one needs is a hard outer shell and an indiscriminate digestive system. This moral scale that serves to dole out or to withhold rights of fetuses, slaves, or non-human animals tells us, ironically, that we are firstly moral beings that we should even suppose ourselves the defining model of who or what deserves moral recognition, and secondly that the ground zero of moral valuation is not one of development of an organism within the species, but of the species itself, as there is no one member who

shares with another member exactly in the same wealth or poverty of these traits, and each member individually is never at a fixed point of exercising any of these traits with unfailing consistency. We go on believing as self evident that our right to life is inalienable. Surely if this right exists, then it must transcend our ability to perform or contingent upon another society of men in another place and another time determining otherwise. Perhaps, then, that moral center we share as humans and attribute across species has less to do with advanced opposable thumbs and increased computation skills. So also is it of another nature than mere legal contract.

Allow me to take a leap forward here and then come back to retrace my steps. This estimation of the value of other species relative to the human-centric position is determined not on a scale of individual attainments to potential with each member of that species, but of evolutionary attainment of the species, whatever developmental stage its individual representatives are along. So, a lion cub has the same intrinsic value as an adult lion, both being of the lion species and all that by which we define it. To say that an adult chimpanzee should be afforded rights as it has attained to a level of sentience that is meritorious of such a designation, while the juvenile chimpanzee hasn't yet crossed that same threshold and so is up for grabs to any treatment we have whim or reason to apply, is surely absurd in principle and impossible to manage in reality. Indeed, we are significantly more appalled at the clubbing of baby seals than the hunting of their adult counterpart.

It is important to bear in mind here something that seems obvious perhaps on saying it, which is that human development is not the same as human evolution. I do not evolve from one species in the womb to another species outside the womb, or any point along the way. When I ponder the orangutan that learns to sign, and I am thus deeply moved at its relative closeness to me in its apparent manifestation of consciousness and reason, the intrinsic value to that orangutan did not change with this realization of its inherent potential. The orangutan did not suddenly evolve into something other than it already was. If I set this orangutan alongside a human infant and determine that this orangutan has more developed sense of self-awareness, do I determine the value of the life of the orangutan more highly than the human? Or do I determine that the human has more value merely because he will improve with time? If we could rescue only one from a burning building, difficult as it would be to have either of them perish, which life would we place nevertheless at a higher value? If it is the infant, is it only against the loss of human potential, or is it for the value of that infant regardless of whom he or she might become? What if that infant had severe autism and would never attain to a level of self-awareness as that orangutan, would that be cause enough to change the equation, giving more moral weight to the orangutan than to the child? After all, the highest potential has been realized in each, and

frankly, the orangutan has a clear win over this infant. I will gamble that most to all those who read these pages will still determine that the infant must be held at a higher value. My friends, our moral standing does not change with human development and skill sets. Being human, do we have moral value.

To bring a close to this thought, consider the following reflection from embryologist, Keith L. Moore, in the introduction to his widely used embryology text:

Human development is a continuous process that begins when an ovum from a female is fertilized by a sperm from a male. Growth and differentiation transform the zygote, a single cell formed by the union of the ovum and the sperm, into a multicellular adult human being. Most developmental changes occur during the embryonic and the fetal periods, but important changes also occur during the other periods of development: childhood, adolescence, and adulthood... Although it is customary to divide development into prenatal and postnatal periods, it is important to realize that birth is merely a dramatic event during development resulting in a distinct change in environment. Development does not stop at birth: important developmental changes, in addition to growth, occur after birth... Most developmental changes are completed by the age of 25.²

Let's get back then to our lion.

One of the responses to the Matt Walsh blog that I believe had merit points to the beauty of the lion as perhaps a part of why its being hunted comes off so wrong to many people's eyes. Aside from the obvious observation that beauty, being in the eyes of the beholder, is not a substantive difference, one can't ignore that beauty plays into our distinctions. While I might say a lion is magisterial in its beauty, a common toad in turn hasn't much going for it, except in the eyes of another toad of course. Then again, I may well ask if it is more acceptable to step on a cockroach than on a toad. Perhaps it is more to the point of familiarity again. There are more features of the lion than to the toad and of the toad than to the cockroach that I can personally relate to, bringing us back to the concentric attachments to the objects of our mourning.

The advent of ultrasound technology (and its progeny in the newest 3-D and 4-D scanning techniques) opened up a window to the womb never before imagined, and what the world saw was incontrovertibly human. The fetus even at very early stages was far more developed and familiar in appearance than the public had supposed.³ More and more people began to give serious question to the morality of abortion. So we saw arise the pro-abortion rebuttal warning us to not be fooled by what we were seeing, because what we were seeing, while certainly a human being (it had to be admitted), was not in fact a person. And as we witnessed for the first time via ultrasound imaging a twelve-week-old fetus being aborted just how violently the fetus recoiled from the suction and crushing instrumentation that was tearing off its limbs, the pro-choice forces raised the argument that it was just an insentient,

unfeeling “it” demonstrating nothing more than reflex. While admittedly a human being, in other words, because it can’t feel pain (they say), it is only a potential person that is fighting unintelligently for its life.

I would like to stay with beauty for a moment longer. While beauty as you or I probably understand it is a quality worth preserving, I think that we would also agree that beauty alone does not satisfy the question of the outrage over the hunting of this lion (or leopard or zebra). No matter the beauty of the Mona Lisa, I would burn it in a heartbeat if it were a question of preserving the life of an ugly human, then I would probably go to jail for the next twenty years. Yet we stumble onto still another paradox where Paris would be spared from bombings in WWII in order not to preserve human life, but to safeguard her monuments to human civilization. Perhaps beauty can be valued more than life, after all. That said, there surely is truth in the observation that life without beauty is a life hardly worth living. Humankind has always had the compulsion to art, and it is good. Perhaps the thing to ponder here is where the works of man become more consequential than the wonder of the work that is man.

So we remain stuck with the same question still unsatisfied—what is there to that lion that evokes such a response of outrage at its being hunted, even as the huntress touts philanthropic venues to justify the thrill of the hunt (She helps stimulate the local economy and sometimes gives away the meat.)? To point to the near extinction of the one (the leopard or the lion, let’s say) to the surplus of the other (human beings) still does not respond to the question being raised. Why should I care about the extinction of the leopard or the lion? Conversely, why should I not care about the abortion of human beings in the womb? (That these are “human beings” is scientifically and philosophically no longer seriously disputed. The question on both sides, for all who are familiar with where we are in the debate, and which I have only alluded to here, concerns the status of the human being. It is not whether this is a “human being,” but if this is a “human person.” Hence, we enter into the field of legal fiction in which those who favor abortion say there is a distinction—and there certainly is a legal distinction—while those who do not favor abortion say these are indistinguishable, that the mind/body split is not factual biologically and it is untenable philosophically. The legal place in the debate is that no child in the womb currently has the constitutionally protected status of “person.”⁴)

Again to the question of extinction, one speaks of an irreproducible uniqueness. I would agree that this evokes awe and wonder, that we will never see another like it again—no more lions, ever. Like beauty, this certainly must play into our distinctions. Yet, we value gold and diamonds in large part for their rarity, as also for their beauty. And many a human being has been killed or subjected to forced labor over the acquisition of diamonds and gold. Coupling this with the safeguarding of monuments to human civilization over the value of existing humans, I would ask if maybe then we were too quick to let

go of the distinction between animate and inanimate objects. One tends to lean here to the notion that value may have much to do with individual preference and lifestyle choices above any real regard for the intrinsic moral value of the object that existentially attends to these choices. We perhaps don't like to admit this of ourselves, but it seems to be the reality that defies the ideal of our self-identification. Boycott diamonds all we want, the principle applies very generally and pervasively in our lives.

The question remains if you and I think this right. Do you believe, or do you want to believe that human life, like any other commodity, increases or decreases in intrinsic value with fluctuation in supply? Does my seventh child cheapen the status of my first child by dint of surplus? Do you subscribe to the notion that, like any other commodity, we even ought to destroy life, to weed out flawed products, or to regulate surplus lives like burying fields of grain, especially certain poorer manifestations of human life, so as to increase the value of human life? While by our own actions we cheapen human life when it is perceived to be in surplus or an obstacle in the access to resources, be they vital or luxurious, do we want to agree that the inherent value of human life fluctuates with our personal wants or needs?

Well, let us at least pretend that we truly and consistently value human worth over mineral beauty, rarity or utility, while yet holding that irreproducible uniqueness and even beauty are valid reasons for our outrage. Even still, substantively, rarity or uniqueness remains untenable to let stand alone, for as we must surely agree in the best part of us the fact of killing a person over a diamond does not make the diamond of greater intrinsic value than the person. So says the law, in any case. Consider also, we learned as children that no one snowflake is alike. This gives us pause at the beauty, the mystery, the intricacy, the ethereality of the object, but I do not cry over the snowflake as it melts on my tongue. So, what of one unique person out of one million unique persons? One flake melts but snow will return; one person is killed, ten, twenty, but the human population moves on. Uniqueness is surely elemental, then, but still does not satisfy. One still begs the question, unique *what*? We are left with the indivisibility of form and substance.

Diane Irving makes the following observation:

The research biologist first observes the actions, reactions, functions of a biological entity and reasons from these specific kinds of actions back to the specific kind of nature it possesses. It is this nature which *directs and causes* such characteristic actions. As biology texts themselves discuss it: *function follows form*. Thus Na burns orange, and cobalt burns blue/green, or beta-hemolytic streptococcus can only be grown on specific culture medium containing blood, but not on other mediums.

Further, a thing is not only characterized by its nature, which determines the specific kinds of actions it can do—but that same nature limits the kinds of actions it can do. That is, there are certain

actions which a thing can not do because it does not have the specific kind of nature it would need to do it. For example, birds have wings and so can fly—but stones, dogs or human beings can't fly; corn stalks produce ears of corn and corn proteins and corn enzymes—but acorns, tomato plants or asteroids do not and cannot produce corn or corn proteins. Frog embryos direct the formation of frog tissues and organs—but they cannot direct the formation of human tissues and organs.

Apply these considerations to the point at hand. To determine what a human being or person is is really not all so difficult as is often claimed. We are not Gods or angels—but embodied human beings. We do have bodies—don't we? At least I have never seen a simple "soul" wandering aimlessly around the labs, manipulating a computer, cooking dinner or playing soccer without a body. In fact, I have never seen even a Platonic or a Cartesian philosopher "thinking" without his or her body! As Aristotle noted, the whole man thinks; the whole man knows; and the whole man acts. There are voluminous biological facts which we do know already about the human body and its embryological development. Clearly by observing and studying these known biological facts—how the human being begins his or her biological existence as a specifically *human* zygote, and the kinds of specifically *human* functions and *human* actions that take place during embryological development—we can then determine to a very sophisticated extent the nature of a human being or a human embryo—or "what" it is.⁵

What then, of increased moral value against threat of extinction? What of no more lions, ever again? What of no more Model T's, ever again? We might begin to say with the latter that it is a byproduct that can be easily reproduced should we want to. So, it is a question of ability to replicate (which is related of course to uniqueness). We can reproduce a Model T or an 8-Track tape, but not a lion, at least not yet. The obvious rebuttal here is that this still does not speak to substance. Living things go extinct every day for which we don't bat an eye, except in the larger concern for the general welfare of the biosphere of which we are part. But the cosmos would hurtle on blind to the deadening of earth as we simply join in its company. Outside us, who or what cares? Where can we even say, once again, to have gained this notion of a transcendent good? And if we are but a chance event between terminals of oblivion, as it goes, then there is effectively no moral but for our existential puzzles and an otherwise inexplicable urge to cling to this thing that is not. We might quip intellectual and speak of attending to the highest utilitarian good, that morality is nothing more than a social contract to stay us from killing one another off and even to aspire to fatten ourselves a bit. Create conditions to ensure that I may eat, drink and be merry before I die. I can get lofty about this otherwise selfish motivation and say that the ensurance of being able to live my life the way I want is thus hoped to carry on to the next generation, that they might enjoy the same selfishness, so the securing for the one (my own) is template for the securing for the other (my kids), and together we can all lead fully contented selfish lives. But when we follow this thread we come full circle, when the interests of the one clash with the interests of the other and we have to decide if there is not a moral fount from which we all commonly drink, no matter the tricks of rationale that poison the well and call it good (from every angle). Or is our moral worth simply summarized in eat, drink and be merry, for tomorrow we die? One may well ascribe to this, but it fails to

answer the question. What becomes wrong then if a gang roles into town and their idea of merry is to steal your wine, rape your daughters and kill your sons? We can go on and on in this way, but it will always come back to the same question needing resolution: why do we think life is even worth preserving, and why do we think some lives are worth preserving and not others? When we begin with self as the standard, that my life is worth preserving because I say so, then we add to it that my wife's life is worth preserving because she and I say so, and so on with our children and our children's children. Ergo, morality is a selfish devise of self-determination. Really, any purely utilitarian view on moral valuation has to entail common agreement of mutually held selfish ends, no matter how whimsical or how lofty they may appear to be; so there is really no moral wrong in ISIS doing what they do, and the only rules of war are where we cringe and say to our opponent that we agree not to do this to you because, by God, I sure would hate to have it done to me. So we set up rules to the fight, to man's war against all, and call it human rights, then animal rights, all the while having no basis on which we can rely, only this non-moral sense of truth and lies that we pretend is the heartbeat of morality and we go forward. Meaning and truth and lies and ethics and social contracts can be nothing more then, than a non-moral and tenuous agreement in the midst of oblivion, *as if hanging on dreams on the backs of tigers* (or the back of our lion, as the case may be). Peace is not inherently better than war. It is simply convenient. "It makes no difference what men think of war . . . As well ask men what they think of stone," mused the judge in *Blood Meridian*. Absent a substantive faith in the value of life thrumming in our breast which derives from something or someone outside our own selves, which breath in us is the self-same as roiled in clay and made it to form into man, then we live always on nothing more than tenuous and fearful agreement to selfish ends if we want to keep this boat afloat. But Lord knows, there is no end to our cravings, to our lusts and our longings, our hatred and bitterness and envy and strife. None of these are intrinsically wrong, of course. And in fact, they might be real useful sometimes.

Still, in the heart of all this, I would ask if we can at least agree that such notions as love are not simply a result of mechanics, that peace and compassion are a higher calling than our fleshly selves would demand from the seat of our bellies. Let us be plain here. If I see a man beaten and near death on the side of the road, it is not with forethought to social contract binding us, but with a throbbing heart of compassion that moves me to his assistance. Whether we behave kindly or unkindly, we behave as moral beings.

So, extinction. What if we had but two lions, one male and one female, remaining in the world and we were to take sperm from the one and ova from the other, assist fertilization and preserve the resulting embryos until such a day we might be able to develop a medium in which the embryos can

grow to maturity? These last two lions now die and, behold, a short time later such reproductive technology comes into realization. Whether one argues that a lion in its embryonic state does not have the same moral value as the maturely developed lion, we must surely all agree that the species “lion,” as also a unique member of that species is preserved in each embryo. We might surely concede, furthermore, that neither is it the matter, per se, as it is the information that animates the matter which we seek to preserve. If I were to freeze those embryos, the significant task I am accomplishing is not the bare act of freezing matter, but the suspension of its characteristic development, freezing or significantly slowing an otherwise naturally developing process in time. As the French geneticist Jerome Lejeune would phrase it (in somewhat broken English) in his testimony as expert witness in an unusual trial “over the custody of seven cryogenically frozen embryos that a couple had created at a fertility clinic prior to their divorce,” using the example of mathematicians he explains:

They would say that man is reduced at its simplest expression like you can do with an algebraic formula if you manipulate it intelligently. If you want to know what mean that formula you have to expand it to give value to the various parameters, and to put in use a formula, you expand it. It's what is life, the formula is there; if you allow this formula to be expanded by itself, just giving shelter and nurture, then you have the full development of the full person.

Further to the intrinsic value of the hypothetical lion embryo, in parallel, Lejeune goes on to say of the human embryo,

. . . if I can say a word as geneticist, I would say: An early human being [i.e. embryo] inside this suspended time [i.e. frozen state] which is the can [i.e. the canister containing the embryo] cannot be the property of anybody because it's the only one in the world to have the property of building himself. And I would say that science has a very simple conception of man; as soon as he has been conceived, a man is a man.⁶

When we speak of reproduction at its most fundamental and infinitesimal level, it is apparent that we are addressing the potency that animates matter. We see the formula expanded; the expression of a nature or a capacity to act in a certain characteristic way. Whatever the intrinsic value to our lion, to preserve the last existing embryos from a hypothetically now extinct lion species, is as much as to preserve unique individuals of the species (and so the species itself) given the proper shelter and nourishment to bring these embryos to maturity. In the embryo is the lion. Function follows form.

Now, making a leap that you and I would value lions over snowflakes and Model T's for whatever as yet indescribable reason, let us ask ourselves, if we proposed to save lions from the brink of extinction by erecting farms to reproduce them for food and for gaming purposes, would this young

woman's hunting them then be more acceptable? (Or that we might train silverback gorillas and rhinoceroses to work for their livelihood, literally.) The proposition would perhaps be more readily acceptable by some people if we had finally to choose between extinction and survival of the lion species, but it would certainly ring badly in the minds of many to most people, as exemplified in the outrage at this young woman's facebook postings.

While this solution against extinction is a working model for animal conservation across the globe, it is flatly renounced as callous and unacceptable by many people, and clearly so in the present case, leading us back to the originating question of why. Is there something inherent to the lion that deserves our outrage at being farmed and hunted in this way? The dissenter of such a gaming proposition has then to come to terms with the question of outrage at the thought of extinction. We don't just want lions. We want to preserve that aspect of the lion which stirs in us, that makes us tremble in the groin. In the lion is held such immensity of life, so powerfully and dangerously and beautifully manifested, and yet so masterfully self-restrained and right with the world it inhabits. Captivity is against its very nature. We want lions in the wild, in their natural habit where they may hunt and breed and die as they were meant to, but where they are not hunted, per se, or at least not by a pretty, young white American woman traipsing through the Savannah with a high powered rifle. Yet it cannot be ignored, so does the hunter find meaning in the relationship of predator to prey, engaging with it at this most instinctual level, a paradoxical and perhaps even reciprocal honor in the acting out of a more primeval and natural order. And is our nature any less predatory, inherently more inclined to passivism? Is not this young woman acting on human nature no less than the lion its own? And does not this young woman speak a language perhaps most understood by the lion she hunts?

Let's take the same lion, born free to roam, to hunt and to breed. Now it goes into a village at night and kills a child. Are we outraged? Do we hunt it? Okay, we can tranquilize and re-locate it. (I'll dismiss the argument that we re-locate the villagers.) We restrict its liberty to wander, putting up impassable barriers in however large or small a territory, from a wildlife refuge to a zoo to a cage. Meanwhile, another lion kills a gazelle out in the Serengeti. Do we hunt or re-locate it? Why or why not? What is the difference between the gazelle and the child? What if a lion kills another lion and takes over the dead lion's pride? Do we accept intra-species killing here? If so then what if a human, let's say Adolf Hitler, wants to take over the "Pride of Europe"? Or what if one drug cartel fights another over territory? As we extend rights to other species, do we extend equal accountability to them as well? All this to ask once more the fundamental question, which is whether you and I truly understand the terms of our moral outrages.

I am not just trying to tease my brain here. While I am convinced that scientifically and morally abortion is not justifiable, for example—even as we need to continue to address the subject of unwanted pregnancies, which resolution, I believe, lies in the spiritual—and while I am convinced that the vast majority of people do not even give serious pause to question why they support or defend what they do, that most people go from cradle to grave somewhat bewildered as to meaning and purpose of their very existence, I must continually be able to present the question to myself, if at least to answer to the challenge that *the unexamined life is not worth living*. But even my own examination derives still greater meaning when shared, and so I do.

So, animals may hunt one another, even among their own species (lion hunts lion, bear hunts bear), but they may not hunt humans and humans cannot hunt humans, (leaving the subject of war aside). At least, I assume this is agreed upon by one hundred percent of the readership here. But still, why not?

As the argument goes on to say that, whereas lions are few in number, humans are overpopulated and unwanted babies are a burden, I would humbly submit then that we feed fetuses to the lions that are on the hypothetical brink of extinction. And if fetuses, why not then newborns, or at least hopelessly and severely handicapped newborns, like the kids who won't even be able to place in the top one hundred of Special Olympics? May I modestly propose that we clear out our orphanages and rest homes and churn the welfare sucking tenants into Soylent Green (i.e. food) for people in less fortunate parts of the world but who are exercising their potential and need only a little more protein to help them along? Toss the comatose, the catatonic and the chronically torpid into the grinder and feed our pets.

Okay, we may think this absurd. For the moment I would beg the reader suspend the argument of valuating a woman's reproductive rights over the life of the fetus, and for the sake of argument to maintain a concentration on the singular subject, narrowing it to a consideration of that life in the womb, and this in contrast and comparison to our dead lion. Along this vein, then, consider the trajectory we are on as we keep moving forward in the defense of abortion without personally questioning the origins and the sanctity of life as I attempt to do here. For the present course in the defense of abortion logically and actually leads to what we would certainly deem preposterous if it were to leap at us as a mere proposition. Better that it creep up on us in increments by accepting the ever advancing status quo. This is to say, if it had been ruled in *Roe v. Wade* that a mother had the right to kill (and not just let die, if I may distinguish) her newborn infant up through the first two months of life after birth, we would have been absolutely appalled.

In his very influential 1972 essay, "Abortion and Infanticide,"⁷ Michael Tooley proposes "a basic moral principle specifying a condition an organism must satisfy if it is to have a serious right to life." In pursuing as he does "what properties a thing must possess in order to have a serious right to life" Tooley concludes that neither a fetus nor a baby satisfies the requisites, whereas it is probable that adult non-human animals (such as cats, dogs and polar bears) "possess properties that endow them with a right to life." Michael Tooley has his PhD from Princeton University and since 1992 he has taught at the University of Colorado Boulder. He is no fly by night blogger (like me).

Tooley admits at the onset of his essay the dilemma that the pro-abortion, or "liberal," argument runs into is in "coming to grips with the infanticide issue. The problem the liberal encounters is essentially that of specifying a cutoff point which is not arbitrary: at what stage in the development of a human being does it cease to be morally permissible to destroy it?" The argument Tooley puts forth here works on a presumption (as it does elsewhere) that up through some point in human development it is morally permissible to destroy the life of the developing human without regard to the health of the child or the mother. The problem the "liberal" faces is that there is no moral model guiding his decision which justifies that it is right to do it at such and such a stage of development, but not at another, birth being simply another stage of that same human development. Well, I'm not here to re-build his argument for him. As Tooley reasons, the "conservative's" objection to abortion:

... is not that since there is a continuous line of development from a zygote to a newborn baby, one must conclude that if it is seriously wrong to destroy a newborn baby it is also seriously wrong to destroy a zygote or any intermediate stage in the development of a human being. His point is rather that if one says it is wrong to destroy a newborn baby but not a zygote or some intermediate stage in the development of a human being, one should be prepared to point to a morally relevant difference between a newborn baby and the earlier stage in the development of a human being.

The first argument, which Tooley says has not been the thrust of the pro-life position, would be to maintain in effect that as human life develops along a continuum from conception to birth, if it is morally permissible to kill a human in the womb, there needs then to be a standard that demonstrates the threshold in that development which allows the destruction of that life on the one side, and prohibits its destruction on the other. Writing in the *New England Journal of Medicine* in 1974, while yet director of the largest abortion clinic in America, Bernard Nathanson, desiring honest dialogue regarding the very industry which he was instrumental in birthing and actively nourishing, wrote frankly along this same line:

Life is an interdependent phenomenon for all of us. It is a continuous spectrum which begins in utero and ends in death—the bands of the spectrum are designated by words such as fetus, infant, child, adolescent and adult. We must courageously face the fact—finally—that human life of a special order is being taken [in the process of abortion], and since the vast majority of pregnancies are carried successfully to term, abortion must be seen as the interruption of a process which would otherwise have produced a citizen of the world. Denial of this reality is the crassest kind of moral evasiveness.⁸

The second argument that Tooley puts forth as representing the pro-life position starts from the infant and works backward. Since it is immoral to kill a newborn, then how is it not immoral to kill the same child whom we called a fetus just hours ago? How does one draw a moral distinction between the two? And if such a proposition is morally reprehensible, or at least indefensible, then one need only maintain this same line of questioning backwards through development: if it is wrong to kill a healthy fetus here at two hours before birth, then why not there two weeks before birth, and so forth. This is the quandary the pro-abortion position faces, according to Tooley, and I agree.

Tooley does not pretend to answer the question. Instead, absent a morally relevant position by which to determine who or what has a serious right to life, he simply challenges the assumption that it is immoral to kill a newborn. In so challenging, does Tooley set in motion a new, utilitarian model of the value of human life which says that life (both human and non-human) is morally valuable only as it manifests certain qualities. Until such qualities are demonstrated in an individual, it is morally justifiable to take away that individual's life.

As I read it, the fact is the pro-abortion ideology, even from its own self-evaluation, had not taken into serious consideration the life of the child in the womb. Indeed, it had not taken into consideration the very meaningfulness of life itself, only of lifestyle and its choices, and so found itself in this morally ambiguous terrain with its arbitrary applications. But rather than concede this as a fault intrinsic to the ideology, the ideology set out to define a new moral standard which had as its first act to erase the principle that human life is quite simply exceptional and to be preserved. The ramifications of this cannot be overlooked. By dismissing the position that human life is inherently valuable (even at birth) and in turn establishing a utilitarian model of inquiry in order to determine who or what has a serious right to life, this model of inquiry must therefore apply to every stage of human development if it is to apply to any stage of human development. This, I dare say, is the burden of anybody who is pro-abortion.

Contrast this to the morally relevant threshold as Lejeune sees it:

What defines a human being is: He belongs to our species. So an early one or a late one has not changed from its species to another species. It belongs to our kin. That is a definition. And I would say very precisely that I have the same respect, no matter the amount of kilograms and no matter the amount of differentiation of tissues.⁹

From Lejueune's perspective it is enough to say we are human to have human rights, and this with an assumption that human beings have intrinsic moral worth that in itself needs no further explanation. This same principle is reiterated time and again in pro-life literature. What we see develop with Tooley is an establishment of criteria that human beings must live up to if they are to enjoy this same moral place that I would afford them freely. Frankly, it sounds strikingly more like privilege than right.

Remark as well that Tooley has not recoiled from calling a fetus a "human being," like Nathanson who concedes in the above quote that there is no gap in human development to serve as a biological marker for a moral threshold. Now, having established the problem and proposed a new starting point from which to reason, Tooley makes a logical leap (necessarily) to a presupposition that will run through his solution. He writes that "if one is going to defend infanticide, one has to get very clear about what makes something a person, what gives something a right to life." Tooley's presupposition, in case it was missed, is that there exists a moral and substantive distinction between "human being" and "human person." One need only to build or to eke out a definition of the latter, therefore, as basis upon which to determine who or what has the right to life. In other words, Tooley needs only to pry human being and human person apart, discard the former, establish his own criteria or working definitions for the latter, and call it the moral center of the argument that apparently both sides hypothetically would agree upon as the starting point of debate and the working model for who and what has a serious right to life. All this, we would add, without any leaning to scientific fact. It is a purely philosophical assumption and having no investigative aim but the defense of an already determined ideological end, which in its own right is intended to putty in the philosophical gaps in the pro-abortion argument, by Tooley's own admission: "In the case of abortion a number of events—quickening or viability, for instance—might be taken as cutoff points, and it is easy to overlook the fact that none of these events involves any morally significant change in the developing human." Lacking any morally significant gap via biology or simple reason, Tooley understands that what we see emerge is the specter of the abortion ideology leads logically to sustaining a position supporting infanticide. Instead of evoking horror, he determines that the moral suppositions are wrong, notably, he chooses to open up to debate whether infanticide is morally wrong in order to justify the abortion position which has led him here. Tooley goes on, therefore, to establish as grounds for discussion that "It would perhaps be best to avoid the term 'human' altogether" because it does not afford, in essence, a philosophically neutral soil

in which to tender discussion. In other words, the word “human” in the discussion is philosophically dangerous, whereas “person” is well suited. So begins our trek down the road where it is not enough to be human to have human rights. We have to be something more. One must attain to certain criteria. Borrowing from R.D. Wilson writing in an altogether different context, “Let me but define the terms and I shall win in almost every argument.”¹⁰ This is indeed a moral evasiveness of the crassest kind.

So, consider once more Lejeune’s counter position as he contemplates the biological markers of our humanity:

... Each of us has a unique beginning, the moment of conception... As soon as the twenty three chromosomes carried by the sperm encounter the twenty-three chromosomes carried by the ovum, the whole information necessary and sufficient to spell out all the characteristics of the new being is gathered... When this information carried by the sperm and by the ovum has encountered each other, then a new human being is defined which has never occurred before and will never occur again.... [The zygote, and the cells produced in the succeeding divisions] is not just simply a non-descript cell, or a "population" or loose "collection" of cells, but a very specialized individual, i.e., someone who will build himself according to his own rule.¹¹

And on surveying the history of the current debate on the theoretical and practical consequences to this philosophical mind/body split (as Tooley and all pro-abortionists necessarily rely on for the defense not only of abortion, but of infanticide and the advancement of animal rights), Irving sums it up simply by pointing out that,

... where there is such a split—where the mind (or even the whole “soul”) is an independent substance in and of itself, separate or apart from the “body” (which is seen as an independent and separate substance in and of itself)—, then it is impossible either theoretically or biologically to “piece them back together again”, as Humpty Dumpty might have said. Nor could one explain any interaction between these separate “substances” of mind and body.¹²

Our friend Matt Walsh phrases it more colloquially but no less poignantly in his essay, “I Paid to have Babies Murdered and all I Got was this Coat Hanger Necklace?”:

The question becomes this: does the fetus have a self? If it does then it is a person. If it is a person then it has rights. Here we get to the most confused bit of confusion in the perpetually confused pro-choice position. They claim that the fetus—though it exists, and is alive, and is human—has no self. But how can this be? Trace your own self back through your timeline. Retrace all of your steps. Go backwards through your entire existence and your path will lead you directly back to your fetal state. I can trace the Path of You, right to the point when the Reality of You went from a mere potential to a solid actual. That point is, and can only be, conception.

YOU were once a fetus. The fetus was YOU. YOU were the fetus. How could you be you but not you at the same time? How could you be the potentiality of you, but also the actuality of you, all at once? How can ANYTHING be at once fully potential and fully actual? How can I be

potentially me *and* actually me? How can you trace your existence back to the existence of a thing that was you, but wasn't you?
My head hurts.¹³

Consider how confused and arbitrary our assignment of personhood even to objects becomes, save when we speak of a child in the womb, of course. At the end credits, for example, to the movie *All Is Lost*, starring Robert Redford, we are informed that “*All Is Lost* was shot on three 1978 Cal 39 sailboats purchased from their owners in Southern California. These three boats generously gave themselves up for art: Tahoe, Tenacious, and Orion. They took their final sails in the Pacific Ocean and performed beautifully in the film as Our Man’s boat, the Virginia Jean. Rest in peace.” (Redford, as director, also wanted to set our souls at ease that no fish were killed or hurt in the making of *A River Runs Through It*.) This is well beyond the simple engendering of a noun, or lending merely allegorical weight to an object. These boats are afforded self-sacrificing agency tantamount to the flaying of Marsyas. It is reckless and absurd, and yet this eulogy is completely serious. In such a world, is it any wonder that if only the child in the womb were a corporation he would have the good fortune of being defined as a constitutional person? The backwardness of it all.

It is not the pro-lifers who have raised the banner of personhood, my friends. And the fission of human being from human person is a philosophical distinction, not a scientific one. It is a predetermined conclusion that seeks no less than the dichotomies dismissed as false by Tooley himself to convince us from argument *ipse dixit*, an unsupported rhetorical assertion of this moral chasm in human development which is not otherwise plainly evidenced in the scientific observation of an uninterrupted biological process, let alone logically sound in its own right. And the brainchild of such philosophy is the codification of humans into categories of person and not person, wanted and unwanted, which fruit is infanticide while inversely drawing non-human animals into a pantheon of legal rights not afforded a fetus even just hours from birth.

Indeed, the baton of such frankly twisted rationale expressed by Tooley has been passed on to today even as we witness forces at work to confer the status of legal personhood to animals—I am all for humane treatment of animals—yet all the while propaganda would have us believe that pro-lifers have drawn this battle line even as we ignore the simple juxtaposition of these stark claims coming out the same mouth as like salt water and fresh water issuing from the same source that the American public and all reasonable people of the world should accept blindly the argument for personhood is an agenda in the war against women when we speak of a child in the womb (and beyond) while it is a virtuous outcry for animal liberation when off the tongue of a so-called progressive speaker. I know

progressive, and this is not it. This is speaking out both sides of the mouth. It is elastic ideology made to stretch or contract according to the currents of meandering agendas which proponents must naturally picture themselves included, and I will not be fooled.

As for me, for all that I will or will not realize of the potential of my human nature, my human nature is equally present regardless. In us do we have the breath of God, and His fingerprint, I might venture further to say, is left in our DNA, no matter how smudged. And for all who know me and who have known me my whole life through, ask if this label of the frothing misogynist, wringing his hands and bent on warring against women, truly has any bearing on my person and my outlook? Truly? Or is it that I have simply become to you as a gibbering fool blinded to intellect and to reason?

The very premise upon which Tooley builds his lengthy argument is loaded. He does not objectively hone in on where the debate centers, but simply shifts the center into the realm of his own distinctions and their ensuing definitions and assumes that place as the starting point, making the whole of his argument an exercise in vanity—after all, the working definitions have to have working models for the serious right to life, and these models naturally and unquestioningly include himself—and a good example of building a straw man case. Call me simple, but there are also times where I indeed have only to look at the fruit of a tree to determine the nature of the tree. In the case of Tooley, he would have us buy into his rationale, which I believe the pro-abortionist must, that “if it could be shown that there is no moral objection to infanticide the happiness of society could be significantly and justifiably increased.”¹⁴ We would be happier, that is to say, if those bothersome retards (or third or fourth child) were dead. Contrast this to the position of Irving who writes succinctly that “‘Personhood’ begins when the human being begins.”¹⁵ Tell me which position is plainly more palatable.

Peter Singer is a professor at the University of Melbourne and was appointed Professor of Bioethics at Princeton University’s Center for Human Values. He has been dubbed by some as the Bertrand Russell of our day. His writings and utilitarian philosophy especially regarding animal rights and its philosophical bed fellow, abortion, once at the farthest fringes of moral acceptability, are now well known and increasingly embraced even as they continue to draw controversy from the pro-life and also notably from the disabled community, whose demonstrations at Singer’s lectures have garnished still more attention at the implications of his proposed ethics. Writing round the same time as Tooley and Nathanson above, Singer homed in on the debate, throwing animal liberation into the mix even as fetal rights were being extinguished, or never given a chance to start, however one may argue history.

In his 1974 essay, “All Animals Are Equal,” Singer opens with the position that “A liberation movement demands an expansion of our moral horizons and an extension or reinterpretation of the

most basic moral principle of equality.” While speaking in terms of “expansion” and “extension,” his exercise in expansionism doesn’t seem to be able to reach into the womb. He goes on to advocate a shift, rather, and indeed a reinterpretation of our moral parameters that would “extend to other species the basic principle of equality that most of us recognize should be extended to all members of our own species.”¹⁶ Straight out of the gate I should hope that your head is at least a bit cocked in light of the discussion thus far. The very argument that to be of the species *Homo sapiens* is distinction enough to enjoy equal moral consideration is what is flatly rejected in favor of abortion. The sad truth is that while Singer and the pro-choice thinkers of the day were and are still working to expand our moral horizons to embrace at least in part non-human animals into the realm of legal personhood, they have in so doing put the ax to any significant moral consideration for a fetus of our own species, and which extends into infancy and disability, and even into the simple matrix of one too many consumers in the mix. What was “the most basic principle of moral equality” is no more. Ironic.

One hears echoes of Tooley’s and Singer’s preference utilitarianism in common, every day arguments that fetuses lack the essential characteristics of personhood, while by these same arguments non-human animals ought to enjoy increased rights as having such characteristics. I must say that the attention Singer has drawn tirelessly through the years of the plight of animals at the hand of man is laudable. But this requires no moral invention, the core of which is to refocus the debate from the question of whether it is wrong to kill a fetus, being an innocent human being, to whether it is wrong to kill an innocent human being. In this, as with Tooley, I believe that Singer finds the pulse of the debate insofar as it regards the object of abortion: the life of the child. Singer likewise frames well the dilemma in which the pro-abortion ideology finds itself. He begins by reducing the argument against abortion as a syllogism:

First premise: It is wrong to kill an innocent human being.
Second premise: A human fetus is an innocent human being.
Conclusion: Therefore it is wrong to kill a human fetus.¹⁷

Again, similar to Tooley, Singer reasons that, as it is a given in the first premise that killing an innocent human being is wrong, defenders of abortion have focused on the second premise, emphasizing that the embryo and the fetus are not human beings, (and so as we see the debate morph, they are not human persons, legal or otherwise). This runs into problems straight out of the gate, Singer points out, in that as life is on a continuous line from embryo to infant the onus is then on the defenders of abortion to define just when one crosses that line from not human to human (or from merely human

to fully person). Again in line with Tooley, Singer notes four main lines of demarcation (birth, viability, quickening, and the onset of consciousness), and he also admits that each line of demarcation runs into serious problems logically.

So, admitting the biological fact that we are all discussing nothing less than human life at its earliest stages of development and which runs a steady course into birth, childhood, adolescence and so on, he determines that the problem in the debate must be then the center of gravity. The heart of the debate ought not to rest on the second premise which says that a human fetus is an innocent human being, because it is a statement in fact. Instead, one must revisit the first premise, that it is wrong to kill an innocent human being, and ask whether indeed it is immoral to end the life of an innocent human being.

It is one thing, I must say, to be faced with a problematic question along an otherwise fluid line of thinking. But here we see manifest that facing an altogether illogical and therefore indefensible construction, by his (and Tooley's) own admittance, rather than perhaps admit quite simply to being wrong at the very premise, Singer must go on defending his ideology, and this will require new sets of distinctions and standards and the now ubiquitous catch-word "potential." This is the definition of ideologue. If only we could change our morals and our definitions, then my pre-determined conclusion can be defended.

So, Singer admits openly that this is clearly a human being, and an innocent one at that. Therefore, the heart of the debate must become whether merely being human is enough to enjoy the right not to be killed. While his position returns us to drawing lines in the sand of not person to person, it is important to observe that Singer is effectively moving our attentions from abortion to euthanasia, into which greater argument abortion will be absorbed, and that it is this more humane appearance of euthanizing lives not worth living that becomes the consistent rationale from conception to old age. And the truth is that while suffering newborns are modeled in arguments for the public consumption, the lines of distinction have hardly to do with grave genetic anomalies in the practical, but with the muddy waters of quality of life and the administration quite simply of wanted versus unwanted. It is moral, in other words, to kill that human being in the womb (and as a newborn) if it is clear that the parent does not want to be saddled lifelong with a slobbering imbecile that has no better sense than a monkey, or that this is quite simply another kid in tow when one has better things to do with one's time and money. Being unwanted is criterion enough to determine a human life not worth living. And rather than have to face the hard reality of killing innocent human beings to justify this rationale, we redefine them as not human or as not person. While you and I may well sympathize with the pregnant woman who discovers

her child has an anomaly that is statistically certain to cause it to die, if not in the womb, then perhaps shortly after birth, if it even survives that traumatic event, the question as Singer puts it is readily resolved in merely suggesting this child be killed. And yet, we are still caught in the question that, admitting now that this is an autonomous and fully human life, and therefore not the mere property of another, there is a certain difference between killing and allowing to die. That said, such instances are so very exceptional that to even rely on them for justification across a significantly broader spectrum of the reason for abortion is frankly disingenuous. You need to understand that these arguments do not rely on fetal or genetic anomaly, but on the simple and unabashed principle of wanted and unwanted, regardless the health of the fetus, so long as it has yet to cross the threshold of criteria for a serious right to life.

Singer in this regard has at least the integrity and fortitude to see the debate for what it is in the first degree, which is to say that we need not question if this is human life, for the life that is evidently present is distinctly human, but of the value of human life even in a normal and healthy course of development in and out of the womb. As with Tooley and Nathanson, Singer accepts that the pro-abortion argument which holds that a fetus is not alive "is a resort to a convenient fiction that turns an evidently living being into one that legally is not alive." He goes on to suggest that "instead of accepting such fictions, we should recognise that the fact that a being is human, and alive, does not in itself tell us whether it is wrong to take that being's life."¹⁸ Surely this ought to give one pause, at least, and I pray that it lend weight to the merit of my pursuit here, if not its conclusions. Consider where Singer's (and pro-abortion) reasoning must lead:

Now it must be admitted that these arguments apply to the newborn baby as much as to the fetus. A week-old baby is not a rational and self-conscious being, and there are many non-human animals whose rationality, self-consciousness, awareness, capacity to feel pain (sentience), and so on, exceed that of a human baby a week, a month, or even a year old. If the fetus does not have the same claim to life as a person, it appears that the newborn baby is of less value than the life of a pig, a dog, or a chimpanzee.¹⁹

I guess it won't be any time soon that we'll see him running into a burning building to save a baby, while he might for a chimp.

Singer argues that newborns (regardless their physical and mental health) lack the essential characteristics of personhood—"rationality, autonomy, and self-consciousness." Yet, even this continues to only kick the can down the road. The fact is that when we track this line of thinking through human

development (as Singer's own standard of inquiry should have us do), then based on these criteria we can shoot our teenagers.

Once more, consider Irving:

And again, if you are arguing from the materialist premise that a "human person" is defined only in terms of sentience, or the physical integration or functioning of the brain, then you will also have to argue for infanticide—or worse (as already indicated), because as pointed out, full brain integration and sentience is also not completed until over the age of 20 years, and paraplegics, stroke victims, advanced diabetics, and the comatose often cannot optimally feel pain.²⁰

I have long held that one of the saddest things I have witnessed in this life is the loss of human potential. In fact, I believe that most people don't even begin to conceive of the potential that is in them, let alone strive to realize it. And still, while we say what it means to be fully human, or more precisely, what it means to be a person, is largely that capacity for self awareness and self actualizing, even this criterion for entry into the pavilion of personhood exists only as an ever-unfolding potential which is rarely to never fully actualized. Who is to say they have ever lived up to the fullest of their potential, after all? And as I look on a child, on my daughter or my son, let's say, while I ache to help them in the pursuit of all that they can accomplish in their lives, their worth nevertheless does not lie in their potential, but in their person regardless the potential. The two are not coequal. Indeed, irrespective of my declining potential at fifty years old, the potency that drives me even to this day is the same as that which knit me in the womb.

This leads my reflections to one of my brothers who is very dear to me and who has lived with schizophrenia for thirty five years. I remember some years ago reading in an article by Nancy Andreason, a prominent neuroscientist and psychiatrist, this insightful definition that "the cognitive dysfunction in schizophrenia is an inefficient temporal and spatial referencing of information and experience as the person attempts to determine boundaries between *self and not-self*. . . This capacity is sometimes referred to as *consciousness*."²¹ The question that I would have us ponder here is whether my brother's moral status is diminished as his condition makes for such a poor marriage bed in interpersonal relationship, being unable as he is to discern where he ends and you and I begin. Interestingly, from his perspective it is the existence of our own selves that is suspect; so we find ourselves at the receiving end of having our personhood questioned as he wonders if we are nothing more than projections of his own mind and his own self. The question is, given the obvious fluidity of these criteria for personhood, by what, or better, by whose measure can we say he is wrong? Who has deemed the deemers fit?

Besides the obvious point of what would seem the apparent arbitrary nature of our values, a further point not to be missed in these examples is to remark that where we begin to draw such distinctions of lives more and less worth living, my beloved, we walk the shaky line of assuring that we don't find ourselves drawn outside the circle of the chosen. That much more reason why I contend that to be human is enough to value a life worth living where human development is allowed to follow its natural course. This is the most liberal view.

Think not that Tooley and Singer are fringe fanatics in their conclusions or their candor, at least so far as prevailing attitudes and the trend of law are concerned. Given that there could be no doubt that even the early embryo, let alone the fetus, is a human being, it had become crucial for pro-abortion theorists to move the debate onto the ground of personhood if abortion is to be moral. Moving it thus, do we have a whole new set of implications arise which must be answered to. Such theorists as Tooley and Singer are tracing the logical thread of the philosophical and legal argument of personhood which holds, in short, that it is not enough to say you are a human being. You must also be a human person, which classic and preferential utilitarian criteria open the door to ever shifting attitudes of moral worth to which one best conform, and these entities, if you will, the human and the person, are not the same according to law and in the defense of abortion, however woolly that defense is. So, we take Singer who throws in his two cents and graciously delineates standards for our consideration that establish just when one crosses that threshold from merely human (or non-human) to fully person and—sorry folks, newborns don't make the grade, while your dog and your cat slide by.

These are not some randomly selected little ditties by some eccentric academics that I've pulled out of my ear. They are the backbone to the most current defenses in the refusal to admit any human rights whatsoever to the unborn child, which philosophy openly admits infanticide into its ethical and proposed legal parameters, not in the narrowest instances of gross fetal anomaly, but simply on the basis of being unwanted, and all that is needed to generate the Pavlovian response of moral indignation among the public at large is to shout "war against women" against those who speak out against this most egregious injustice.

Let me give another example that might help demonstrate the arbitrariness of our moral outrages. I recently read a facebook post warning us all to take necessary steps this coming winter to assure a cat or a kitten has not taken shelter under the hood of our car. All good and well. We get a number of "likes," and the postings and the facebook world goes on. Lord knows I sure don't want to kill a cat if I can at all avoid it, besides which it sounds rather like a mess and an all around bad way to start one's day, let alone for the poor cat to end its own. (Do they get mangled in the belt? Do they get torn

up by the fan? Or do they burn on the manifold as you're tooling down the highway?) But the truth of the matter is, I have never known anyone who has had this happen. Never. Making it a rather random thing to suddenly be concerned about, it would seem. Furthermore, for all those who raised their hands in show of solidarity, how many are actually going to take it on themselves to actually do even once, let alone to make a habit of giving potential cats and kittens proper warning before starting their engines this winter? So, we have a quick and fleeting rally cry behind a phenomenon that almost certainly won't affect our lives for a threat to cats that I have never personally known to hit the radar, and yet we get these affirmations confirming it a worthy cause. Over one million unborn children will have their lives terminated this year in the U.S. alone. And if I bring it up? (Shall I talk of belts mangling, fans chopping and manifolds burning?)

Here's another example. I recently scanned through an article about an eleven year old boy who hunted and killed an albino deer. He posted a picture of himself kneeling beside his dead deer and, as you might suppose, it got a very aggressive outpouring of negative blowback. (It happens that another such instance followed very shortly in its tracks, which likewise got a lot of flack.) Of course, it was the rare beauty of the deer that was the draw and the crux to the outrage. The irony, or arbitrariness that I see here, and hope you do too, is that albinism in a deer is a genetic anomaly which, in the normal course of a healthy wildlife population means its lifespan is more assured to be shortened for want of camouflage. But for our human-centric projection of rare beauty, nature had slated this deer for an early death.

Now let us consider Richard Dawkins.

In the company of Tooley and Singer, Richard Dawkins argues this very point of Singer's from the venerable halls of Oxford. Again, we aren't talking here of trisomy 18 or some other strange and disconcerting disfigurement or dire health issue. Should a woman find herself pregnant with a child who appears to have Down syndrome, Dawkins tweets, "Abort it and try again. It would be immoral to bring it into the world if you have the choice."²² It is not even a question of a woman's choice being the priority here. It is an assertion that bringing a child with Down syndrome into the world is immoral, given the choice.

Since prenatal testing has become part of the public health care system, nearly every expectant mother accepts to have it done. Over 80% of children found with Down syndrome in pre-natal testing are aborted. Given that quite nearly one hundred percent of pregnant women accept pre-natal testing, this figure means that if there are 100 pregnancies carrying a child with Down syndrome, at least 80 will end in abortion. Even so, I am counted among the fanatical nuts to be shocked at this. Then I turn round

and watch as we pat ourselves on the back in celebration of the endless mercies to our own ever-progressing humanity as we cheer on those retards racing to the finish line at the Special Olympics like trophies to our magnanimity. And I can only shake my head. It offends more people that I say retard.

This is where the leading thinkers in the abortion movement have led the argument and this has gained traction in practice—a person with Down syndrome should morally not be among us, given the choice. This has been otherwise known as eugenics. The prevailing attitude, my friends, is widely (and wildly) applicable not so very narrowly to an embryo whose only future is grim suffering from a genetic anomaly, but to the broadest categories of unwanted and imperfect. Neither has it been confined to the womb, as it had to be vehemently fought against in the early decades of legalized abortion, before the advent and common usage of ultrasound, that a child born with such a fetal anomaly as Down syndrome not be left on the table to die. Naturally, this too was a war on women. I'm not making this stuff up.

One of the world's leading philosophers tweets that we simply ought to kill a child in the womb for no reason other than his having Down syndrome, while we rant about a boy who killed a deer with albinism. Does this concern you?

How eerily prescient was such a preferential utilitarian worldview portrayed in Aldous Huxley's 1932 novel, *Brave New World*, with its vision of a perfect and perfectly stratified, socially predestined society manufactured in test tubes, raised on soma and hypnopaedic dreams, and conditioned to consume. (I would add to this Veronica Roth's recent timely and relevant *Divergent* series with its fictional portrayal of artificial social divisions and ultimately the culling of the genetically damaged from the genetically pure.) We teeter on the brink of a utopian (read dystopian) society of made-to-order babies and social stratification determined on a scale by a codified standard of genetic perfection. People, this is the world we inhabit: designer babies and consumer eugenics.

The value of human life ought not to be selective on a scale of individual preference or contingent on circumstance. Consider the very dangerous (and lethal) absurdity of Dr. LeRoy Carhart's view on this same matter. Carhart, who performs late-term abortions, figures, "Well, in my heart and my mind, you know, life begins when the mother thinks it begins, not when anybody else thinks it begins. For some women, it's before they conceive; for some women, it's never."²⁴ (And just what does he mean by "never"?) Truth is a preference and life is an abstraction. The fact is that on the one hand life is morally valued and legally protected at the highest level where the child in the womb is wanted, while that same human life may be killed and basely discarded where the child in the womb is unwanted. Choice has become the idol of the age. We have elevated our lifestyles above life itself.

Here lies the liberal quandary (for I am most liberal). Paraphrasing Charles Lugosi, you and I believe as a general matter that life itself is good and that killing is bad. You and I further believe that, in general, freedom is good and that coercion, such as slavery, is bad. Is it then not a betrayal of the morality we hold in common as “civil libertarians” to support the killing of fetuses? As Lugosi argues:

Liberal equality at its core promotes the idea that basic political and civil rights belong equally to each person and should be protected by law. These rights have priority in our society. That is why the idea of equal opportunity is so appealing in a society that values individual freedom. The prevailing view of liberalism is that people’s fate should be determined by their choices and not by the circumstances they happen to be in.

Being morally equal to one another is integral to John Rawls’ concept of “Original Position.” Central to Rawls’ theory of justice is the proposition that inequalities are allowed if they “improve” one’s initial share of primary goods, such as life and liberty, but are not allowed if they “invade” one’s fair share. In his hypothetical of the Original Position, people are behind a “veil of ignorance” so that all are similarly situated, without knowing in advance one’s future. This forces people to choose principles of justice that are fair so that no one is advantaged or disadvantaged by the outcome of natural chance or the contingency of social circumstances . . .

If we are morally equal to one another, none of us are inherently subordinate to the will of others or are the property of another. Birth marks the point at which the law says we are free and equal. What is stopping us from moving the marker back to the point of conception? Perhaps utilitarian goals such as embryonic stem cell research can cure disease, cloning that can bring health and happiness, and abortion that can preserve a lifestyle prevail. These rational choices are fine if you are a member of the Chosen class. But if you are behind a veil of ignorance in the original position, you might feel differently if you are in the class of Depersonalized Humans and unlucky enough to be sacrificed for the common good of humanity. What if the marker that designates personhood is moved forward from birth and you find yourself downgraded and join the class of Depersonalized humans?

Utilitarian philosophy opposes constitutional protection for the unborn whose lives are vulnerable to the selfish needs or wants of the Chosen. Liberal equality provides an answer to utilitarianism, if the legal system reflects principles of justice that are consistent with protecting the weakest, youngest and most vulnerable members of the human family...

[A] true civil libertarian is one who believes in the sanctity of all human life, that all living members of the species *Homo sapiens* are created equal, and that all human beings are persons, from the moment of conception until natural death.²⁵

I would like to bring back Bernard Nathanson once more. Nathanson was at the fore of the abortion movement. In 1968, he was one of the three founders of the National Abortion Rights Action League (NARAL). He ran the largest abortion clinic in the United States at the time, and as its director he oversaw tens of thousands of abortions and had performed thousands himself before turning round to renounce abortion, not for spiritual reasons, but for a scientific and ethical awakening to the nature and course of abortion while yet himself a perfunctory Jew. He would later convert to Catholicism, and in 1996 he wrote the following in his book, *The Hand of God: A Journey from Death to Life by the Abortion Doctor Who Changed His Mind*:

I continued to do abortions through 1976. I was doing abortions and delivering babies, but increasingly I found the moral tensions building and becoming intolerable. On one floor of the hospital we would be delivering babies and on another floor doing abortions. Because *Roe v. Wade* [in tandem with *Doe v. Bolton*] didn't set any restrictions, we could do abortions into the ninth month, before the first labor pain. At this writing, there are at least fifteen thousand abortions after the twenty-first week every year. Today, at twenty-one weeks, the baby is considered viable. These are not even abortions; they are murdering premature babies. In the mid-seventies, I would be up on one floor, putting the hypertonic saline into a woman twenty-three weeks pregnant, and on another floor down, I would have someone in labor at twenty-three weeks, and I would be trying to salvage this baby. The nurses were caught in the same bind, the same moral whipsaw. What were we doing here, were we saving babies or were we killing them?

I finally restricted my abortion practice to those who I judged to have a compelling need for an abortion. This was in the late seventies. I included rape and incest as compelling reasons. During this period, I wrote a book called *Aborting America*. In my book, I listed a lot of medical conditions that would justify abortion. I did two or three abortions in 1978, and then in 1979 I did my last one. I had come to the conclusion that there was no reason for an abortion at any time; this person in the womb is a living human being.²⁶

The opinion of the court in *Roe v. Wade* held that a woman need not to give reason to abort her child in the womb up until the point of viability, which in effect meant "potentially able to live outside the mother's womb, albeit with artificial aid," adding that viability "is usually placed at about seven months (28 weeks) but may occur earlier, even at 24 weeks."²⁷ The decision in *Doe v. Bolton* was released that same day and the Supreme Court said that these two had to be read together. (Both "Jane Roe," Norma McCorvey, and "Mary Doe," Sandra Cano, have since become pro-life activists.) This latter ruling gave rise to the "maternal health exception" argument that would continually plague efforts at limiting abortion even in its most heinous manifestations, and so the saying that while one could have an abortion up to viability for no reason, after viability an abortion could be had for any reason.

Here is an image of a fetus (now baby) at 24 weeks from conception:



We are being made to believe by dint of *Roe v. Wade* that the prematurely born infant at six months from conception is fully human with all the legal and ontological ramifications afforded the title, while his older cousin who is still in the womb, overdue at nine months and some weeks, is a creature without any human nature. This is the brazen irrationality handed down to us in the opinions of *Roe* and *Doe*.

Through the 1970's we were burning late term children in the womb with salt solutions. Through the 1980's we dismembered late term children in the womb, pulling them out piece at a time. In the 1990's a new method of a "quick, surgical outpatient" abortion procedure that he "routinely performed . . . on all patients 20 through 24 weeks"²⁸ was stumbled upon by Dr. Martin Haskell, when he realized that he could avoid the cumbersome method of dismemberment of the living fetus in the uterus in mid- to late-term abortions by inducing breech birth (i.e. feet first) up to that point where the entire body is presented while the infant's head has not yet passed the cervix. Then, holding the child in one hand and with its head still in the cervix, the abortionist would force closed scissors into the base of the fetus's skull, and then open them in order to enlarge the opening. He then removed the scissors and inserted a suction catheter to evacuate the skull contents so that the head might decompress and more easily pass, and not any less importantly, so that the abortionist is not held legally liable for murder should the entire body be exposed. We do not have a birthed baby in this way; rather, we have a mid- to late-term fetal abortion. This is the semantics of a woman's right to choose in the arena of pro-choice. This method, which he called intact Dilation and Extraction, was defended by the so-called health exception, which includes broadly the psychological and emotional well-being of the mother. Indeed, emotional well-being represents far and away the most given health exception.

But consider this. In 1993, the *American Medical News*—the official newspaper of the AMA—conducted a tape-recorded interview with Dr. Haskell concerning this specific abortion method, which was reiterated in testimony before the House of Representatives Judiciary Committee, in which Haskell is reported as saying:

And I'll be quite frank: most of my abortions are elective in that 20-24 week range. . . . In my particular case, probably 20% are for genetic reasons. And the other 80% are purely elective.²⁹

For any reader who is unfamiliar with the subject here, it might be important to add that while the surgical procedure is usually done in less than an hour, like dilation and evacuation abortion procedures, it takes upwards of three days to induce dilation sufficient for the procedure. In other words, there is nothing hasty that would give any indication for emergency surgical intervention.

The late Dr. James McMahan was asked to testify in that same congressional investigation. McMahan performed thousands of partial-birth abortions, including the third-trimester abortions performed on the five women who appeared with President Clinton at his veto ceremony of the partial birth abortion bill. McMahan's general outlook is illustrated in this statement in the July 5, 1993 edition of *American Medical News*:

[A]fter 20 weeks where it frankly is a child to me, I really agonize over it because the potential is so imminently there. I think, "Gee, it's too bad that this child couldn't be adopted." On the other hand, I have another position, which I think is superior in the hierarchy of questions, and that is: "Who owns the child?" It's got to be the mother.³⁰

McMahan submitted to Congress a detailed breakdown of a "series" of over 2,000 of these abortions that he had performed. McMahan sent the subcommittee:

A graph which showed the percentage of "flawed fetuses" that he aborted using the partial-birth abortion method. The graph shows that even at 26 weeks of gestation half the babies that Dr. McMahan aborted were perfectly healthy and many of the babies he described as "flawed" had conditions that were compatible with long life, either with or without a disability. For example, Dr. McMahan listed nine partial-birth abortions performed because the baby had a cleft lip.³¹

In debate in the House, McMahan's written submission to the House Judiciary Constitution Subcommittee was thus summarized:

This doctor's definition of nonelective are [sic] extremely broad. He went on to tell the Subcommittee on the Constitution that he had performed more than 2,000 of these partial-birth abortions and that he attributed over 1,300 of them to what he called fetal indications or maternal indications.

Of those indications, the most common maternal indication was depression.³²

So, even in the thinking of this prominent late-term abortionist whose patients formed the photo-op backdrop to the President of the United States, this is nothing less than a child, a child whom he would love to see adopted, but this child is "owned" and therefore can be treated as its owner so desires. He goes on to testify that he doesn't want to hold patients hostage to his technical skill. Therefore he would abort up to the 40th week a child whose medical indication may well be a cleft lip. Think of what side of history you want to find yourself standing on.

I am not politically inclined here and frankly I am drawn less and less to politics generally. I can't and won't speak to the character or strategies of the Republican Party, which we know generally as the party that defends the right to life. What political interests I have had have not brought me into its

membership. I am most concerned with addressing the human heart via reason and the strength of the spirit in me than I am in legislating laws, though I do support that laws need be passed to defend the innocent victims of abortion.

In the instance of intact Dilation and Extraction, legislative action to halt this method of late term abortion was blocked, then touted as a victory in the war against women, and any supporters of banning this method were labeled misogynists. During that same era when Clinton was vetoing the ban on these late-term “partial-birth” abortions, had you asked me my position on abortion, I would have said unhesitatingly that I was pro-choice. Frankly, I would have said it in ignorance of the subject, while in arrogance I would have also determined that anti-abortionists were fanatical, narrow minded fools—and mean-spirited Republicans to boot. Even as I saw my return to the path of following Christ in 2001, I wouldn’t become a conscientious pro-life advocate until 2010, when finally I sat down in a conference I had been invited to, and as a consequence I carved out the time to actually study the matter rather than have a mere opinion about it. In fact, on reflection, I could not have said just how I had formulated the general opinions I had held, and I certainly had no real working knowledge of the subject. The posture was enough, I suppose. Today, while I bring an inerasable Christian perspective into my thoughts here, I believe these thoughts well defended in reason, if not plainly right, and which have been long wrought in my heart. Please give me that much.

It wasn’t until 2007, a full thirty plus years after *Roe v. Wade* and *Doe v. Bolton* that there was any victory at putting a check on *Roe* and *Doe* with the decision in *Gonzales v. Carhart* which held that the 2003 Federal Partial-Birth Abortion Ban Act was constitutional. At the deepest level of argumentation, it is extremely important to note that the “maternal health exception” that had effectively blocked action at saving even the most developed fetuses turned out to be a bluff, and the bluff was called. Justice Ginsburg’s dissenting opinion specifically invited as-applied challenges on behalf of the alleged thousands of women who needed the partial-birth abortion procedure for health reasons: “One may anticipate that such a preenforcement challenge will be mounted swiftly, to ward off serious, sometimes irremediable harm, to women whose health would be endangered by the intact D&E prohibition.”³³ Over eight years have passed in silence since *Gonzales v. Carhart*. Clearly, partial-birth abortion is not medically indicated. But the propaganda of medical necessity and of the pro-life callousness to the health of women remains well entrenched.

I can’t let my account of intact Dilation and Extraction rest at that before I leave it. The following is from the Opinion of the Court in *Gonzales v. Carhart*:

Here is another description from a nurse who witnessed the same method performed on a 26½-week fetus and who testified before the Senate Judiciary Committee:

“Dr. Haskell went in with forceps and grabbed the baby’s legs and pulled them down into the birth canal. Then he delivered the baby’s body and the arms—everything but the head. The doctor kept the head right inside the uterus... .

“The baby’s little fingers were clasping and unclasping, and his little feet were kicking. Then the doctor stuck the scissors in the back of his head, and the baby’s arms jerked out, like a startle reaction, like a flinch, like a baby does when he thinks he is going to fall.

“The doctor opened up the scissors, stuck a high-powered suction tube into the opening, and sucked the baby’s brains out. Now the baby went completely limp... .

“He cut the umbilical cord and delivered the placenta. He threw the baby in a pan, along with the placenta and the instruments he had just used.”³⁴

Did you think that the driving forces of the abortion industry would be self-regulating? And if you think the welfare of the child in the womb ought to be considered in the regulation of abortion, as in the above instance, then you find yourself caught in the very loop drawn by these reflections. Why regulated? By what criteria, etc? All I ask is that you follow the thread, as I have made myself do.

Peter Singer writes in *Practical Ethics*, “... even an abortion late in pregnancy for the most trivial reasons is hard to condemn unless we also condemn the slaughter of far more developed forms of life for the taste of their flesh.”³⁵ So, if we can kill “the calf, the pig and the much derided chicken”³⁶ for food, we should have no qualms about killing a fetus even late in pregnancy and for the most trivial reasons. Such thinking is lauded “a classic introduction to applied ethics since its publication in 1979.” Indeed, we have no qualms. In fact, people are quickly and vociferously outraged at the killing of an albino deer, but when we speak of the child in the womb, they become just as outraged should we ask that it not be killed. It would seem that we must have ourselves a dead child.

I am asking that you will give consideration to the convictions I hold and bare in part to you here. Consider also that these are not convictions come by idly or in some blinded religious fanaticism, even as my view on the preciousness of life is grounded in my faith; while I am no scholar in the subject, they are well studied and long weighed in the heart and mind. They are not without deep pathos at the tragedies and errors of humankind and the seemingly impossible situations in which we find ourselves unable to escape. Neither can it nor should it be ignored that far and away (into the ninety percentile) the reasons given for abortion are social. It is a lifestyle decision. We have to work on a solution other than this to unwanted pregnancies. We have to. For the course we are on is simply unacceptable. Children are not the problem here, just as killing them in the womb (and beyond) is not the solution.

I am wary of pursuing eugenics in the space I am carving here, not for lack of conviction and sound argument, (I would suggest), but that an honest argumentation requires a great expanse of this space. Perhaps some future “publication” will include a more extensive examination. That said, my

pursuit here has led me into its sphere (as the subject of abortion must) and so I will touch upon it briefly.

This pursuit, then, traces the thread back to a good starting point of 1920 and Margaret Sanger, who was the founder of Planned Parenthood, which among other activities is the largest abortion provider in America. It is their bread and butter. Sanger was naturally and rightly alarmed at the conditions of the impoverished and especially of the plight of impoverished women, even as she rails at women for being at the heart of the problem for not limiting their number of infants. While I see (and disagree) with her argument that large families are the greatest immorality we face today, being especially the root cause of war and poverty, the solution she proposes and indeed would work tirelessly in the service of begins with a premise which is summed up in part where she writes in her book *Woman and the New Race*:

Many, perhaps, will think it idle to go farther in demonstrating the immorality of large families, but since there is still an abundance of proof at hand, it may be offered for the sake of those who find difficulty in adjusting old-fashioned ideas to the facts. The most merciful thing that the large family does to one of its infant members is to kill it.³⁷

There's frankly not a lot of context to know in order to understand Sanger's conclusion here at its bare bone. Basically, raising lots of kids is bad for the health of the woman and not much less burdensome for the man, besides which, so many of these little puppies can be slated for a future of ill-gotten gains, a life of hard labor, poor health and early death. The toll is too high a price to pay for such a poor, even adverse return. The decline in positive outcomes also increases with the rank in birth, according to Sanger: the first child having the greatest opportunities for a successful and fruitful life; the last child having the least. So, the notion behind birth control appears to have more to it than mere population restriction; it has to do with quality control. Her utopian aim is "a thoroughbred race" of humans where genetic anomalies are weeded out and the poor (especially) limit their production of offspring. Maternal mortality figures little into Sanger's argument. As she herself writes at the time of publication: "There are no general health statistics to tell the full story of the physical ills suffered by women as a result of too great reproductivity." Therefore, the purpose of population control is sufficient, even more than sufficient according to Sanger, to defend the principle that killing off surplus children is not just understandable, but is in fact a moral obligation, barring other contraceptive means.

Continuing in *Woman and the New Race*, Sanger attempts to demonstrate the history of infanticide as normative to most cultures and that "Infanticide did not go out of fashion with the

advance from savagery to barbarism and civilization.” Rather, she contends, “As progress is made toward civilization, infanticide, then, actually increased.”

Frankly, there are blaring contradictions between theory and fact, not the least among them being that with the increased practice of infanticide war should theoretically have come quite nearly to a halt, when that was indeed very far from the truth. On the one hand Sanger’s argument for reproductive responsibility looks favorably on infanticide as integral to model civilizations; as societies went from savage to civilized, so too did infanticide increase in practice and acceptance. While on the other hand, she goes on to write that it is apparent “that nothing short of contraceptives can put an end to the horrors of abortion and infanticide.” Two obvious conclusions can be drawn from this. Firstly, the best one can surmise in the larger context is that she elevates the so-called spirit of woman above all things, as striving always to rise above her circumstances, holding a place higher still than the desire for motherhood (which apparently is not aspect to the “spirit of woman”), and that insofar as this spirit of woman is the driving force behind infanticide and abortion, then infanticide and abortion are acceptable, if even horrible. The more civilized we become, the more infanticide is justified. The other conclusion is an admission that abortion, like infanticide, is indeed horrible. Contraceptives are the tool of choice in the utopian objectives of population control. Still, Planned Parenthood continues to be the largest abortion provider in America. Clearly, that which undergirds this vision of a healthy and vibrant thoroughbred race is not merely eradicating unwanted pregnancies. It is quite simply to say that too many children are the problem, wanted or not, and the world will simply be a much better place with far fewer of them.

The notion of the elevation of woman’s lot through the tenacity of the spirit of woman which would choose infanticide for her own elevated end is highlighted by Sanger in the example of a personage from among the “hetera” (sic) whose motherless condition freed her to entertain philosophers, sculptors, poets and statesmen. The “hetera,” or hetaera, were courtesans in ancient Greece. So, vomitoriums, erudition and free sex are the height of civilization, and infanticide is the key that unlocks the door. Sanger muses that women who suffered the drudgery of motherhood must all have surely envied this woman and her caste, giving still greater impetus and rise to their acts of infanticide. Well, not allowing for subtlety to have the last word here, let me say simply that this brings us full circle, where the attainment to our ideal of civilization captured in our monuments and works of art and statesmanship becomes a thing to desire and preserve greater still than the man in the street, let alone the child at our breast; so we witness the 20th century eugenic vision of a final solution in the rise of humankind from the mire of his primitive past and toward the heights of civilization parade down

the unscathed Champs-Elysees in celebration of a new world order while Jews and all those other lives not worthy of life are being corralled for a one way ride to Dachau. These lives unworthy of life (*Lebensunwertes Leben*) included “the criminal, degenerate, dissident, feeble-minded, homosexual, idle, insane, and the weak, for elimination from the chain of heredity.”³⁸

In light of this, revisit Tooley’s statement above where he writes, “if it could be shown that there is no moral objection to infanticide the happiness of society could be significantly and justifiably increased,” and compare it now to an article by Clairette Armstrong in the February, 1938, volume of *Birth Control Review* (founded by Sanger). The article is called “The Moron Menace” and it opens with the proposal:

Could the countries of the world agree to set an upper limit to the number of their citizens and a lower limit for their measured intelligence, the causes of social ills, even wars, would be greatly diminished. Population mass production leads to industrial mass production and over production may very well find an outlet in war. Raising the average mental age by eliminating morons and dullards would advance the cause of peace and civilization. Also, a high correlation between family size and intelligence would spur progress.³⁹

One is not strained to see the connections. Like the purloined letter, they live in plain view at the surface of history.

What is also important to our purposes here is where Sanger goes on to quote historian, Oscar Helmuth Werner, where, on noting the shift in Western civilization toward a low regard for infanticide, he goes on to observe that “Infanticide by legal parents has practically ceased in civilized countries, but abortion, its substitute, has not.” Infanticide went to the womb. Today the subject of infanticide has re-emerged as a legitimate, ethical practice, with any hint of horror being ignored, rationalized away, or simply guffawed. Sanger and Tooley are right to speak plainly in asking who is trying to kid whom: how can one justify abortion but not infanticide? One cannot.

The difference here is not in agreeing on the problem of poverty, war and of equal opportunity for women and men. And if only we spoke of contraceptives, I would say we have attained to a reasonable compromise in the so-called liberation of woman to free herself from the “burden of motherhood” to pursue her own interests, and which is best for the liberation of all society. I disagree with the terms, but I can live with the agreement. Yet, this solution to the ills that plague the world (for Sanger and others quoted above paint it as nothing less than the solution) stems from the same ideological and practical vine of infanticide and abortion, or infanticide by another name. This argument of Sanger’s has not fundamentally changed. Furthermore, there is simply no evidence logically or

empirically supporting the claim that less children equates to a more fulfilled life. Most assuredly, there is nothing in scientific literature connecting any measurable advancement in women's equality to abortion. But even this fact almost pales next to the horrific tide of 20th century eugenics.

The stark difference, then, is in designating the origin of the problem and, hence, its solution, as also it is in defining a vision of a fulfilled life. This I know: I don't want people to hurt. I don't want them to fail. I want them to see victory in the good things in life, knowing all the while that a life of victory is not necessarily easier or absent problems. By definition, victory comes in the midst of opposition. But the heart of my Christian faith points to life in all its abundance. It says that life is a song of triumph, not of defeat. More than our passion to express ourselves or to pursue our own happiness and even material prosperity, one thing that transcends all circumstances is love. Were you to have asked of my now deceased mother-in-law which of her nine children she would have wished never to have borne even as a widow living in destitute poverty in one of the poorest countries in the world, she surely would have thought the very question foolishness. If even there were no external tyranny but our own physical or mental disablement against the freedom to express ourselves, our lives would have intrinsic value and therefore worth living, my beloved. If all I have to set at this table is love when I have not even bread to give you, love still satisfies the deepest of human need and cannot be diminished. Or should I eat my child or simply eliminate him so that I might attain to some other measure of a fulfilled life? Quality is not measured in the number of breaths we take; it is not to say that by assuring I live longer at the sacrifice of others I have somehow bought quality. I have simply bought more. So the question is still begged, bought more of what? If I can be accused of anything, may it not be that I failed to hope in this life and to share the hope that life offers. Yet, by its very nature abortion does not speak life into people's circumstances. It speaks of lifestyle, and this lifestyle depends upon the death of another: *If you wish to gain the good life you imagine, you need only end the life that is in you.* For there is always the loss of life in an abortion, whatever you may think of the value of that life. And it seems this same trend would have that it is not simply the life in you, but the life before you that should also be eliminated in the pursuit of a happier society. And a happy society is nothing short of a life of pleasure. Yet even this we kill.⁴⁰

Okay, reel this in and hearken back to the preference utilitarian argument of degrees of sentience, which says there is no serious right to life where there is no sentience: a cockroach feels less pain than a toad, a toad less than a lion, a lion less than a man (perhaps). There is no doubt that this ability to know pain, even to suffer, is partly what it means to be human and it figures strongly into how we deal one with another, and even into intra-species relationships. No problem. You and I know the

sound of suffering and our eyes know the sight of cruelty. In all the ravages and miseries of trench warfare in WWI the painful cry of war horses suffering and dying in the lull between battles was most unbearable. Who can but say that we can relate compassionately to the animal world in the common experience of suffering? Indeed, more profoundly still, I would say, the Apostle Paul writes "For we know that the whole creation groans and suffers the pains of childbirth together until now" (Romans 8:22).

But how you and I relate with one another in regard to pain rests on our sense of the intrinsic value of life, that we should understand suffering as a sort of a signal to a life that is suffering. For the life of the sufferer was present hitherto the expression of, or even the ability to express that suffering. I do not value that life merely on the basis of its potential to suffer. To suggest that the embryo or the fetus does not even have the neurological capacity to suffer does not entail that substantively this life is thus morally reduced, nor indeed is it any less true that we have before us a human being with the inherent capacity to suffer, whether that capacity is or is not yet fully integrated. Remember, you and I did not evolve in the womb, which I trust you accepted above as a statement in the obvious. Therefore, it holds that we did not evolve from one being into another at the subconscious to conscious incorporation of pain into neurological development and plasticity.

Consider briefly the reflections of Justice Brennan regarding the Eighth Amendment, "Cruel and Unusual Punishments Clause":

At bottom, then, the Cruel and Unusual Punishments Clause prohibits the infliction of uncivilized and inhuman punishments. The State, even as it punishes, must treat its members with respect for their intrinsic worth as human beings. A punishment is "cruel and unusual," therefore, if it does not comport with human dignity... .

More than the presence of pain, however, is comprehended in the judgment that the extreme severity of a punishment makes it degrading to the dignity of human beings. The barbaric punishments condemned by history, "punishments which inflict torture, such as the rack, the thumbscrew, the iron boot, the stretching of limbs and the like," are, of course, "attended with acute pain and suffering." *O'Neil v. Vermont*, (1892) (Field, J., dissenting). When we consider why they have been condemned, however, we realize that the pain involved is not the only reason. *The true significance of these punishments is that they treat members of the human race as nonhumans, as objects to be toyed with and discarded.* They are thus inconsistent with the fundamental premise of the Clause that even the vilest criminal remains a human being possessed of common human dignity.⁴¹ (my emphasis)

Contrast this to Singer's position that experimentation (though not abortion) on fetuses should have a threshold where the fetus begins to experience pain.

Prior to that time [i.e. 18 weeks], there is no good basis for believing that the fetus needs protection from harmful research, because the fetus cannot be harmed. After that time, the fetus does need protection from harm, on the same basis as sentient, but not self-conscious, nonhuman animals need it.⁴²

This is evolution in the womb, with an upgrade in rights and status with each passing grade.

Even as we admit that a fetus is in fact a human being, we make a distinction of his or her not being a person (as the argument goes) by virtue of their not possessing sentience, or the capacity to experience pain. Putting aside the scientific question round this, while aspect to distinguishing features of what it is to be human (or lion, for example), the principle that my intrinsic worth leans on my ability to experience pain is not only indefensible, but it is definitionally diminutive. That in fact is the very point that Brennan is making here. Whether that criminal experiences or does not experience pain is not the point. We treat human beings with exception. As Lugosi summarizes:

The evil that is the target of the Eighth Amendment goes beyond the infliction of horrible pain and suffering. It is the dehumanization of the victim that most deeply offends against human dignity and respect for members of the human family. Justice Brennan deplored the treatment of human beings as non-humans who were things to be abused and killed.⁴³

We can as well challenge the pro-abortion and preference utilitarian position vis-à-vis sentience with questions round dream states, temporary comatose conditions, anesthetized patients, lepers and so on, (as Irving points out above), but the closer point is that we speak here again not of attainment to a potential, but of that potential which is intrinsic to our humanity from the instant we are conceived and no matter the stage of our human development or the full realization of that potential, which in fact can never be said to occur in its most existential stretch. Setting aside the question of euthanasia, if I count a person in a comatose state as good as dead, I cannot in all human decency begin to put out cigarettes on him, let alone begin to harvest his organs.

That a fetus can or cannot feel pain does not dismiss that the life is already present which further development will in very short order make such sensitivity to pain present or more acute. It is, if you will, but a temporary condition to a life that otherwise has that capacity to suffer. This is fundamentally different from a mature human in a coma who has lost that capacity to experience pain and who seems unlikely to awake. As Gareth Jones points out, "... brain birth describes a progressive phenomenon which is leading somewhere new, whereas brain death describes the final point of an existence. The contrast between these two states is striking, with brain birth centring [sic] around a

discovery concerning personhood and brain death around a definition, and with the *order* of neural embryogenesis standing against the *disorder* of neural death.”⁴⁴

Again, suffering does not make us human, while being human do we learn suffering. When we break life up into pieces of personhood—rationality, self-awareness, sentience—and determine theoretically that the life from which these pieces had been broken can somehow be conversely reconstructed of them, we find ourselves unable to put Humpty Dumpty back together again. To use another metaphor, paint-by-number reconstructs a facsimile, but it does not recreate the art that it pretends. There is but one *Starry Night*. This points to a fundamental problem. Art is at least as much a process as it is a product; stated otherwise, a painting is a work of art. Though the work of art is attested in a resulting image, the life of the art begins with a blank canvas and progresses forward as an intentional and dynamic process, not a prescribed ensemble of numbered shapes that must be filled with certain colors, working backward in pretense of attaining the same result. I’ll leave this paragraph with the musing of Nobel laureate biologist, Szent-Györgyi: “I went through my entire scientific career searching for life, but now I see that life has somehow slipped through my fingers and all I have is electrons, protons, and particles, which have no life at all. So in my old age I am forced to retrace my steps.”⁴⁵

Outside the wildest arguments of affording constitutional rights or “personhood” to non-human animals (but which is indeed being worked toward today and will be a reality I am certain within the next fifty years), we commonly allow that even as we regulate certain rights to animals as sentient beings, for example, we have no moral compunction of being master over these animals. (I realize “master” is perhaps a less palatable word today, but I need us to cut to the chase here.) So, when we speak of inter-human relationships we can easily agree that no human has the right of ownership of another, or to generally violate the autonomy of another person’s life, whereas we commonly agree that we generally exercise authority and responsibility over the lives of non-human animals. It cannot be said that as a matter of course this lion has a say over its fate that supersedes human authority regarding its fate. Even if a lion living in the wild had never had a history of attacking people, for example, should it wander into a child’s playground, we would promptly remove it, even if that means killing the lion without any thought to due process. Consider as well that Singer and Tooley, in the very act of establishing criteria that afford a serious right to life to animals are themselves acting as sovereigns. So, back to our pretty young huntress with her trophy from the Dark Continent, one might argue that, given the outrage at her sport (and especially at her sporting her sport, I would say), the vast majority of people simply give this lion’s life the thumbs-up, desiring that it be allowed to live out its life

unmolested by the likes of her. It is a wanted lion (for all the irony), and we are the collective, sovereign mother.

One of the mainstays to the pro-choice rhetorical structure, then, goes something like this: *What about these wasted, hopeless, impoverished lives that unwanted babies are being born into? Is this not justification enough to induce abortion?* As one pro-abortion commentator in response to the Matt Walsh essay melodramatically puts it, *people just rot and die in foster care!* Once more, the bottom line in this and in every abortion argument is to make a societal distinction between the *wanted* and the *unwanted*. It really is as simple as that. We classify life in the womb into the chosen and the depersonalized human. “The unwanted go on to lead miserable lives not worth living, so what do you anti-choicers have to say about that?” the accusation goes. Whatever side of the debate we fall on, and whether we say it is about choice or about life, when all else is brushed aside, the net result that both sides finally argue over is what to do with the *unwanted*.

The argument in favor of abortion in these last few decades has had to acknowledge that this is a human being from the moment of conception, and so we saw the emphasis on distinguishing human being from human person or potential person. Having also to admit that the moral arguments justifying abortion had gaping cracks, so has the movement needed to establish standards to justify the practice. Such standards, in turn, have pushed the moral value of life even farther down the road of human development, with newborns having only the potential but not the actual moral worth of our family pet, and severely handicapped children never attaining to that value. And as this continues to swell, we see the ideology pressed into reality at the threshold of the cervix, with babies having over foot long presentations being held between two worlds inside and outside the womb as we jam scissors into their head.

And yet, this all revolves round a proposed ethics that is simply masked in various ways in different times. Again, the theorists whom I have highlighted here do nothing more than advance an ideology of population control and quality of life management based upon personal preference more nakedly than some people want or like to hear. We follow this thread back again to Margaret Sanger, in whom we find a very clear starting point at least here in America with the establishment of the behemoth that is Planned Parenthood. Writing twelve years after her publication *Woman and the New Race*, we read in *Birth Control Review* her article “A Plan for Peace” in which she makes a list of steps that she proposes need to happen in the establishment of a better America:

The main objects of the Population Congress would be:

- a) to raise the level and increase the general intelligence of population [through sterilization and abortion of certain categories of people, listed below].
- b) to increase the population slowly by keeping the birth rate at its present level ...
- c) to keep the doors of immigration closed to the entrance of certain aliens whose condition is known to be detrimental to the stamina of the race, such as feeble-minded, idiots, morons, insane, syphilitic, epileptic, criminal, professional prostitutes, and others in this class barred by the immigration laws of 1924.
- d) to apply a stern and rigid policy of sterilization and segregation to that grade of population whose progeny is tainted, or whose inheritance is such that objectionable traits may be transmitted to offspring.
- e) to insure the country against future burdens of maintenance for numerous offspring as may be born of feeble-minded parents, by pensioning all persons with transmissible disease who voluntarily consent to sterilization.
- f) to give certain dysgenic groups in our population their choice of segregation or sterilization.
- g) to apportion farm lands and homesteads for these segregated persons where they would be taught to work under competent instructors for the period of their entire lives.

The **first step** would thus be to control the intake and output of morons, mental defectives, epileptics.

The **second step** would be to take an inventory of the secondary group such as illiterates, paupers, unemployables, criminals, prostitutes, dope-fiends; classify them in special departments under government medical protection, and segregate them on farms and open spaces as long as necessary for the strengthening and development of moral conduct.

Having corralled this enormous part of our population and placed it on a basis of health instead of punishment, it is sage to say that fifteen or twenty millions of our population would then be organized into soldiers of defense--- defending the unborn against their own disabilities.

The **third step** would be to give special attention to the mothers' health, to see that women who are suffering from tuberculosis, heart or kidney disease, toxic goiter, gonorrhoea, or any disease where the condition of pregnancy disturbs their health are placed under public health nurses to instruct them in practical, scientific methods of contraception in order to safeguard their lives---thus reducing maternal mortality.

The above steps may seem to place emphasis on a health program instead of on tariffs, moratoriums and debts, but I believe that national health is the first essential factor in any program for universal peace.

With the future citizen safeguarded from hereditary taints, with five million mental and moral degenerates segregated, with ten million women and ten million children receiving adequate care, we could then turn our attention to the basic needs for international peace.⁴⁶

In the mission to limit birth rates for reasons of purifying the human race and attending to the quality of life for the evidently chosen race, Margaret Sanger's *Planned Parenthood* would maintain a strategy of going into the heart of the poorest urban populations to set up shop. Sanger's stated goals are plain, among which are stopping poverty by stopping poor people from having a surplus of babies, even to killing those already born, if given full rein. Her reasoning, which I believe is plainly twisted, is

that we cheapen human life when we have a surplus of human life. (So, is a lion more valuable to us because it is near extinction, while we have a burgeoning population?)

While I do not want to belabor the Ferguson debate, please allow me to apply it briefly here. Begin with some simple figures. From what I have been able to glean, policemen kill approximately 100 blacks every year compared to approximately 300 whites in that same period (still making black deaths at the hands of police proportionately larger), and about 150 police officers are killed in the line of duty each year (still another figure that we cannot afford to ignore). But what is in many respects most disconcerting and which I would have us consider here is the total number of black people murdered every year is roughly 7,000, with the lion's share being black on black killings. Calculate furthermore into our numbers that as a result of abortion aims at population control which plant abortion clinics in the heart of poor, minority communities, this eugenics solution to poverty and war computes into black people aborting their children at a rate four times higher than white people. In fact, more black offspring are presently aborted than are born in New York.

So tell me what a people is to think of their own intrinsic worth when the message that is being fed them is that their only pathway to progress is to nip off upwards of two-thirds of their own population at the bud, even as they represent a minority of the total population? Tell me what that does to a people. Even when we consider the appearance of good intentions, functionally the abortion industry is racist. Dare I say genocidal?

Along this very line, here is a poem by an abortionist lauding the solitary heroism of the abortion provider:

Abortion Providers Are Labeled Killers! / Horrendous, Exploitive / Barbaric, Inhumane / Not Physicians, Oathed To Heal / Lest We Forget / What Chances Have Those? / Those Without The Support / Of Their Parents / Their Families / Their Communities / Their Societies / So Many / Without Sufficient Support / Stumble Into Drugs / Into Crime / Into Mental Illnesses / Into Institutions... And ... / Languish in Jails ...⁴⁷

Please allow me to direct some of our understanding of this lyric. The emphasis here is not a positive assertion of honing down population growth in order to liberate the chosen to lead lives of material and ideological prosperity, being freed of the burden of children. The emphasis is that too many black lives are simply not worth living, and so let us accommodate and simply not let them live.

The poem was written from jail by Kermit Gosnell, who was found guilty on three counts of first degree murder of three infants who were born alive after botched abortions and of involuntary manslaughter in the overdose death of a woman. As to the "born-alive" infants, he would kill them by

sticking scissors into the back of their necks and snipping their spinal cord. Gosnell was an abortion provider with a lucrative, decades-long practice in Philadelphia; the man was making money hand over fist. And yet, when one reads over the Grand Jury report, his patients, particularly minority women, were handled in such a manner and in such a deplorable environment that is frankly hard to believe but were it fictional.⁴⁸ The jurors were convinced that Gosnell and his staff had committed hundreds of acts of infanticide, or killing “born-alive” infants from abortions that had “gone awry” as Gosnell’s lawyer would phrase it. His practice, “Women’s Medical Society,” kept up an operation that was horrifying and just plain disgusting in every way to the eyes of human decency, yet which conditions and practices by all evidences seemed to be purposely overlooked for decades (for fear of being sued, it would seem, at any effort that might be construed as restricting a woman’s access to abortion). The only reason any of this finally hit the fan had to do with a raid on his clinic involving the illegal sale of prescription drugs.

What is distinctive in the case of Gosnell? Everyone with an opinion on it agreed that the man needed to stand trial. His operation was illegal and unsafe. There is unanimous opinion that women were treated with absolute moral disregard to their health and general well-being. But as I comb through reports in an effort to understand the spectrum of opinions, what is telling is where I begin to discern a pattern in reasoning and in focus of attention.

The virtually unique focus from the pro-choice perspective had to do with defending safe, legal abortions, and calling Gosnell an outlier. Whether he was or was not an outlier, I will leave alone. Rather, I would like to hone in on attitudes round the most heinous crime of first degree murder for which Gosnell was found guilty. (It may help to know that abortion is proscribed after 24 weeks gestation in Pennsylvania, with the exception of a threat to the woman’s physical or mental health, which is determined on individual cases and by the physician alone.)

The *New York Times* article, “Doctor Starts His Life Term in Grisly Abortion Clinic Case,” closes with what is perhaps the most important distinction in this matter as argued by the Philadelphia District Attorney, R. Seth Williams, and by Gosnell’s lawyer, Mr. McMahon (ironic, indeed).

“I will not mince my words: Kermit Gosnell is a monster,” Mr. Williams said after the sentencing. “Any doctor who cuts into the necks, severing the spinal cords of living, breathing babies, who would survive with proper medical attention, is a murderer and a monster.”

But Dr. Gosnell’s lawyer, Mr. McMahon, reiterated his defense that his client had snipped the necks only of fetuses that were already dead.

“He believes he never killed a live baby,” Mr. McMahon told reporters. “The jury has made its decision on what happened here. We respect it, but that doesn’t mean it’s the truth.”⁴⁹

The unique distinction over which these two attorneys (and our laws) quibble comes down to whether the infants were inside or outside the womb and if they had therefore drawn a breath before they were killed. That's it.

The question revolves round whether the victims were "breathing," as Williams specifies, and would they otherwise have "survive[d] with proper medical attention." For the fact is that fetuses of the same gestation as these victims, who are very much alive and who are equally able to survive with or without proper medical attention, are killed every day under cover of law and the banner of a woman's right to choose. The one gets you a charge of murder in the first degree; the other a pass as abortion. The only distinctive, then, is that one has breathed air; the other has not. (And you can't hear screaming when the lungs are filled with amniotic fluid.) As to the monstrosity of manners, one has only to go back to the partial-birth abortion debate to see the audacity here in pretending to sweep under the rug one methodology that was so staunchly defended up to the highest level of court and politics while calling another quite similar methodology hideous and unthinkable. Indeed, that was one of the pro-choice principle rebuttals against the ban on partial-birth abortion, that it is no more grisly than what is already happening in the womb.

The *Washington Post* reports that the jury:

... decided that Baby A, Baby C and Baby D lived a few fleeting moments outside their mothers' wombs before their spinal cords were severed at Kermit Gosnell's abortion clinic in West Philadelphia.

The way those brief lives ended didn't amount to abortion but to three acts of first-degree murder, jurors concluded.

The jury also acquitted him of murder in the death of another infant, known as Baby E, whom prosecutors had struggled to prove was alive after delivery.⁵⁰

Gosnell was also convicted of 21 felony counts of performing illegal abortions past the state regulation of 24 weeks, but he was not charged with murder in these cases, including "Baby E," and virtually no ink was spilled over them. (Had these been the only charges in an otherwise "reputable" abortion practice, I guarantee that it would have been defended as an instance where abortion providers and women alike have been put into a legal strangle-hold at the accidental birth of an unwanted infant where abortion had been the object of the operation.) Consider, for instance, that Pearl Gosnell (Kermit Gosnell's wife) was sentenced to 7 to 23 months in prison for the combined

charges of illegal late-term abortions, racketeering, and conspiracy. Clearly the question of stepping over the viability boundary would not even have been newsworthy had it stood alone.

While the conditions of Gosnell's business operation were appalling, when we focus on the most heinous crime for which he was found guilty, what is the difference between Gosnell and Haskill or McMahan or any other abortion provider? And frankly, according to the overwhelming trend of pro-choice academia, exemplified in this essay by Singer's and Tooley's measures of personhood and potential persons, Gosnell not only did nothing wrong, but did the morally right thing. In fact, I would like you to read Tooley's concluding statement in his so-called classic article, "Abortion and Infanticide":

If this view of the matter is roughly correct, there are two worries one is left with at the level of practical moral decisions, one of which may turn out to be deeply disturbing. The lesser worry is where the line is to be drawn in the case of infanticide. It is not troubling because there is no serious need to know the exact point at which a human infant acquires a right to life. For in the vast majority of cases in which infanticide is desirable, its desirability will be apparent within a short time after birth. Since it is virtually certain that an infant at such a stage of its development does not possess the concept of a continuing self, and thus does not possess a serious right to life, there is excellent reason to believe that infanticide is morally permissible in most cases where it is otherwise desirable. The practical moral problem can thus be satisfactorily handled by choosing some period of time, such as a week after birth, as the interval during which infanticide will be permitted. This interval could then be modified once psychologists have established the point at which a human organism comes to believe that it is a continuing subject of experiences and other mental states.

The troubling worry is whether adult animals belonging to species other than *Homo sapiens* may not also possess a serious right to life. For once one says that an organism can possess the concept of a continuing self, together with the belief that it is itself such an entity, without having any way of expressing that concept and that belief linguistically, one has to face up to the question of whether animals may not possess properties that bestow a serious right to life upon them. The suggestion itself is a familiar one, and one that most of us are accustomed to dismiss very casually. The line of thought advanced here suggests that this attitude may turn out to be tragically mistaken. Once one reflects upon the question of the *basic* moral principles involved in the ascription of a right to life to organisms, one may find himself driven to conclude that our everyday treatment of animals is morally indefensible, and that we are in fact murdering innocent persons.⁵¹

Again in his book *Practical Ethics*, Peter Singer suggests that a "period of 28 days after birth might be allowed before an infant is accepted as having the same right to live as others." He reiterates his admittance against the charge that the position he takes on abortion also justifies infanticide, emphasizing that "the *intrinsic* wrongness of killing the late fetus and the *intrinsic* wrongness of killing the newborn infant are not markedly different." The continuity in his reasoning is ultimately grounded on the wishes of "the mother-to-be" (He won't call her plainly mother even after giving birth, it would seem.), that "infanticide can only be equated with abortion when those closest to the child do not want

it to live.” (Echoing Carhart’s reflection, quoted above, that life begins when the mother says it begins, which is sometimes never.) Friends, add here to our reflections how one can say to have “intrinsic” moral value (Singer’s emphasis) when that value is dependent on a thumbs-up or a thumbs-down of another person?

The fact is no side of the argument approved of Gosnell’s practice once it was brought to light. But the disapproval and distancing on the part of pro-choice had nothing to do with the death of unwanted fetuses. Rather, they took on the tack of Gosnell’s case serving to demonstrate what illegal abortion looks like, while the norm today, they assure us, is an environment of safe and financially accessible abortion services. (The pro-choice angle that this is an example of what illegal abortion of yesteryear looks like—hence giving reason for safe and legal abortions—comes a bit late since Gosnell’s practice had been the Philadelphia go-to, late-term abortion clinic for thirty plus years. And we won’t go past mention here that virtually every effort at state regulation, indeed, even hint at state regulation has been fodder for accusations of misogyny and countless legal actions.) The net result of a dead child is not of any concern. Had Gosnell kept everything else above board, the death of these children would simply not have mattered (The mothers certainly didn’t report them and neither were they charged with any complicity in the murders.), and Gosnell’s abortion provision would have been very strongly defended and promoted. Gosnell would be the heroic abortion provider of his own lyrical fantasy.

One never knows. He may well become yesterday’s martyr.

Let me try and wrap up these reflections.

Bring it on home. We take this same argument that these unwanted babies go on to lead horrible, neglected lives, “rotting in foster care,” assuring them of a future in crime, and so we determine justification to abort them before the going gets rough and this child drags everybody else down with him as he grows into a man, and now we paint a picture that has you as the guest speaker in a lecture hall which seats are filled by people whose parents abandoned them at birth, or who lost them to the ward of the state for reasons of neglect or abuse, and so forth. You have a hall filled with these unwanted who happen to have lived.

Now, you begin your address to this, your audience and it goes something like this.

The fact is that we all know as unwanted babies you should have all simply been aborted. (What else to say?) You were unwanted or were spawned of complete irresponsibility and in turn you have been dumped on us. Don’t get me wrong. I’m the progressive here. It’s those pro-lifers who are so backward and stupid. Me, I believe that if you’d never have been born we would be well on the path to solving world problems today by stemming the tide of overpopulation, which is you, and increasing the quality of

human stock, which is me. So, as a progressive, I simply pity you, even as I resent the space you fill. You can't help that you were born to lose, and so I believe in welfare, though I hate that you're burdening us with it... which abortion was supposed to have taken care of by now. (Hmm.) Anyway, the bottom line is that your stories and your lives give us that much more cause to believe you and everyone like you should have been aborted, but don't worry. You slid in home safe. So, we aren't talking about "you," you. We are talking about those other potentials that we don't want to end up like you. So, it's not about you. It's about "them" because we don't want any more of them coming into this world, like you.

As I try to bring this back full circle, I must say that the originating question to this essay for me in the end does not rest so much on the rightness or the wrongness of this young woman hunting big game in Africa. (It should be obvious that the subjects of animal rights, human rights, abortion and infanticide knot up into one ball, and so it is in error that one accuses Matt Walsh of comparing apples to oranges.)

I remember a few years ago the cover article of *National Geographic* magazine was about the then recent killing of ten silverback gorillas in Eastern DRC. I also listened to an interview on npr with the writer of that article during which he pondered the same point I had had of these ten dead gorillas causing such public fury in the West while there remained a pall of media silence in this same demographic over the five million people who had died in that region by direct and indirect causes of fighting.

Wildlife conservation has tried the tack of convincing the local communities of the long-term financial interest in animal conservation and eco-tourism, with much success it would seem. Persuade the locals to want these animals kept alive, if at least for utilitarian ends. Well, in the end it seems that this is not good enough for those who live closest to these gorillas, who see a present need that can be satisfied immediately in killing these silverbacks (or rhinos or elephants). So, those whose lives are most directly affected by the life or death of these silverbacks decide that the killing of them is more important to their self-interest than protecting their lives. Then the West is in an uproar.

When I say that I am pro-life, it is foundationally a position that life is a gift from God, the author of life, and as such all life is sacred, from the child in the womb to the woman in an unplanned pregnancy, and that this same fundamental worldview extends into all creation, endowing us all with a fundamental responsibility to treat earth and all that is in it with dignity and with thanksgiving. The killing (dare I say murder) of these silverback gorillas is awful, and it is no less the work of the ugly hand of war. All life is precious—including vegetable life in its own right. The biosphere is imminently valuable, even the otherwise lifeless planets and the display of the cosmos are a tribute to the glory of

God from the Christian perspective. That said, I believe as a first principle that there is a hierarchy to creation and that humans have the distinctively greatest value. A cockroach has less intrinsic worth than a human. A cow is not holy and we will not be ruled by apes. And a human being at every stage of his and her miraculous development, having life, inherently possesses this exceptional moral value. One can call this naïve, yet as I go forward in biblically sustained faith I find that my faith is buttressed by empirical and existential truth and reason as I present it here. Call it naïve, but then consider the alternative view.

Regarding then a more direct response to the originating question, I believe that outrage is expressed at this young woman's hunting big game in Africa for all of the reasons above, and surely more. In all, we testify to a beauty, a majesty and the rarity of the lion which has been extinguished, and perhaps it has been extinguished for what we might qualify as a base purpose, a personal and even selfish thrill, made particularly offensive not because it was killed by the teeth and jaws of another predator or underfoot of some other great animal in the African wilderness, but as it is juxtaposed to the higher evaluation of elevated man. We don't break up a fight between two lion prides, or of hyenas and lions, or of elephants and lions. Indeed, we watch on in fascination and call it part of the natural order. Implicitly, we set ourselves apart.

Furthermore, we acknowledge that there is something in the eye that is looking back at us, and this gives us pause. From the baby seal to the cow to the pig, we indeed testify to a spark of life that thinks and feels in such ways as elicit pity in us at their slaughter. In this regard, and touching only very lightly on the subject, I advocate the transformation of the meat industry as well as our diets. I also think we need to continually revisit animal experimentation.

But when I make time to reflect on the still deeper roots to our outrage, one thing that stands out from among the myriad and perhaps equally viable explanations is I think we experience that something idyllic has been violated, and which has been lost to us when we are confronted with images of these giant silverbacks stretched out and borne on the shoulders of several men, or when faced with a picture of this dead lion which has been made sport of in this young woman's exploits. Extending from this, I believe that when really put to the question, deep down each of us knows that where the earth and all that is in it is so out of kilter, so badly off balance, that it has something centrally to do with us, that there is something we have ruined and that we spoil at the least touch it would seem, leaving us to an understandably hands-off policy, as distant observers to a world that if left savage remains in some way closer to pure, untainted by whatever it is in humankind that taints. So we sanction wilderness

areas round which we govern strict regulations, a hedge of protection lest we spoil them and all they contain by whatever is in us that spoils. We can visit, but we cannot stay.

Personally, I think she had no business being there, hunting those animals. I am not against hunting. I am against the disregard for life, and certainly can find no room in the biblical understanding of the preciousness of life for this young woman's hobby. But the puzzlement I would pray we make time to try and solve in our own heart and mind is once again the apparent arbitrariness of our outrage, which seems to be the crux of Matt Walsh's blog that made way for these reflections.

We are rightly concerned about the apparently seared conscience of a person who would hunt for mere sport or about the heartless abandonment of kittens and woeful negligence (cruelty) of animals left lifelong in chains, and so forth. And we are rightly concerned about unwanted pregnancies. But now we fight for that lion or those kittens and the good cause of animal rights, while we cheer on a sweeping judgment rendering the killing of unborn children in the womb virtually without limit and all we can shout is "choice"? There is something intrinsically flawed and contradictory in this, which I pray this letter has helped bring to the fore.

Once more, I pray you understand that as I write I think of people whom I love and respect. If the subject is difficult, it is not for want of love in me in presenting it, nor in you who are perhaps uncomfortable, or angered or panged by it, and it is certainly not for want of love between us. Indeed, to feel nothing is worst of all. But if I may turn this a bit onto me, personally, for a moment, please consider also not how hard it is to receive such reflections, but how much harder perhaps to offer them. Take a moment to consider the depth and breadth of outright rejection, vitriol and ridicule that I receive in trying to bring this subject to the table. Think of how frustrating it also is when I am guffawed in blanket simplicities of *ignorant* and *narrow-minded* and *fanatical* and any other nominal sentiments when the truth is that I know such dismissive waves of the hand are coming from people who frankly are desperately ignorant of the subject in my estimation and who likewise hold me in thin stereotype—people whom I love. I do not mean this derogatorily, but realistically, and in elucidation of my own former positions. Do I feel hurt and offended? Sure, I do. Especially as I consider my arguments quite reasonable while their rejection is grounded in little more than tropisms and memes and effectively blind following of trends. But it has been my hope here, and which I pray bears out, not to add injury to offense. I have tried to simply present my thoughts as clearly as possible, even in the hope of persuading you by them.

And so, please consider them.

Sincerely

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