The Indivisible
Fight For Life

By
Nat Hentoff

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STUDIES
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I’ll begin by indicating how I became aware, very belatedly, of the “indivisibility of life.” I mention this fragment of autobiography only because I think it may be useful to those who are interested in bringing others like me — some people are not interested in making the ranks more heterogeneous, but others are, as I’ve been finding out — to a realization that the “slippery slope” is far more than a metaphor.

When I say “like me,” I suppose in some respects I’m regarded as a “liberal,” although I often stray from that category, and certainly a civil libertarian — though the ACLU and I are in profound disagreement on the matters of abortion, handicapped infants and euthanasia, because I think they have forsaken basic civil liberties in dealing with these issues. I’m considered a liberal except for that unaccountable heresy of recent years that has to do with pro-life matters.

It’s all the more unaccountable to a lot of people because I remain an atheist, a Jewish atheist. (That’s a special branch of the division.) I think the question I’m most often asked from both sides is, “How do you presume to have this kind of moral conception without a belief in God?” And the answer is, “It’s harder.” But it’s not impossible.

*Presented at AUL Forum, 19 October 1986, Chicago.
For me, this transformation started with the reporting I did on the Babies Doe. While covering the story, I came across a number of physicians, medical writers, staff people in Congress and some members of the House and Senate who were convinced that making it possible for a spina bifida or a Down syndrome infant to die was the equivalent of what they called a ‘late abortion.’ And surely, they felt, there’s nothing wrong with that.

Now, I had not been thinking about abortion at all. I had not thought about it for years. I had what W. H. Auden called in another context a ‘rehearsed response.’ ‘You mentioned abortion and I would say, ‘Oh, yeah, that’s a fundamental part of women’s liberation,’ and that was the end of it.

But then I started hearing about ‘late abortion.’” The simple ‘fact’ that the infant had been born, proponents suggest, should not get in the way of mercifully saving him or her from a life hardly worth living. At the same time, the parents are saved from the financial and emotional burden of caring for an imperfect child.

And then I heard the head of the Reproductive Freedom Rights unit of the ACLU saying — this was at the same time as the Baby Jane Doe story was developing on Long Island — at a forum, “I don’t know what all this fuss is about. Dealing with these handicapped infants is really an extension of women’s reproductive freedom rights, women’s right to control their own bodies.”

That stopped me. It seemed to me we were not talking about Roe v. Wade. These infants were born. And having been born, as persons under the Constitution, they were entitled to at least the same rights as people on death row — due process, equal protection of the law. So for the first time, I began to pay attention to the ‘slippery slope’ warnings of pro-lifers I read about or had seen on television. Because abortion had become legal and easily available, that argument ran — as you well know — infanticide would eventually become openly permissible, to be followed by euthanasia for infirm, expensive senior citizens.

And then in the New York Review of Books, I saw the respected, though not by me, Australian bio-ethicist Peter Singer boldly assert that the slope was not slippery at all, but rather a logical throughway once you got on to it. This is what he said — and I’ve heard this in variant forms from many, many people who consider themselves compassionate, concerned with the powerless and all that.

Singer: “The pro-life groups were right about one thing, the location of the baby inside or outside the womb cannot make much of a moral difference. We cannot coherently hold it is alright to kill a fetus a week before birth, but as soon as the baby is born everything must be done to keep it alive. The solution, however,” said Singer, “is not to accept the pro-life view that the fetus is a human being with the same moral status as yours or mine. The solution is the very opposite, to abandon the idea that all human life is of equal worth.” Which, of course, the majority of the Court had already done in Roe v. Wade.

Recently, I was interviewing Dr. Norman Levinsky, Chief of Medicine of Boston University Medical Center and a medical ethicist. He is one of those rare medical ethicists who really is concerned with nurturing life, as contrasted with those of his peers who see death as a form of treatment. He told me that he is much disturbed by the extent to which medical decisions are made according to the patient’s age. He says there are those physicians who believe that life is worth less if you’re over 80 than if you’re 28.

So this is capsulizing an incremental learning process. I was beginning to learn about the indivisibility of life. I began to interview people, to read, and I read Dr. Leo Alexander. Joe Stanton, who must be the greatest single resource of information, at least to beginners — and, I think, non-beginners — in this field, sent me a whole lot of stuff, including Dr. Leo Alexander’s piece in the New England Journal of Medicine in the 1940s. And then I thought of Dr. Alexander when I saw an April 1984 piece in the New England Journal of Medicine by 10 physicians defending the withdrawal of food and water from certain ‘hopelessly ill’ patients. And I found out that Dr. Alexander was still alive then but didn’t have much longer to live. And he said to Patrick Durr, who is a professor of philosophy at Clarke University and who testified in the Brophy case, about that article, “It is much like Germany in the 20s and 30s. The barriers against killing are coming down.”

Nearly two years later, as you know, the seven member judicial council of the American Medical Association ruled unanimously that it is ethical for doctors to withhold “all means of life-prolonging medical treatment” including food and water, if the patient is in a coma that is “beyond doubt irreversible” and “there are adequate safeguards to confirm the accuracy of the diagnosis.” Now keep in mind “beyond doubt irreversible” and “adequate safeguards to confirm the accuracy of the diagnosis.” Death, to begin with, may not be imminent for food and water to be stopped, according to the AMA.

Then Dr. Nancy Dickey, who is chairman of the council that made that ruling, noted that there is no medical definition of “adequate safeguards,” no checklist that doctors would have to fill out in each case. The decision would be up to each doctor.

Aside from the ethics of this, for the moment, I would point out that the New England Journal of Medicine, or at least the editor, Dr. Arnold Relman, said fairly recently that there are at least 40,000 incompetent physicians in the United States — incompetent or impaired. At least.

Back to Dr. Norman Levinsky. This is all part of this learning process. It is not a huge step, he said, from stopping the feeding to giving the patient a little more morphine to speed his end. I mean it is not a big step from passive to active euthanasia.

Well, in time, a rather short period of time, I became pro-life across the board, which led to certain social problems, starting at home. My wife’s most recent attack begins with, “You are creating social mischief,” and there are people at my paper who do not speak to me anymore. In most cases, that’s no loss.

And I began to find out, in a different way, how the stereotypes about
pro-lifers work. When you're one of them and you read about the stereotypes, you get a sort of different perspective.

There's a magazine called the Progressive. It's published in Madison, Wisconsin. It comes out of the progressive movement of Senator Lafolette, in the early part of this century. It is very liberal. Its staff, the last I knew, was without exception pro-abortion. But its editor is a rare editor in that he believes not only that his readers can stand opinions contrary to what they'd like to hear, but that it's good for them. His name is Erwin Knoll and he published a long piece by Mary Meehan, who is one of my favorite authors, which pointed out that for the left, of all groups of society, not to understand that the most helpless members of this society are the preborn — a word that I picked up today, better than unborn — is strange, to say the least.

The article by Meehan produced an avalanche of letters. I have not seen such vitriol since Richard Nixon was president — and he deserved it. One of the infuriated readers said pro-life is only a code word representing the kind of neo-fascist, absolutist thinking that is the antithesis to the goals of the left. What, exactly, are the anti-abortionists for? School prayer, a strong national defense, the traditional family characterized by patriarchal dominance. And what are they against? School busing, homosexuals, divorce, sex education, the ERA, welfare, contraception and birth control. I read that over five or six times and none of those applied to me.

I began to wonder if Meehan and I were the only pro-life people who came from the left. Meehan has a long background in civil rights work. And by the way, she said in the piece, "It is out of character for the left to neglect the weak and helpless. The traditional mark of the left has been its protection of the underdog, the weak and the poor. The unborn child is the most helpless form of humanity, even more in need of protection than the poor tenant farmer or the mental patient. The basic instinct of the left is to aid those who cannot aid themselves. And that instinct is absolutely sound. It's what keeps the human proposition going."

I'll give you a quick footnote on the Progressive. Erwin Knoll got a series of ads, tiny ads because they couldn't pay very much even at the magazine's rates, from a group called Feminists for Life of America — a group, by the way, that is anti-nuclear weapons and is also very pro-life in terms of being anti-abortion. And the ads ran. There is a group called the Funding Exchange which is made up of foundations which are put into operation and headed by the scions of the rich. These are children who are trying to atone for their parents' rapaciousness by doing good. The children are liberals. The Funding Exchange was so horrified to see those three tiny ads that even though the Progressive is soundly pro-abortion, the Funding Exchange not only dropped the grant they had given the Progressive, but they made a point of telling Erwin Knoll that they were going to make sure that other foundations didn't give them any money either. I'm always intrigued at how few people understand that free speech encompasses a little more than the speech you like.

Well eventually, in addition to Mary Meehan, I found that there were a number of other pro-lifers who also do not cherish the MX missile, William Bradford Reynolds, or Ronald Reagan. And one of them is Juli Loesch, who writes and speaks against both war and abortion. She is the founder of Pro-lifers for Survival, which describes itself as a network of women and men supporting alternatives to abortion and nuclear arms. She's rather rare, I find in my limited experience, among combatants on all sides of this question because she is unfailingly lucid — and she has a good sense of humor. In an interview in the U.S. Catholic she said that combining her various pro-life preoccupations "was the most fun I've ever had in my life. It's great because you always have common ground with someone. For example, if you're talking to pro-lifers you can always warm up the crowd, so to speak, by saying a lot of anti-abortion stuff. After you've got everybody celebrating the principles they all hold dear, you apply those principles to the nuclear arms issue. For instance, I'll say 'this nuclear radiation is going to destroy the unborn in the womb all over the world.' And then I always lay a quote by the late Herman Kahn on them. He pointed out that about 100 million embryonic deaths would result from limited nuclear war. One hundred million embryonic deaths is of limited significance, he said, because human fecundity being what it is, the slight reduction in fecundity should not be a matter of serious concern even to individuals. Tell that to a pro-life group," she says, "and their response will be, 'That guy's an abortionist.' Well what he was was a nuclear strategist."

I found other allies as a result of having been interviewed on National Public Radio as the curiosity of the month. Letters came in from around the country, most of them saying essentially what a woman from Illinois wrote: "I feel as you do, that it is ethically, not to mention logically, inconsistent to oppose capital punishment and nuclear armament while supporting abortion and/or euthanasia."

The most surprising letters were two from members of the boards of two state affiliates of the ACLU. Now I'm a former member of the national board and I was on the New York board for 17 years, and I well know the devotion of the vast number of the rank and file, let alone the leadership, to abortion rights. So I was surprised to get these letters. One board member from Maryland said we had a board meeting where we approved with only one dissent (his) the decision of the national board to put the right to abortion at the top of its priorities — the top of its priorities. Forget the First Amendment and the Fourth, let Edwin Meese take care of those. There was no discussion, he said, of the relation of abortion to capital punishment.

The most interesting letter was from Barry Nakell, who is a law professor at the University of North Carolina. He is one of the founders of the affiliate of the ACLU there. And he gave me a copy of a speech he made in 1985 at the annual meeting in Chapel Hill of the North Carolina Civil Liberties Union. He reminded the members that the principle of respect for the dignity of life was the basis for the paramount issue on the North Carolina Civil Liberties Union agenda since its founding. That group was founded because of their opposition to capital punishment. Yet, he said,
supporting Roe v. Wade, these civil libertarians were agreeing that the Constitution protects the right to take life. The situation is a little backward, Nakell told his brothers and sisters. In the classical position, the Constitution would be interpreted to protect the right to life, and pro-abortion advocates would be pressing to relax that constitutional guarantee. In Roe v. Wade, the Supreme Court turned that position upside down and the ACLU went along, taking the decidedly odd civil libertarian position that some lives are less worthy of protection than others. I asked Nakell how his heresy had been received. Apparently they’re much more polite down there than they are in New York. “With civility,” he said. As a matter of fact, he added, there were several members of the board who had been troubled for some time, but it’s interesting, they didn’t quite want to come out and say they were worried about Roe v. Wade, that they were worried about abortion. But Nakell took the first step. He’s an optimist by temperament and he tells me he expects to make more progress. And then he told me about a bumper sticker he had seen recently in North Carolina — “Equal Rights for Unborn Women.”

For several years now I’ve been researching a profile of Cardinal O’Connor of New York, which will be a book eventually. And in the course of that I came across Cardinal Bernardin’s “seamless garment” concept. It’s a phrase he does not use any more because of internal political reasons. It is now called the “consistent ethic of life,” which is fine by me. I miss “seamless garment” though, because there’s a nice literary flavor to it. But I’ll accept “consistent ethic of life.” Bernardin said, in a speech at Fordham that has won him considerable plaudits and considerable dissonance, “[N]uclear war threatens life on a previously unimaginable scale. Abortion takes life daily on a horrendous scale. Public executions are fast becoming weekly events in the most advanced technological society in history, and euthanasia is now openly discussed and even advocated. Each of these assaults on life has its own meaning and morality. They cannot be collapsed into one problem, but they must be confronted as pieces of a larger pattern.”

That had a profound effect on me. It’s not new. As a matter of fact, Juli Loesch thought of it before he did, as did the people at The Catholic Worker who got it, of course, from Dorothy Day. And it goes further back into the centuries. But there was something about the way Bernardin put it that hit me very hard.

So I decided by now, because I was considered by some people to be a reliable pro-lifer, I decided to go out to Columbus, Ohio, where I had been asked to speak at the annual Right to Life convention. And, I thought, I’m going to bring them the word, if they haven’t heard it before from Cardinal Bernardin. At first they were delighted to see me, but that didn’t last very long. Jack Willke and Mrs. Willke were there, and they can attest to the fact that in some respects I’m lucky to be here. I pointed out that pro-lifers — maybe this is chutzpah, telling people who have been in this all their lives what you’ve discovered in 20 minutes — that pro-lifers ought to be opposing capital punishment and nuclear armament and the Reagan budget with its dedicated care for missiles as it cuts funds for the Women/Infant/Children Program that provides diet supplements and medical checkups for mothers in poverty. Surely, I said, they should not emulate the President in these matters — and here I stole a line from Congressman Barney Frank — they should not emulate the President in being pro-life only up to the moment of birth. Well the faces before me began to close, and from the middle and the back of the dining room there were shouts. I couldn’t make out the words, but they were not approving. As I went on, there were more shouts as well as growls and table-thumping of an insistence that indicated a tumult awaited outside. I finally ended my speech to a chorus of howls, and several of the diners rushed toward the dais. I did not remember ever intending to die for this cause, but as it turned out the attacks were all verbal. Most of the disappointed listeners, once they caught their breath, charitably ascribed my failure to understand the total unrelatedness of nuclear arms and abortion to my not yet having found God.

But I discovered in other places that I didn’t have to bring them the news of the consistent ethic of life. I talked at the Catholic church outside Stamford, Connecticut last week, and they — including the pastor — understood the “consistent ethic of life” a great deal better than I did. So I see some real hope for my point of view.

There are a lot of people like me out there who are troubled by abortion. That should not stop them from joining at least one of the more possibly compatible groups, but it does. They are unwilling to join what they consider to be the forces of Reagan, Rambo and Rehnquist. But there are beginning to be pro-life forces that they can in conscience — they have consciences too — join. One of them is Pro-lifers for Survival, another is Feminists for Life of America. And there is something that just started that I find very interesting. It’s very small now. It’s the first consistent-ethic-of-life political action committee, and it’s called JustLife. The people who started it were somewhat dismayed that anti-abortionists like Jerry Falwell, Pat Robertson, Jimmy Swaggart and other such household names were giving the impression that if Christ were in the Senate, he’d vote for Star Wars. The founders of JustLife thought that a new assembly of Christians — most of them, by the way, theologically conservative evangelicals and Catholics — ought, therefore, to start the political action committee.

What they aim to show is that there is another Christian perspective on these matters. JustLife is supporting candidates who advocate what it calls, again, a “consistent ethic of life.” A candidate does not have to be a Christian to get help from this PAC, but he or she does have to oppose abortion. Another requirement is a determination to end, rather than further institutionalize, the nuclear arms race. They’re against the MX missile. They’re against Star Wars. Now I think you see that the nuclear part of their program is mild. I’m a disciple of A. J. Muste. He was a Christian pacifist. The new PAC does not go so far as Muste or Dorothy Day. Instead, it urges verifiable multi-lateral disarmament. Everybody’s for that, except when you get to the negotiating table. One board member, Kathleen Hayes, who is
The managing editor of the Christian magazine, *The Other Side*, told the Catholic Register that she believes that unilateral disarmament is ultimately what the gospel would call us to. But the aim of JustLife is to pick up votes, and there’s a much more powerful gospel if you want to pick up votes, and that’s called deterrence.

The third basic criterion the candidate has to meet to get money from JustLife, is that he or she must recognize that there are actual poor people out there — not just freeloaders, as the Attorney General has suggested. Once the poor are seen as three dimensional, a JustLife candidate has to show that he or she would work to get them health care, housing and food. For as it was said, “Blessed are the hungry, for they shall be filled.” Distilling its tripartite credo in its first fundraising letter, JustLife emphasizes, “[W]e support an unborn child’s right to life. We also support that child’s right to adequate nutrition, housing, education and health care. We support that child’s right to live in a safe world.”

Now this political witness by Christians going contrary to the politics of most other pro-life groups — that is, those pro-life groups that have political agenda — is obviously well within the rights of free speech and assembly. Yet another interesting thing, and I find this dismaying, is that while a number of Catholic bishops agree with the thrust of JustLife — in fact one of them was originally on the board, and a consistent ethic of life is now an official position of the National Conference of Catholic Bishops as of last November — there are no Catholic bishops on the board of JustLife. The main reason is that there is a current lawsuit brought by Larry Lader, the pro-abortionist, challenging the tax-exempt status of the Catholic church on the charge that it has been engaged in political campaigning and in lobbying against abortion. Because of the length of that suit, its cost and its still uncertain outcome, the bishops are experiencing a chilling effect. And I’ve seen no editorials about that from people who would ordinarily be concerned with the First Amendment.

Meanwhile, JustLife, having announced publicly its existence in June, has raised $45,000 from 1,300 contributors, expects to reach $60,000 by the end of the year and is gearing up for 1988. I’ll show you how it works in one state, because this could eventually happen elsewhere. In Nevada, the Pro-Family Coalition has endorsed Republican James Santini, but since Santini is against both the nuclear freeze and funding for poverty programs, JustLife is on the side of Congressman Harry Reid, who votes to fill the hungry, slim down the Pentagon and is also against abortion. They’re both against abortion, but only one, says JustLife, keeps on caring for life after birth. I would like to see this group grow, and other groups do the same thing or similar things. [Reid won in November.]

On Sunday October 25th, Cardinal O’Connor had a letter read at all masses at all parishes in the Archdiocese of New York. It was Respect Life Sunday. And this is how the letter began: “I am frightened and chilled by the continuing destruction of unborn human life, and now we are seeing precisely what we have been predicting all along. Once the victory seemed to be won on legalizing the killing of the unborn, attention was turned to the terminally ill. Now we are hearing a clamor throughout the United States for legislation that will lift any regulations whatsoever in regard to sustaining the life of a terminally ill patient. Indeed the move is toward authorizing the deliberate speeding up of the deaths of vulnerable patients by starvation or dehydration. It all goes together. What is permitted today is often demanded tomorrow. If the current contempt for the unborn continues, in my judgment we will soon see required genetic screening programs, with public health authorities urging mothers to abort babies that may be born with defects. I’ve been reading that this summer the state of California has introduced a program which moves precisely in that direction. I plead with you to reflect with utmost urgency on what is happening. Do not think that your life, or your aging parents’ lives, or the lives of the handicapped, the cancerous, the so-called ‘useless,’ are secure if the proponents of euthanasia have their way.”

Finally, with that in mind, back in 1971, two years before *Roe v. Wade*, in the state of New York, the legislature, after much pressure, decided to decriminalize abortion and make it a good deal easier. At the time, a significant editorial was delivered on the local CBS station by Sherri Henry, who has since become a big-time talk show host. And she wrote then, “[A]bortion is no longer illegal in New York. It is nothing to be ashamed of, nothing to fear. It is one sensible method of dealing with such problems as overpopulation, illegitimacy, and possible birth defects. It is one way of fighting the rising welfare rolls and the increasing number of child abuse cases.”

Very simple. When there are no children, they can’t be abused. When there are no severely handicapped children or adults, we will all save money. When everyone in failing health has to die by a certain age, how much more aesthetic our society will be.

Most people will begin to understand the lethal logic of the abortionists, the advocates of euthanasia, and the AMA, if this logic is presented lucidly, persistently and on the basis of the indivisibility of all life. All life.
The Author

Nat Hentoff has been a staff writer for The Village Voice since 1958. In addition to his regular Voice column, Hentoff is a columnist for the Washington Post and a staff writer for the New Yorker. Among the other publications in which his works have appeared are the New York Times, The New Republic, Commonweal and the Atlantic. He writes frequently on music for the “Leisure and Arts” section of The Wall Street Journal. Hentoff received his B.A. with highest honors from Northeastern University and did graduate work at Harvard University. He was a Fulbright Fellow in 1950 at the Sorbonne, and was awarded the Guggenheim Fellowship in education. In 1985 he was awarded an honorary Doctorate of Laws by Northeastern University. The American Bar Association in 1980 awarded Hentoff with the Silver Gavel Award for his coverage of law and criminal justice. In addition, he has won a number of awards from disability rights organizations for his writings on the handicapped. Hentoff has authored a number of books including Boston Boy, his memoir published in 1986 by Knopf. On the occasion of AUL Forum 1986, Hentoff was awarded the Surgeon General’s Medallion by C. Everett Koop for his writings in defense of the civil rights of Baby Doe.