

Abortion: The Irrepressible Conflict

by Eric Rudolph

Copyright 2008, Eric R. Rudolph

All rights reserved.

Effective date of registration April 17, 2009

Registration number TXu 1-687-306

Introduction

In *Mother Jones Magazine* D. Redman recounts her abortion experience. Even though she's usually circumspect in her sex life, Ms. Redman and her partner fail to use contraception. It is soon after *Roe v Wade*, so after learning that she is pregnant the decision is now between her and a physician. Her friend Judith begs her to carry the baby to term, so she can adopt him. But Redman thinks only of the burden: "My time consumed by the tedious daily activities that I've done my best to avoid. Three meals a day. Unwashed laundry. . ."¹ No, she has no time for maternal tedium. She schedules a chemical abortion.

After injecting the chemical solution into her uterus, the doctor tells Redman it should take only a little time to "end the growth of the fetal tissue. By Sunday you won't see on the monitor what we call a heartbeat."² Chemical abortions are experimental and she feels "almost heroic," as if she's blazing a trail to freedom for millions of women to come.

Although she is told not to exert herself as the chemical goes to work, Redman remembers that she is supposed to participate in an upcoming Women's Day march. She's determined not to miss the march, despite the risk. As she is marching arm and arm with her sisters, the blood starts to come, staining her pants and running down her legs. At first she is reluctant to continue marching. But then remembering what the march is all about, she soldiers on, holding her "wound" for all to see as a reminder of the price of freedom. Redman is filled with a sense of triumph. She exults, "Our bodies, our lives, our right to decide My life feels luxuriant with possibility. For one precious moment, I believe that we have the power to dismantle this system. I finish the march, borne along by the women. . ."³

In Ms. Redman's mind her abortion was a rite of passage, something she had to endure in order to experience what it really meant to be a woman. The triumphalist language is similar to a war story. Her account reads like the narrative attached to a Purple Heart medal. Her abortion is like a wound suffered while in service to some noble cause. To anyone with an ounce of morality D. Redman's abortion story is absolutely disgusting. She expresses no ambivalence about her abortion; she has absolutely no sympathy whatsoever for the aborted child. Instead, she exults. You are probably thinking that D. Redman has been institutionalized somewhere. Surely someone with such a warped value system is not walking the streets.

Ms. D. Redman, however, is not a bizarre psychopath lurking in the shadows of society. And *Mother Jones* is not an underground rag for the criminally insane. Both are representatives of the egalitarian Establishment, and are now considered to be on the cutting edge of "progressive" thinking. Persons such as Redman and the editors of *Mother Jones* dominate American culture today. They make the movies, write the books, and control most of the universities. To them *Roe v Wade* is just as significant a victory for women as *Brown v Board of Education* was for minorities. They believe that abortion-on-demand is the greatest victory for women in the long struggle for freedom. Nature presented women with a biology that constantly threatens to make them pregnant. From the beginning of time men have taken advantage of this Achilles Heel to keep women in subjection. Friendly divorce laws, welfare programs aimed at women, the right to vote—all helped women. But until women achieved "reproduction freedom," they were still competing on an uneven playing field. Contraception and abortion finally gave women the tools needed to break the chains of patriarchal slavery and start leveling the field.

This thinking is seen clearly in D. Redman's article. This is the philosophy behind the pro-abortion movement. It is part of a larger egalitarian philosophy that now dominates the Western world. No doubt the majority of Americans still can't digest this pro-abortion argument. To make their argument more palatable to the masses, egalitarians deny the personhood of the unborn child and rely on a libertarian defense of privacy. But this is polemical camouflage. The people who make this argument are collectivists, not libertarians. After you read the writings of pro-choice ideologues like Judith Jarvis Thomson, Mary Ann Warren, Michael Tooley, and Naomi Wolf it is clear that to them abortion is about equality not privacy. They are more than willing to recognize that the unborn child is a person. In their minds, female equality is more important than the life of a child. Since "women are unique in their ability to be burdened by pregnancy, giving men a distinct advantage in social and political advancement, women should have the right to abortion based on the constitutional principle that all people deserve equal protection under the law," said Ruth Bader Ginsburg.⁴ Abortion allows women to level the playing field and the deaths of millions of unborn children are necessary to achieve equality between the sexes.

Abortion once again shows egalitarianism at its logical extreme. The ideology is so seductive, yet always so murderous. Behind the high-sounding catch word "equality" is a mass grave. In the past two hundred years,

more people have lost their lives to this ideology than to any other political, ideological or religious cause. The Jacobins murdered hundreds of thousands of Frenchmen in the 1790s. The Bolsheviks did in about 20 million people in Russia. A true socialist, Mao Tse-tung thought that the bourgeois mentality was too ingrained in the Chinese people. To overcome centuries of bourgeois brainwashing a state of perpetual revolution was instituted. When he believed that the seeds of counterrevolution were taking root, it was time to “weed the socialist garden.” Probably 30 million people were “weeded out” under Mao’s regime. Pol Pot was a big fan of Mao. Coming to power in 1975, he aimed to create an agrarian utopia in Cambodia. Like Mao, Pot believed that capitalism was a city-based phenomenon. If he could only get rid of all those city-dwellers in Phnom Penh, a socialist paradise was possible. So he emptied the city, driving all the people into re-education camps, where they were to learn agrarian socialism. Over 2 million people failed Pot’s exam, so they were clubbed or shot. And since 1973, 50 million children have been sacrificed on the altar of progress in America. All these massacres share the same motive—equality. The only difference between Mao and Margaret Sanger is method.

Fighting against the egalitarian juggernaut, conservatives in America have been on the defensive for the last seventy years. Rooted in the Christian teaching against killing the innocent, and the traditional respect for motherhood, Western conservatives have consistently opposed abortion and infanticide. In morality and common law, before the twentieth century abortion was never tolerated in the West. Laws against the practice date from the earliest time. Until the early nineteenth century, however, there was little scientific knowledge about when life began in the womb, so laws against abortion were inadequate and often unenforceable. Roe v Wade was not, as liberals now contend, a return to the laissez faire attitudes on abortion that supposedly existed before the anti-abortion statutes were enacted in the mid-nineteenth century. On the contrary, Roe was one of the many social and political changes that followed in the wake of an egalitarian triumph that swept across the western world in the twentieth century.

Egalitarians and conservatives offer principled arguments on the issue of abortion: pro-abortion and pro-life. Left out of this equation, however, is the average American. In the debate over abortion he is generously called a “moderate,” as if to imply that he has weighed the arguments from both sides and finds merit in both. Actually he is morally ambivalent. He has no agenda, no convictions, no real opinions at all. He is what Ortega y Gasset called mass-man. Left to himself, he follows his appetite. On abortion his appetite is for it. In public, he says he is against abortion; in private, he drives his wife, his girlfriend, his daughter to the back door of the local abortion mill. Unlike the egalitarian, mass-man doesn’t care about equality; he simply wants sex without consequences. The abortion clinic is his sexual vomitorium. He wants to eat his fill of sex, and if pregnancy should occur, he wants the option of

vomiting up the excess in order to avoid responsibility. As long as the actual killing is kept at a distance, he couldn’t care less about the victims of his diet. Mass-man is now the medium of power in the Western world.

Even though mass-man is the wind that propels the ship of state today, minorities are still battling for control of the rudder. Whether conservatives or egalitarians finally get control of the rudder will determine if the West sails safely to its destination or founders on the rocks of cultural oblivion. Abortion is the issue that will decide who controls the ship once and for all. No other issue is more heated. No other issue has the potential to tear our country apart at the seams. And that is why abortion is the most important issue of the age.

On one side, conservatives are dedicated to preserving the nuclear family. Conservatives believe childbirth is central to a woman’s role in life. For the most part they derive their values from the Christian ethic. To these people abortion is murder. On the other side, egalitarians see women as a historically oppressed group. They believe the nuclear family has traditionally been used to repress women. Egalitarians view childbirth as something secondary to the fulfillment of personal career goals. Their values are derived from the radical secularism of the Enlightenment. To these people abortion is an essential human right. At this level of the debate there can be no compromise. Both of these world views cannot exist indefinitely under one system of laws; either one or the other must go. More than any other issue abortion reveals the basic conflict between conservatives and egalitarians that centers on this question: Is America an identity born of the Western Christian Culture, or is it a pile of culturally neutral abstractions derived from the Enlightenment?

Like it or not, this question must be answered once and for all. This is a struggle for the soul of the Western culture. It’s a Cain and Able story. Until the issue is resolved, we cannot go on together. We cannot camouflage the issue by speaking of “bipartisanship”; we cannot “agree to disagree.” We must decide once and for all whether abortion is a sacred human right, or whether it is rank murder.

Introduction References.

1. *Mother Jones Magazine* (Jan- Feb 1994)
2. *Ibid.*
3. *Ibid.*
4. Ruth Bader Ginsburg, “Some Thoughts on Autonomy and Equality in Relation to *Roe v. Wade*,” in *The Abortion Controversy: Twenty-Five Years After Roe v. Wade*, (Belmont, CA, Wadsworth Publishing, 1998) Poijman and Beckwith, p.105

History of Abortion

One of the first categories Stalin marked for death was the historian. Stalin understood the dictum, “He who controls

the past controls the future.” In keeping with Stalin, the Leftist Establishment in this country relies upon a distorted version of history to rationalize the legalization of abortion. To understand how *Roe v Wade* came to be law it is essential to examine the actual history of abortion in America.

When Supreme Court Justice Harry Blackmun wrote the decision in *Roe v Wade*, he claimed to have put aside his personal prejudices:

One’s philosophy, one’s experiences, one’s exposure to the raw edges of human existence, one’s religious training, one’s attitude toward life and family and values and the moral standards one establishes and seeks to observe, are all likely to influence and to color one’s thinking and conclusions about abortion.¹

In reality, Blackmun’s decision was anything but objective. Especially disturbing was the historical material he used to support his ruling. One of the briefs that Blackmun relied upon was submitted by Cyril Means, a leftwing lawyer known for his “creative” work with the facts. At the time, Means was chief counsel for the National Association for the Repeal of Abortion Laws. In the late 1970s James C. Mohr, a Professor of History at the University of Maryland, expanded upon Cyril Means’ argument in his book, *Abortion in America*. Among the leftwing Establishment Mohr’s work is now the orthodox history of abortion in America. Basically Mohr’s argument is that prior to the enactment of the anti-abortion statutes of the mid-nineteenth century abortion was widely practiced, was legal under the common law, and was accepted in the mainstream of society. This, Mohr said, was especially true of abortions performed before “quickening.”² “Quickening” was the Old English term for that period when a pregnant mother begins to feel the child moving in her womb, occurring late in the fourth or early in the fifth month of pregnancy. Before quickening, argued Mohr, abortion was perfectly legal and there was no moral condemnation associated with the practice. And in some cases abortions were performed after quickening. The “chief problems associated with abortion in the 19th century were medical rather than moral.”³

Prior to the nineteenth century, said Mohr, medicine was unregulated and practiced by a wide assortment of individuals; some were educated while others were quacks. Then starting in the 1850s medical science made tremendous advances. Many of the doctors who studied medicine at University wanted to regulate the profession. These “regulars” wanted to push the “irregulars”—midwives, snake oil salesman—out of the profession. So they organized doctors into groups such as the American Medical Association (AMA) and started to put pressure on the state legislatures to pass laws regulating the profession and licensing physicians. Since abortion at that time was largely in the hands of “irregulars,” the “regulars” wanted the states to pass anti-abortion laws to destroy their competition. Thus, said Mohr, the anti-abortion statutes enacted between the 1860s and 1880s were about medical regulation and eliminating economic

competition. The Texas statute that *Roe v Wade* overturned was such a law. Basing his decision on this lie, Blackmun claimed that *Roe* was not a break with precedent; rather it was a return to the common law as it was practiced before the greedy physicians perverted it:

It is thus apparent that at common law, at the time of the adoption of our Constitution, and throughout the major portion of the 19th century, abortion was viewed with less disfavor than under most American statute currently in effect. Phrasing it another way, a woman enjoyed substantially broader right to terminate a pregnancy than she does in the states today. At least with respect to the early stage of pregnancy and very possibly without such a restriction, the opportunity to make this choice was present in this country well into the 19th century.⁴

If you ever have the misfortune of being educated in one of our nation’s public universities, this is the version of history you will get with respect to abortion in America. The facts tell a very different story.

The practice of infanticide is as old as mankind. Among the Yanomamo of the Amazon or the Kombai of New Guinea the life of the individual is hardly considered apart from his place in the group. Next to his family and band, the individual is nothing. His strength, wisdom, and contributions to the group determine his worth. This is the organic social system in its crudest form. The weak and dependent have always been subject to the abuses of the strong. This is especially true of female children, tabooed children, or children born into a lower class family. If a child is born with a defect (cleft palate), if there is a taboo associated with him (twins are routinely killed in some African tribes), or if there are already too many mouths to feed—newborns are exposed, starved, or have their heads smashed in with a rock. In society at its basic level, humans serve the purposes of the group or they are disposed of.

Even in higher cultures where religion and law have sought to curb the arbitrary abuse of the weak, infanticide and abortion are still common. The extent of protection afforded to infants and the unborn depends on a culture’s view of the individual. Abortion was condemned as far back as the twelfth century B.C. by the Assyrians and Hittites. The early Hindus and the Buddhists of India forbade the practice.⁵ And the Oath of Hippocrates, written in ancient Greece, forbade doctors to perform abortions.⁶ Blackmun was aware of these facts, submitted by Eugene Quay, but he chose to ignore them in his decision. However, these prohibitions were sometimes honored only in the breach or confined to the upper classes. Slaves, the poor, the lower class, or females were subject to a different standard, especially in Eastern cultures.

In India women, children, and members of the lower castes are treated like dirt. Hindus believe in an uncreated, all-encompassing principle called *brahman*. Hindus sometimes conceive of *brahman* as a personal high god (Vishnu or Siva), but actually *brahman* is more

like an impersonal force or principle. *Brahman* consists of both being and non-being, and is the cause of all existence. All living beings, including humans, contain a Self (Atman), which is the individual expression of *brahman*. The chief purpose of the Hindu is to merge his *atman* with *brahman*, to achieve nonexistence. But merging with *brahman* depends on *karma*. Karma is the law by which the *atman* attaches itself to existence in an endless cycle of rebirths (*samsara*). Often misunderstood by Westerners, *karma* is a morally neutral law, which teaches that every action produces a reaction. What you put out in the universe will come back to you. Activities are not "evil" in the western sense. What makes an act bad is the desire associated with it, because it is desire that triggers the law of *karma* and attaches your *atman* to this existence. The chief desire from which all other desires flow is the desire to live. Therefore, if you put nothing out in the universe, nothing will come back to harm you. Certain Jain, Buddhist and Hindu ascetics take this teaching to the extreme. They isolate themselves and avoid interactions with humans, animals, and even insects to avoid the possibility of producing bad *karma*. The object is to suppress desire, overcome *karma*, and achieve ultimate release from the cycle of rebirth (*moksha*). *Dharma* (law) are the practices that you need to follow to suppress desire and achieve *moksha*.

Buddhists share the basic Hindu beliefs in *karma*, *samsara*, and *moksha*. But they differ with Hindus over the belief in the self (*atman*). The *atman* is an illusion, they say. And the Buddhist calls the release from *samsara*, *Nirvana* ("blowing out"). Buddha's Four Noble Truths are that life is suffering; the desire to live is what causes suffering; that you can overcome desire, escape *samsara*, and achieve *Nirvana*; and that the way to do it is through Buddha's *dharma* of right living and meditation (Eightfold Path). Life is conceived of as a candle, and *Nirvana* is the final blowing out. For Westerners raised on the Beatles and the pop-culture, rebirth seems like an attractive doctrine because it gives you the opportunity to live many lives. But for the Hindu and the Buddhist, the object is never to be reborn.

Along with these highly negative beliefs, Indians still practice an unjust social system based on the traditions of caste and the Laws of Manu. A caste is a hereditary group of families, bearing a common name, following the same hereditary calling, and practicing the same customs. There are four major castes and over 3,000 minor ones. There is a strict hierarchy of castes along with prescribed methods for interaction between castes. Hindus consider intermarriage and inappropriate contacts between the different castes as a religious pollution, a violation of *dharma*. Most impure are the untouchables, the exterior or scheduled castes. At the very bottom of the social ladder are females. The Laws of Manu give women very little weight. In Indian society cows, which are sacred to Hindus, are treated better than girls.

With such a negative view of life and an unjust social system, it is no wonder that social justice has never been that important in Hindu and Buddhist societies. If life is

nothing but suffering, then there really is no point in sincerely trying to alleviate its problems.

As a consequence, infanticide and abortion are widely practiced in Hindu and Buddhist countries. In her book *Brief Lives*, Miriam Johnson documents infanticide in rural India. Sons are prized in Hindu culture, so most children killed are poor and female. According to Hindu tradition, you can't merge with Brahman unless your son lights your funeral pyre. And in order to attract male suitors, families are forced to attach dowries to their daughters. Once a daughter is married off, she is expected to join her husband's family. For poor peasants, the birth of a girl is often a time of mourning. "Raising a daughter is like watering your neighbor's plants," says an old Indian proverb. Consequently, girls are often the victims of infanticide. The Indian Medical Association estimates that between three to five million female children are disposed of through infanticide every year. In some areas the ratio of female to male is 800 to 1,000. Usually the parents hire a local midwife, who will kill the infant for a small fee. One of the common methods used is to drown the child in an earthen jar.⁷

Confucianism also gives little weight to the individual. According to the *I Ching* the universe is a harmony produced by conflicting vital energies, the yin and the yang. Harmony is the theme that runs through all Chinese thought. Harmony between man and heaven is the chief purpose in life. Through ritual observance of filial piety, which also produces social and spiritual stability, the individual can do his part in achieving universal harmony. The idea of the family in China included relatives and neighbors and even the Emperor himself, who was called the "Father of Heaven." Chinese call this harmonious connection between the individual and the universe the *Tao* ("The Way"). Lao-Tzu's interpretation of the *Tao* focused on creating harmony between man and nature (Taoism). Confucius focused on human interrelations. Doing one's duty according to one's place in society is wisdom, said Confucius. Social harmony depends on obedience to authority figures. Upsetting social harmony is the greatest sin. Those at the bottom of the social scale – peasants, poor, females – were less important in the big picture, said Confucius. He called women "little people." Thus treatment of the "little people" was often arbitrary and brutal.⁸

As the bottom rung on the social ladder, female infants were often the victims of infanticide in China. Among the peasants exposure of unwanted female children has been practiced for thousands of years. European travelers to China in the 19th century were horrified when they saw dead or dying female infants left on the side of the road, and Chinese passing by as if nothing was wrong. These attitudes have not changed with time or ideology. In the twentieth century under Mao Tse-Tung China instituted a one-child policy in an attempt to halt overpopulation. Women that have more than one child are now subject to fines or, in some cases, they are forced to have abortions. Limited to just one child, Chinese try to maximize their investment by having male children. And those that can

afford it get sonograms in order to eliminate females. Life is rough on girls in the orient.

In the West the individual has center stage. No other culture has elevated the individual's worth to such a position. Christianity is the cause. In Greece and Rome rationalist philosophers wrote and talked about the individual, but in their minds "individuals" were from the upper classes. Aristotle, for instance, thought some men were born to be slaves. And he was unsure if women even had souls.⁹

Only in Christendom does one find the equality of souls. According to Christian teaching, the individual, no matter the sex, age, or class is made in the image of God. Every soul is equally precious in the sight of God, and every soul will be treated equally before God's judgment seat at the end of time. Christians believe that if God considers the individual to be special, society ought to do likewise. But this teaching is difficult to apply.

For society to function, group interest must outweigh individual interest. Also, in a world of natural human inequalities, it is not easy to treat everyone equally. Under the weight of the Christian ethic, a balancing test was born. Throughout Western history, on questions of law and policy, individual interests were weighed against society's interest. Even in feudal times, the Church was forever admonishing the nobility about their obligations to care for the peasants. Indeed the present conflict over abortion has both sides — conservatives and egalitarians— arguing their positions based on individual equality. For conservatives, the unborn child's soul has equal weight to the soul of his mother; therefore, killing him is the same as killing her. To egalitarians, women need abortion to achieve equality in a sexist society. Both positions have their origin in the Christian teaching on the equality of souls. Egalitarianism is a late, radical interpretation; conservatism is the traditional interpretation. Western conservatism is actually a synthesis between the traditional culture's emphasis on subordinating the individual to the group, and the Christian teaching that all souls are equally precious. Applied to abortion, the mother should not murder her child because she owes the child care out of a social obligation to her group, and she also owes the child respect as an equal soul.

For a thousand years theologians and philosophers and lawyers debated about when the soul entered the unborn child, when life began in a Christian sense. In an age of primitive science, this was not easy to determine. There was much conjecture. Nevertheless, when the soul was thought to be present, legal protections were applied. Abortion, as we understand it, was **never** tolerated, and infanticide was a capital offense. In the 1100s Gratian's Canon Law held that the soul was present when the body of the infant was formed. However, when exactly this happened in a mother's womb was a mystery before the advent of embryology. The sixth week after menses had stopped was when Augustine and Jerome believed "the scattered elements" were brought together. Without any

real knowledge as to what was happening inside the womb, quickening was the traditional marker midwives used for when it was certain that a woman was with child. Whether life began before quickening was a matter of opinion before the 1820's.

Despite the uncertainty about when the soul was present in the unborn child, condemnation of abortion and infanticide was universal. In the Greek version of the Bible (Septuagint), the book of Exodus decrees capital punishment for abortion. A first century A.D. text called the *Didache* — "Teachings of the Twelve Apostles" — condemned abortion as well: "You shall not slay the child by abortion. You shall not kill what is generated." In the East, St. John Chrysostom and St. Basil of Cappadocia spoke out against the practice. In canon law, a decretal of Gregory IX said of abortion, "Let it be held as homicide." After the Reformation, Protestants were just as concerned with mothers killing their children. Calvin taught that "though enclosed in the womb of its mother, [the child] is already a human being and should not be robbed of life."¹⁰ Calvinists condemned "those who, by the same forbidden lust or violent abortions of offspring, destroy it before it is born. . . ."¹¹

In the seventeenth century quite a few scientists started to espouse the Pre-Formation Doctrine, which was widely accepted until the 1800s. Leeuwenhoek developed this doctrine after observing sperm through a microscope. Microscopes in those days were new and not very powerful. The miniature world of creatures that suddenly jumped out at those who looked through the microscope caused them to develop many peculiar theories. After seeing that sperm were motile, Leeuwenhoek called them "animalcules." He believed animalcules were actually small people, and once planted in the uterus they grew into big people. For those who accepted this doctrine, legal protections for the little people ought to extend back to conception. There was even talk of charging Oninists with manslaughter.

Europeans brought their values with them to the New World. As Marvin Olasky documents in his book *Abortion Rites*, abortion in Colonial America, even before quickening, was a criminal offense, and infanticide was a capital offense. Neonates conceived out of wedlock were the usual targets of abortion. This was rare, though. Typically a shotgun wedding was performed before a woman started to "show." Even though as many as 40 percent of children were conceived out of wedlock, only 1 to 3 percent were born illegitimate.¹² Communities were small and rural; the pressures on a young man to do the right thing were heavy. A Massachusetts law passed in 1688 asked women to identify the father of her illegitimate child. If identified, he had to either marry the girl, or pay child support.¹³

In the rare instance that a woman couldn't get her lover to tie the knot, and did not want the stigma associated with illegitimacy, a crude abortion or infanticide was attempted. The penalty if caught was severe. Abortifacients such as tansy oil and savin were commonly used. Surgical

abortions were rare before the nineteenth century. In 1652 a member of the Maryland governor's council, Captain Will Mitchell, was brought up on murder charges for forcing an abortifacient on a young girl, Susan Warren, whom he impregnated. Along with "adultery and fornication," the colony charged that Mitchell had "murderously endeavored to destroy or murder the child by him begotten in the womb of Susan Warren."¹⁴ The prosecutor couldn't prove the case, but Mitchell was disgraced and dismissed from the council, nevertheless. In another case out of Maryland (1663), Jacob Luibrozo was charged with felony for administering an abortifacient. The girl "was with child when John Luibrozo, he did give her physick to destroy it. . . ." ¹⁵ He escaped punishment only after marrying the girl, thus disqualifying her as a witness against him. ¹⁶ Between 1670-1807 there were fifty-one convictions for infanticide in Massachusetts. A woman named Mary Martin was executed in 1648 for infanticide. A famous ballad of the day was loosely based on her case, "The Cruel Mother": "She took a pen-knife keen and sharp and pierced the baby's tender heart."¹⁷

Without the testimony of the mother it was difficult to prosecute abortion cases in those days. And before the mid-nineteenth century a climate of legal minimalism existed. Nevertheless, despite slavery and dueling both being legal, abortion was not. The chief problem with early abortion laws was that unless it was a case of outright infanticide, the state didn't know how to prosecute something that took place in the womb. Delaware's early abortion statute (1719) was typical of most of the colonies: "If any person or persons shall counsel, advise or direct such women to kill the child she goes with, and after she is delivered, of such child, she kills it, every such person so advising or directing, shall be deemed accessory to murder, and shall have same punishment as the principle shall have."¹⁸ Georgia's Penal Code of 1811 is similar: "That if any person or persons advise or counsel another to kill a child before its birth, or the child be killed after its birth, in pursuance of such advice, such advisor is or are declared an accessory to murder."¹⁹ New York enacted an ordinance (1716) that forbade midwives to "give counsel or administer any herb, medicine, or potion, or any other thing to any women being with child whereby she should destroy or miscarry. . . before her time."²⁰ **None** of these laws said anything about quickening, but they were too general and science was too inadequate for them to be effective.

It was not until the nineteenth century that science could explain the process of pregnancy. Karl Ernst von Baer's discovery of ova in dogs (1827) was a breakthrough. The Pre-Formation Doctrine was discarded, and conception, the union of sperm and the egg, was recognized as the beginning of life. It is precisely at this point in the 1820s that moral arguments started to demand better legislation to protect fetal life from the **moment** of conception. The quickening doctrine was heard no more.

James Mohr's contention that abortion was mainstream is a lie. But conservatives are also wrong when they talk about the "good 'ole days," when abortions never

happened. On the contrary, one of the reasons for the new, tougher anti-abortion statutes was to combat the increase of illicit abortions. Abortions, especially in the large cities of America, reached alarming proportions in the mid-nineteenth century, and better laws were needed to attack the growing problem.

To understand the anti-abortion crusade of the nineteenth century it is important to point out that before this period the state considered most social matters outside of their domain, something citizens should work out between themselves. The nanny-state didn't exist back then. There was a climate of legal minimalism called ***laissez faire*** ("leave alone"). This attitude effected social as well as economic issues. Slavery and dueling, for instance, were considered private affairs. The government did little beside protect the nation from foreign invasion and prosecute common crime: murder, robbery, rape, etc. The rest was up to individuals, churches, or private associations.

Enlightenment ideas, industrialism, population growth, and the growing interdependence of the economy created the need for more regulations. Starting in the 1830s, in Europe and America, "progressive" movements sought to curb the abuses and correct the problems of the new society. Pretty soon a whole host of reforms were in the works: slavery, dueling, women's rights, child labor, electoral laws, social hygiene, government corruption, minimum wage laws, and collective bargaining for labor unions. In America the big issue was the abolition of slavery. Both the anti-abortion movement and the feminist movement were offshoots of the progressive movement of the nineteenth century. Many of the anti-abortion crusaders, such as Dr. Horatio Storer, started as abolitionists. And in one of those twists in history, many of the radical feminists, socialists and spiritists — Henry Ward Beecher, William Loyd Garrison, Victoria Woodhull, Ralph Waldo Emerson — who would influence the pro-abortion cause, started as abolitionists also.

Thus the Doctors Crusade against abortion grew out of the anti-slavery cause. Like the abolitionists, the doctors motives were moral, relying on the language of a Christian crusade. The anti-abortion statutes were reform measures meant to close the cracks that abortionists were slipping through in the climate of legal minimalism. Unlike the crusade against slavery, there was no opposition. The only obstacle the doctors ran into was inertia. There was no "principled" pro-abortion stance. To have taken a public stand in the 1860s for what we know today as abortion-on-demand would have been politically untenable as well as physically hazardous.

Mohr argues that "abortion entered the mainstream in the middle decades of the nineteenth century and was relatively common."²¹ Abortion did increase dramatically in the 1800s, but it was never "mainstream." It grew exponentially for a variety of reasons. Probably most abortions were had by prostitutes. The cities of America grew at an alarming rate in the 1800s. In every large city there were enclaves of pimps and prostitutes. Contraceptive knowledge being what it was, abortions

were frequent. Most prostitutes used barriers such as a rag or a cut sponge. These devices were no more than 20 percent effective. Given the fact that pregnancy occurs in a healthy woman 1 out of every 33 times she has sex, and accounting for the overall bad health of the average prostitute, a full-time prostitute was impregnated about once every year. Out of an estimated 50,000 prostitutes nationwide, there were probably 50 to 100 thousand abortions every year in America among prostitutes alone.²²

Prostitution in the nineteenth century was not the glamorous profession that Hollywood portrays in its films. It was an ugly business that used up women and threw them into the gutter. Hollywood portrays the madam and her whores as early feminists, using their money-makers to escape the drudgery of Victorian family life. Actually prostitution in nineteenth century America was much like it is today in places such as Bangkok and Calcutta. If a prostitute couldn't escape the life within a year or two, chances were she would be dead of physical abuse, botched abortion, or she would have contracted syphilis.

Ideology was another cause for the increase of abortions. Under the influence of socialism, feminism, and especially spiritism the upper classes of America started to experiment with pro-abortion ideas. This was the closest abortion came to the mainstream in the 1800s. Indeed, those movements laid the foundations for the current pro-abortion ideology. By the 1850s it seemed like spiritism would overrun the country. Many of America's most prominent men and women attended séances: Ralph Waldo Emerson, Harriet Beecher Stowe, John Greenleaf Whittier, Henry Wadsworth Longfellow, Horace Greeley, Henry Ward Beecher, William Lloyd Garrison, and Senator Charles Sumner. Perhaps 2 million out of 30 million Americans were influenced by spiritism.²³ Unitarianism, transcendentalism, and spiritism – all gave sovereign power to the individual's conscience. During the 1850s and 60s spiritists often met in convention and passed resolutions. At the so-called Free-Convention (1858) in Vermont spiritists proposed:

(1) that the authority of the individual soul is absolute and final in deciding questions of what is true and false in principle, or right or wrong in practice; (2) that slavery is wrong; (3) that communication between the bodied and disembodied human spirits is both possible and actual. . . (6) that the most sacred and important right of women, is her right to decide for herself how often and under what circumstances she shall assume the responsibilities and be subject to the care and sufferings of maternity. 24

Henry Wright's *The Unwelcome Child* and Harmon Root's *Lover's Marriage Lighthouse* expounded on resolution number six. Wright believed that good men slept with women "not by an enactment, ceremony of license of the church or state. . . nor by any contract or bargain," but only out of desire.²⁵ A spiritist was looking for an "affinity mate." And to find one he had to sleep with as many women as it took. More often than not an "affinity mate"

was not found in the traditional marriage. Wright believed that any child conceived by parents who were not "affinity mates" would rebel against being brought into the world and would likely end up "a miser, a robber, a slaveholder, a murderer, a pirate, or an assassin..."²⁶ Therefore, a woman who has conceived a child in "hate" was justified if she aborted him. There is no "greater sin against the child, against herself, against society, and against humanity than to give birth to it when her whole heart loathes its existence."²⁷ Wright explains how one woman justified her abortion: "God & human laws would approve of killing children before they were born, rather than curse them with an undesired existence."²⁸ Now we're getting close to the Planned Parenthood position.

Harmon Root argued that traditional marriage was sunk in "the religious pools of filthy water repugnant to man's natural tastes."²⁹ Sexual relations needed an overhaul. People should sleep with whomever they want, whenever they want. His advice to a woman who was in an "unsatisfying" marriage: "Adultery brightens up a woman's nature."³⁰ If pregnancy should occur while you're sleeping around, don't sweat it: Dr. Thomas Nichols, Root's fellow spiritist, declared, "Since women alone have the right to decide whether her ovum shall be impregnated, she must also have the privilege of determining the circumstances which justify the procurement of abortion."³¹ Root himself sold his own brand of "Uterine Regular Pills," which "will bring on contractions and produce evacuations of the contents of the womb, commonly known as miscarriage, no matter at what stage of gestation."³² What a great guy!

Victoria Woodhull was a famous member of Boston's elite. She combined communism, spiritism, free love doctrine, and feminism into her own special blend of nonsense, and then served it up in her *Woodhull & Claflin's Weekly*. Like Wright and Root, Woodhull didn't advocate abortion ***openly***, but made apologies for it: "It is one of those things against which almost everyone willfully shuts his eyes and professes to know nothing about. Some wives [of spiritists and free lovers] have abortions every year."³³ Trying to stop abortion is just as immoral as abortion itself because "man-made laws or legal ceremony is not the tribunal of the free born, the spiritually unfolded, the free-love soul. . ." ³⁴ And although objectionable, the profession of the "abortionist ought to be looked upon as a blessing rather than a curse to the community."³⁵

Respectable opinion stood up and took notice of these ideas. Dr. Henry Gibbons, president of the California Medical Society, said that abortion was not a crime of ignorance. "It rather grows out of a certain kind of knowledge which has become popular of late. . . the obscene literature of free love, the delirium of spiritism, the impulse of passion, the concealment of shame."³⁶ Former spiritist Dr. B.F. Hatch said that spiritists have declared themselves free of "social convention and the superstitions of Christianity."³⁷ They contend that "no external authority, and no code of human laws can justly bind their affections, or interfere with their liberty to follow the impulses of their personal affections."³⁸

Luckily most who experimented with spiritism and socialism were just upper class dilettantes trying on new ideas for the sake of novelty. The nineteenth century was a time of change. Millions attended séances and thousands went to live in socialist communes like New Harmony, Indiana. Pushing against the boundaries of stuffy Victorian society was hip. But very few who talked about free love and abortion actually engaged in this behavior. This would come in later generations. Back then these ideas were expressed in private associations, or in books. There were no political interest groups seeking to translate abortion-on-demand into law.

All these new ideas were indicators of a coming split within the reform movement. Influenced by socialism, feminism, unitarianism, transcendentalism and spiritism, the egalitarians took one road to the left. Conservatives kept the Christian tradition and stayed on the right, morphing into various shades of classical liberalism. Egalitarians caused the split when they broke with the Christian tradition. Transcendentalism and unitarianism started the crack early in the nineteenth century, when Emerson and Thoreau discarded the Bible and created an amorphous deistic socialism. Then at mid-century Charles Darwin's theory of evolution, John Stuart Mill's teaching on liberty, and Karl Marx's scientific socialism repudiated Christianity as superstition and started to develop a completely materialistic world view. Their ideas gave birth to a generation of intellectuals and activists who were determined to rebuild society from top to bottom with the goal of destroying all classes and inequalities, satisfying all material needs, and basically bringing about Jeremy Bentham's "greatest good of the greatest number." No doubt the origins of modern egalitarianism go back further to Voltaire and Rousseau and the French Jacobins and Thomas Paine, but American socialism gets its peculiar fruitcake flavor from Emerson and Thoreau and the moonstruck crackpots of New Harmony and Boston. There is a leftward progression from Ralph Waldo Emerson, to Victoria Woodhull, to Eugene Debs, to Margaret Sanger, to Noam Chomsky. There is also a rightward progression from Horatio Storer, to William Jennings Bryan, to Pat Buchanan.

Illegal surgical abortions were rare in the 1800s. Crude exercises, rough handling (punching in stomach), and abortifacients were the abortionist's weapons of choice. Several substances were used "to restore menses flow and prevent blockage":³⁹ hellebore, tansy, aloes, savin, cotton root. Along with the increased number of prostitutes went the sellers of abortifacients. Medicine was just coming into the modern age, and so was mass advertisement. For only a pittance snake oil salesman could advertise in the penny-press to a wide audience. Most of the substances sold were ineffective and all of them were unregulated. The Food and Drug Act wasn't passed until 1905. In those days anyone could sell just about anything. Abortifacients were one of the items that started to appear in the penny-press.

Abortifacients and information about how to procure an abortion always appeared in disguised language. Typical

advertisements from that era sold "French pills," or potions designed to "keep woman regular," to "prevent blockage," to "take care of all female complaints." Madame Restelle was probably the leading abortifacient seller from the 1830s to the 1870s. From her base in New York City, Restelle sold her "French Pills" throughout the country. And for those who could pay, she ran a referral business for doctors who performed illegal surgical abortions. The laxity of regulations that went with legal minimalism allowed her to stay in business for half a century. That, and she was also protected by some of the most corrupt politicians in history down at Tammany Hall. She was prosecuted twice in the 1840s, but the difficulty of proving crime in an abortion case allowed her to go free.

As her name suggests, Madame Restelle was a red light district operator. This was true of most abortifacient sellers. The business of abortion was hardly "mainstream," as Mohr contends. Like prostitution, abortion was an illicit enterprise on the margins of society. The euphemistic language these pimps used to sell their abortifacients demonstrates this fact. Madame Restelle's "French Pills" advertisements are a good example: Her method, she said, was designed to address "all female complaints, such as suppressions. . . . Dr. Carswell's method of treating these ailments is said to remove the difficulty in a few days. . . . Strict secrecy observed, and no pay unless cure is performed."⁴⁰ In another, Dr. Peters' "French Removing Pills" were advertised with a warning attached that the pills were "a blessing to women. . . and although very mild in their operations, pregnant females should not use them, as they invariably produce miscarriage."⁴¹ Of course, the ulterior motive of those selling and taking the pills was to produce a "miscarriage." One of the underground books that listed the commonly used abortifacients was Brevitt's *Female Medical Repository*. But even in listing them the writer felt compelled to camouflage his intentions with this warning: "I feel constrained to note here, the horrid disparity in wretches lost to religion and morality, and that natural attachment that mother has for a child, who seek to procure the means of abortion."⁴² If abortion was "mainstream," why use such deceptive advertisements?

The fact is that abortion was not mainstream. And as mainstream society noticed the growth of the abortion business, it started to search for ways to end the bloody practice. The *Boston Medical and Surgical Journal* was alarmed at the advertisements: "The law has not reached them and the trade of infanticide [abortion] is unquestionably considered by these thrifty dealers as a profitable undertaking."⁴³ Across the nation state legislatures started to focus on abortion. The New York legislature revisited its anti-abortion statutes ten times between 1828-1844.⁴⁴ As each new loophole opened up, the legislators would try to close it. First, abortifacients were outlawed. Second, laws were toughened on punishing the women as well as the abortionist. Third, surgical instruments commonly used to perform abortions were outlawed or severely regulated to ensure their legitimate use. During the 1840s thirteen states outlawed abortion at

any stage of gestation.⁴⁵ By 1868 twenty-seven states had passed laws that specifically punished abortion before quickening.⁴⁶

In the two decades between 1840 and 1860 the states moved slowly. The focus at that time was on slavery and secession. But after the Civil War ended, the legislatures returned to abortion and quickly passed a series of tough new laws. They passed with overwhelming majorities. Minnesota's anti-abortion statute (1873), for example, sailed through the Senate on a 37 to 0 vote; and in the House the vote was 55 to 1.⁴⁷ Those who voted against these bills did so on libertarian grounds. South Carolina's bill, for instance, passed in the Senate 17 to 15. The opposition was against the bill solely because it called for the creation of a state board of health to license physicians.⁴⁸ **No one** opposed the anti-abortion laws for what we would call "pro-choice" reasons. And there certainly wasn't a "pro-choice" lobby pressuring the legislators to stay away from women's bodies.

These laws were not changing precedent; they were closing loopholes in older laws that in some cases dated back to the colonial period. The laws needed to be brought into conformity with the latest science on embryology. And they needed to focus on the new situation created by the growth of prostitution, the penny-press, and pimps and madams such as Restelle and their "French Pills." Also, many still believed in the concept of quickening, and the laws needed to specifically debunk that myth once and for all.

Because those leading the fight against abortion were physicians, the movement was called the "Doctors Crusade." First on the agenda was demolishing the quickening doctrine. One of the leading medical authorities of the day, Dr. John Beck said the quickening doctrine had a "direct tendency to countenance abortion, at least in the early stages of gestation."⁴⁹ Doctors realized that conception inaugurated a continuous process of development, which would produce a newborn baby if left uninterrupted. Contradicting his central thesis that the abortion laws were created for economic reasons, Mohr admits that "this scientific reasoning confirmed the regulars' moral opposition to abortion at any stage of gestation. Regulars believed it immoral, in other words, to make a life and death decision on the basis of a distinction that they could demonstrate had very little relation to life or death."⁵⁰

Leading the fight against abortion were some of America's most prominent physicians. And the language they used was moral, not economic. Dr. Meigs, one of the finest physicians of the day, instructed his interns that if they were approached to perform an abortion they should say "by common law such is an act of felony, and by the law of God murder."⁵¹ Dr. O.C. Turner of Massachusetts blamed the idea of quickening for a lot of the abortions:

Surely the child is alive. It cannot be the mere act of tying the cord that produced life. Then when did life begin? With respirations? This is only one added function. . . . The period of quickening varies, and I do

not see why a fetus is not quite as much alive just before it moves or just after . . . 52

The American Medical Association (AMA) took over the fight against abortion after the 1850s. Walter Channing, Harvard professor and brother of William Ellery Channing, was prominent in the movement. Hugh L. Lodge was also instrumental in getting better laws on the book. No one, however, was more outspoken than Horatio Storer, a doctor of gynecology and obstetrics. Storer is one of the great unsung heroes in American history. Between 1860 and 1880, during the crucial period, Storer was the driving force behind the Doctors Crusade.

At the AMA's Louisville, Kentucky Convention in 1859, Storer called for action. He identified three causes for the increase in abortion. First, was the "wide spread ignorance of the quickening as a stage of gestation." Second, was the fact that "the medical profession itself was careless of fetal life." And third, was "the grave defect of our laws."⁵³ The solution, said Storer, was better education of doctors on the stages of gestation, and an organized campaign to tighten the abortion laws. Storer wrote two books that helped the cause tremendously: *Why Not? A Book For Every Woman* and *Criminal Abortion*. His best work, *Criminal Abortion* remained the most authoritative text on abortion for generations.

Another of Mohr's assertions is that the churches were reluctant or indifferent to support the Doctor's Crusade. This is nonsense. Pope Pius IX issued the Church's definitive position on abortion and infanticide in 1869, which helped the cause significantly: "The murder of an infant before its birth is, in the sight of God and the Church, as great a sin as would be the killing of an infant after birth."⁵⁴ The Protestants chimed in soon after. Reverend Richard Beer of the Presbyterian Synod said, "the assembly regards the destruction by parents of their own offspring, before birth, with abhorrence, as a crime against God and against Nature."⁵⁵ Indeed, Christian morality drove the entire anti-abortion movement.

Mohr is trying to muddy the water here. In one sense he is correct; the Churches didn't take the lead in the anti-abortion crusade of the nineteenth century. This is because they didn't have to. Political interest groups run by religious figures like Jerry Falwell and James Dobson were unnecessary in those days. Back then Christian morality infused public debate in such a way that is difficult for us to comprehend, living as we do in an era where Christianity has been driven out of the public square. In those days, politicians, judges, prosecutors, virtually all community leaders, had to espouse a generalized Protestantism. Whether they genuinely believed in God, or were simply pandering to constituents, every public figure was expected to speak as if they were good Christians, who read their Bibles. A politician who couldn't quote scripture was dead in the water. Political speeches often sounded like sermons (Lincoln's Second Inaugural Address). The abolitionist movement, the anti-prostitution movement, the anti-abortion movement, and the prohibitionist movement were all infused with an

evangelical spirit. Hymns and prayers were often heard before any speech against slavery, abortion, or the “Devil’s drink.” The churches themselves didn’t have to organize the anti-abortion crusade because the doctors and politicians who did lead the fight all held the same views as their preachers. There were no Jerry Falwells back then because most mainstream politicians held comparable views to Jerry and had no notion of separating those views from public policy. Those who fought against abortion believed they were battling against crime, against a moral evil. Their opponents were apathetic physicians who wanted to keep their profession unregulated. Whoremasters such as Madame Restelle didn’t have a legitimate voice in the public square in the nineteenth century.

Storer got the ball rolling; many others picked it up and ran with it. While Storer concentrated on pressuring the states to pass better anti-abortion statutes, Anthony Comstock, head of New York’s Society for the Suppression of Vice, succeeded in convincing the federal Congress to pass what became known as the Comstock Act. Murder belonged to the states, but the feds controlled the mails. Comstock’s Act prohibited anyone using the mails to traffic in pornography, contraceptions, and abortifacients. In an era when the mail was the primary means of communication, the act had a devastating impact on abortifacient advertisers. It brought the considerable resources of the federal government to bear on abortionists. Child murderers like Restelle were forced underground, and had to advertise on private cards and rely on word-of-mouth.

Using the act, Comstock arrested Madame Restelle twice. She barely escaped a lynch mob outside the courthouse after being released for lack of evidence. She was finally brought to ground after Comstock’s undercover agents purchased abortifacient from her. Facing years in prison and possible lynching, she committed suicide by slitting her own throat.

The newspapers joined the crusade. The same courageous journalists (George Jones and Editor Louis John Jennings) who used the New York Times to bring down the corrupt Boss Tweed gave extensive coverage to the abortion problem. The paper was soon filled with stories about the horrors of prostitution and back alley abortion mills. Jennings sent a reporter, Augustus St. Clair, undercover to expose the illicit abortion trade in New York City. In a series of hard-hitting articles, St. Clair exposed the bloody business.⁵⁶

Coincident with the anti-abortion crusade was the war against “white slavery”—prostitution. Maternity homes for pregnant prostitutes and abandoned women sprang up all over the country. John McDowell set up maternity shelters in New York City’s notorious Five Points area (1831). With the financial help of businessmen Arthur Tappan, McDowell founded the Magadalen Society. Helen Mercy Ward also worked with abandoned women at Erring Women’s Refuge in Chicago. These shelters were common until the 1940s. The age of consent was another

problem that needed reform. Until 1874, for instance, Delaware’s age of consent was seven! By the 1870s most states had raised the age of consent to between sixteen and eighteen.

From start to finish, James Mohr’s thesis is a distortion. Marvin Olasky was right when he said Mohr went looking for history “with a handful of assumptions.”⁵⁷ This is true of most Marxist historiography. Like any agenda-driven scholar, Mohr forced the facts to fit his preconceptions. First, if, as Mohr contends, abortion was widespread and accepted and the Doctors Crusade was simply a crass attempt by “regulars” to drive away their “irregular” competition, why didn’t the regulars simply ask the state legislature to make abortion a procedure that could only be performed by a licensed physician? By toughening the abortion laws they severely limited their ability to make money. If it was only about money, then why not monopolize abortion for themselves?

Second, in those days surgery was still a specialized knowledge. Abortifacients were the most common way abortionists performed their service. It was common for women poisoned by abortifacients to then seek the help of a “regular.” Doctors who worked in large cities had to deal with shoddy abortions on occasion. If they were not going to monopolize abortion for themselves, why would they try to crack down on a practice that brought them more patients?

Third, at no time before or during the mid-nineteenth century campaign for better abortion laws was there a “pro-choice” lobby. The pro-abortion position doesn’t show up until the twentieth century. The socialist, feminist, spiritist minority were the only people in the 1800s talking about tolerance for abortions. But there was no pro-choice agenda. Those who imbibed Marxist or spiritist thought did so in private. They never dared to carry this nonsense into the halls of Congress or the state legislatures. To have argued in public for abortion-on-demand would have been hazardous to your health, as evidenced by the treatment given Madame Restelle. Before the twentieth century abortion was practiced primarily by prostitutes in back alley whorehouses, by spiritists and Marxists behind closed doors. It was something the mainstream considered immoral and on the filthy edges of society. Those who performed abortions were disreputable doctors, snake oil salesman, and the dispensers of toxic abortifacients. The only opposition to the statutes came from libertarian doctors worried about more regulation. When these bills were debated, **no one** stood up in the state legislatures and insisted upon a “women’s right to choose”; no one demanded that the state should “keep away from women’s bodies”; no one warned the state to “stay out of its citizens bedrooms.” These hollow arguments would emerge from the sewers later on.

The newspapers joined the crusade. The same courageous journalists (George Jones and Editor Louis John Jennings) who used the New York Times to bring down the corrupt Boss Tweed gave extensive coverage to the abortion problem. The paper was soon filled with

stories about the horrors of prostitution and back alley abortion mills. Jennings sent a reporter, Augustus St. Clair, undercover to expose the illicit abortion trade in New York City. In a series of hard-hitting articles, St. Clair exposed the bloody business.⁵⁶

By 1880 every state in the Union had new statutes outlawing abortion at any stage of gestation. The Doctors Crusade was part of a larger reform movement of the nineteenth century. For the most part the anti-abortion effort was informed by the Christian ethic in the classical liberal tradition. Abortion and infanticide were never legal and acceptable in the West. But due to legal minimalism and the poverty of scientific knowledge, abortion had seeped through the cracks in American society. The Doctors Crusade was meant to push it back through, from which it would hopefully never return. Their hopes were overly optimistic. Things were changing fast. New perspectives were evolving. The anti-abortion legal regime would remain intact into the mid-twentieth century, when *Roe v Wade* overturned the Texas statute passed during Storer's Crusade so many years before.

1. *Roe v. Wade*, 410 U.S. 113 (1973)
2. James C. Mohr, *Abortion in America: The Origins and Evolution of National Policy*, (New York: Oxford University Press, 1978), p.16
3. *Ibid.*, p. 75
4. *Roe v. Wade*
5. *Eugene Quay, Justifiable Abortion*, (P.T. 2) 49 Georgetown Law Review 395 (1961)
6. "What the Supreme Court Didn't Know: Ancient and Early Christian Views on Abortion," 1 *Human Life Review*, 1975, 5, 13
7. Miriam Johnson, *Brief Lives*
8. Confucius, *Analects*
9. Richard McKeon, ed. *The Basic Works of Aristotle*, (New York: The Modern Library, 1941)
10. *Calvin's Commentaries*, vol. 3 (Grand Rapids, MI: Broker Book House, 1981), p. 42
11. Andre Rivet (1573-1651) in Charles D. Provan, *The Bible and Birth Control*, (Monongehela, PA,: Zimmer, 1989), p. 87
12. Marvin Olasky, *Abortion Rites: A History of Abortion in America*, (Wheaton, Ill: Crossway Books, 1992) p. 31
13. *Ibid.*, p. 30
14. *Propriety v. Mitchell*, in *Archive of Maryland* vol. 10 (Baltimore: Maryland Historical Society, 1936) pp. 182-185
15. *Propriety v. Lumbrozo*, in *Archive of Maryland* vol. 53 (Baltimore: Maryland Historical Society, 1936) p. 21
16. Olasky, *Abortion Rites*, p. 26
17. "The Cruel Mother," in B.H. Bronson *The Traditional Times of the Child Ballads*, vol. 1 (Princeton, N.J.: Princeton University Press, 1959) p. 292
18. *Delaware Laws* Chapter 22, section 6, p. 67 (1797)
19. *Georgia Penal Code*, section 17 (1811)
20. *Minutes of the Common Council of New York City*, vol. 3, p. 122
21. Mohr, *Abortion in America*, pp 102, 172
22. William Sanger, *The History of Prostitution* (New York: Harper and Brothers, 1858) pp. 579-80
23. Olasky, *Abortion Rites*, p. 67
24. *Proceedings of the Free Convention of Rutland Vermont*, July 25-27, 1858 (Boston: J.B. Yerrington, 1858) p. 9
25. *Ibid.*, p. 10
26. Henry C. Wright, *The Unwelcomed Child*, (Boston: Beta Marsh, 1858) p. 21
27. *Ibid.*, p. 114
28. *Ibid.*, p. 102
29. Harmon Knox Root, *The Love's Marriage Lighthouse*, (New York: Root, 1858) p. 8
30. *Ibid.*, p. 348
31. Grace Adams and Edward Hutter, *The Mad Forties* (New York: Harper and Brother, 1942) p. 289
32. Root, *Love's Marriage Lighthouse*, p. 194
33. "The Slaughter of the Innocent," *Woodhull and Claflin's Weekly*, (August 29, 1874), p. 8
34. *Woodhull and Claflin's Weekly*, (August 29, 1874) p. 9
35. "Down With Babies," *Woodhull and Claflin's Weekly* (November 29, 1873)
36. Henry Gibbons, "On Feticide," *Transactions of the California State Medical Society*, vol. 8 (1877-78) pp. 27, 212
37. Benjamin F. Hatch, *Spiritualist's Iniquities Unmasked* (New York: Hatch, 1859) p. 24
38. *Ibid.*, p. 29
39. Mohr, *Abortion in America*, pp. 4, 8, 9
40. *Boston Daily Times*, (Jan. 4, 1845-Jan. 11, 1845)
41. *Boston Daily Times*, (Jan. 4, 1845)
42. Joseph Brevitt, *The Female Medical Repository* (Baltimore,1810) p 117
43. *Boston Medical and Surgical Journal* XXX, No. 15 (May 15, 1844) pp. 302-303
44. Olasky, *Abortion Rites*, p. 96
45. *Ibid.*, p. 102
46. *Ibid.*, p. 102
47. *Journal of the Senate of the Fifteenth Session of the Legislature of the State of Minnesota* (St. Paul, 1873) p. 198, 271, 343, 356, 358, 391
48. *The News and Courier*, (Charleston), December 5, 11, 13 1883)
49. John Beck, "Infanticide," in Theodore Romeyn Beck, ed., *Elements of Medical Jurisprudence* (Albany, 5th ed., 1835) p. 199
50. Mohr, *Abortion in America*, pp. 35-36
51. Charles D. Meigs, *The Philadelphia Practice of Midwifery*, (Philadelphia, James Kay, 1842) p. 134
52. O.C. Turner, "Criminal Abortion," *Boston Medical and Surgical Journal* vol. 5 (April 21, 1870) pp. 299-300
53. Horatio R. Storer, et. al., "Report on Criminal Abortion," *Transactions of the American Medical Association*, XII (1859) pp. 75-78
54. Pius IX, "Apostolic Sedis," part II, (1869)
55. *Minutes of the General Assembly of the Presbyterian Church in the United States of America, XVIII* (Philadelphia, 1869) p. 937.
56. "The Evil of the Age," in New York Times (Aug 30, 1871)
57. Olasky, *Abortion Rites*, Introduction, XIV

Roe v. Wade

We have seen in the writings of spiritists, feminists, and socialists a tolerance for abortion was emerging in the middle of the nineteenth century. As these ideas evolved over the next one hundred years, a new regime of truth seized power in the West. *Roe v Wade* was not, as Blackmun claimed, a return to precedent, it came as a direct result of this ideological revolution.

Central to this new regime of truth, which I have labeled “egalitarianism,” was a desire to break unequivocally with Western tradition and Christianity. Christianity was the core of Western culture; it had provided the touchstone for all thought up to the 1800s. However far a thinker veered from Christian orthodoxy, he remained tethered to its core beliefs, one of which is the belief that the universe as a whole has a purpose and that humans exist as part of such an end-directed universe. Since the seventeenth century thinkers such as Thomas Hobbes and Michel de Montaigne were building systems of thought that challenged many of the theological assumptions of the Christian worldview. But they had always reserved a place for the Christian perspective, or at least treated it with respect. Then in the writings of Darwin, Marx, Mill, Feuerbach, Renan, Comte, a new universe was being charted, one without God, without organic culture, without meaning and purpose. Life was explained on strictly material terms. The universe had no purpose and was the result of random material processes. Humans, likewise, had no particular purpose and were merely the result of random forces of natural selection, said Darwin. Human culture was merely a superstructure built upon economic conditions, said Marx. And human society had evolved from a backward theological stage, to a less backward metaphysical stage, but had finally entered a modern scientific stage, said Comté. For those like Marx who combined egalitarian ideals with this materialist conception of the world, social reform took on a whole new meaning.

Christianity had taught freewill, that man had a unique soul and was free to control his environment through good and bad choices. Not true, said the egalitarian, man was the product of his environment. Actually, man is simply a material object in a world of material objects, all working according to determined patterns of cause and effect. Man is a slave to material forces, he has no soul and no free will. To solve social problems, one had to manipulate the material forces just so. Thus arrived the so-called social sciences, and social engineering. Poverty, crime, war—egalitarians believed that all these problems could be engineered out of society once and for all. These things were not a part of man’s fallen nature, as Christianity had argued. Man was a victim of material conditions. Change those conditions, and man would change.

The materialists said man was a biological machine, a computer programmed by his environment. The implications were that all men were basically the same. Each of our environments have either been tilted for or against us; making some rich, and others poor; some

educated, other ignorant; some law abiding, others criminals. The systems of hierarchy that are seen in all societies everywhere, said the egalitarians, are the result of tilted material forces. And those who were blessed with a favorable tilt in the beginning have perpetuated those hierarchies in their own self-interest, thereby keeping most of humanity on a tilted playing field. Therefore, these hierarchies are responsible for all the social injustices in the world. To end social injustice, one had to level the material conditions. But in order to do this, the social engineers first had to remove the evil hand of the hierarchies that are keeping the unequal tilt. Egalitarianism thus organized itself as a revolutionary force intent on purging the bourgeois tilters.

While Christians waited for Christ’s kingdom of Heaven to come, the egalitarians cut loose of the Bible and sought to erect a literal kingdom of heaven on earth. Conservatives accepted the social inequalities as organic and the result of the unequal distribution of natural attributes such is will, talent and intelligence. Egalitarians viewed inequalities as the source of evil. Classical liberalism used reason to soften those organic inequalities with reform measures designed to protect the individual from the arbitrary abuse of the powerful and give him equality of opportunity. But egalitarians argued that even with equality of opportunity the ultimate distribution of wealth and power in society will still be based upon the unequal distribution of natural abilities. Meritocracy, they believed, was just aristocracy at its beginnings. The few with abilities soon monopolize wealth and power and pass it on to their heirs, creating another form of hierarchy. Therefore egalitarians set out to smash all inequalities and create equality of condition—the classless society.

Because hierarchies create and maintain high cultures, culture itself was the ultimate enemy. Egalitarians went after the cultural sources of inequality. Ancient wisdom teaches that human nature is inclined to selfishness and anti-social behavior, and is therefore in need of correction. Only through the correction of religion, education and law can the child become an adult in society. In Christian culture this selfish, corrupt human nature is attributed to Original Sin. Christianity sought to break the chains of Original Sin and correct the heart of the individual, hoping that once corrected he would carry the gospel ethic into his social life. Believing that human nature was basically good, egalitarians denied the need for correction. Material conditions made men bad or good. If a man was bad his conditions were bad. Make his conditions good and he would be good. Christians sought to change hearts; egalitarians sought to change socio-economic conditions. Take wealth from those who have it (“Haves”) and redistribute it to those who don’t (“Have Nots”), said Marx. When once society has an established “Fair” system where citizens contribute according to their abilities and receive according to their needs, utopia will be possible.

This new perspective has produced misery on a scale never before seen in history. The 50 million unborn children killed through abortion in America are just a fraction of the victims of this pernicious ideology. Without

a doubt most of the people who tolerate abortion are not agenda-driven. Nevertheless, those who articulated the “pro-choice” position, who made it into law, and who now maintains the Roe regime are card-carrying egalitarians.

Slowly these egalitarian ideas captured the intelligentsia and from there filtered into the mainstream. “Educated” people in the early twentieth century came to believe in the inevitability of these ideas. “Progress” was a math formula figured out by Marx and Comte. Socio-economic forces were moving us to socialism. Those who accepted these ideas were “progressive.” Those who opposed them were “reactionary.” Just as the anti-abortion statutes reached their final form, the ideas that would ultimately dismantle them were rising to the surface.

In the nineteenth century tolerance for abortion was not expressed in public. Qualifications were emerging, though. Even though she condemned it, Elizabeth Cady Stanton said abortion was the result of “the degradation of women.” Depriving those husbands of children “who have made the strong-minded women. . .the target of jibes and jeers” was somehow just, she said.¹ In public most feminists held views similar to Matilda J. Gage, who said “This crime of child murder, abortion, infanticide lies at the door of the male sex.”² In the pages of their own newspapers, they were starting to express tolerance. Publically Victoria Woodhull said she wished abortion was unnecessary, but she “understood” why a woman would get one.

After the turn of the century, the New Women arrived. Margaret Sanger was typical of the new breed of iconoclast. In her Woman Rebel, Sanger gave perfect expression to the egalitarian position on abortion: “The attitude of America law and ‘public opinion’ on the subject of abortion is about 1,000 years behind Turkey. In Turkey abortion is not punished.”³ Sanger’s Comrade Victor Meric stated the position bluntly: “If a woman is to free herself effectively, she must make herself absolute mistress of her body. She must recognize her absolute right. . .to suppress the germ of life.”⁴

In keeping with the view that man was the slave of material forces, there was a new approach to social relief as well. Older homes such as Erring Women’s Refuge had emphasized Christian charity and individual transformation—change the person and she will change her environment. Margaret Sanger thought such institutions made “women a traitor to her class and aimed to reform her by means of a scrubbing brush or a club.”⁵ Material conditions caused social ills. Change those conditions and the social ills would disappear. Judge Ben Lindsey in his book The Companionate Marriage attacked the Christian “teaching about Original Sin and the Fall of Man.” He asked, “Why don’t you drop all that and commit yourself to the thesis that human beings are only too glad to be good if they can see their way to being so? What I say to young people is this: you are free agents. . . .The judge that must judge you is your heart and conscience. . .”⁶

“Social Worker” was the name given to the new class of reformers. One by one the old homes were closed down, or pushed out of the mainstream of relief work. In Cleveland, Ohio Mirian Morton was happy to see “professional social workers” replace the “benevolent old ladies, who had earlier distributed relief and spiritual salvation.”⁷ The social workers were morally neutral and saw the plight of the poor as primarily economic, not moral. Morality became utilitarian. By removing unwanted mouths to feed, egalitarians argued that abortion was one way to alleviate poverty. Abortion was now seen as compassionate and progressive, a means for poor women to escape a life of poverty. Abortion was good because that which cures poverty is good. And for the true progressives, abortion was a way of addressing female inequality in general.

Egalitarianism infected doctors as well. As educated “men of science,” they were expected to adopt the new progressive ethics. Just a generation earlier their fathers drove abortion out of the land. But they were “modern,” and had read Darwin, Marx, and Mill at college. They looked down on their fathers as “old fashioned,” and “unscientific.” Rather than using science as a tool, they saw themselves as the servants of science, science as interpreted by materialists such as Marx. Science was leading man somewhere, and they had to follow. Storer thought abortion a crime against God and Nature, the new breed had a different opinion. Dr. Henry Marcy argued in the Journal of the American Medical Association that the “product of early impregnation is of so little importance that abortion should not be established as a serious offense.”⁸ Dr. Klotz-Forest said, “Legally abortion is a crime. Honestly and scientifically it is not. One can only hope that good sense will triumph in the end, and that abortion performed, by an able practitioner in the best hygienic surroundings will soon come to be regarded as useful, necessary, and humane, even in cases in which the women requests it for no other reason than that she does not wish to have a child, that it is not her pleasure to become a mother.”⁹ The American Journal of Public Health applauded when the Soviet Union became the first country to legalize abortion in 1921: “legalized abortion is the only means for women’s liberation. . .”¹⁰ How modern.

The progressives acquired powerful allies in the media. Adolph Ochs purchased The New York Times in the late 1800s, beginning a reign of lies and distortion that has lasted down to the present day. In the hands of the Ochs and Sulzberger families, the Times has been the leading mouthpiece of leftwing culture distortion for over one hundred years. Louis John Jennings was out, Marxists were in. Never moving too fast to outpace the mainstream, the Times has gradually moved the public debate to the left.

The Hearst and McCormick papers were the last major dailies to treat abortion as a moral evil. The New York Times and Henry Luce’s Time Magazine started to portray it as a socio-economic issue. Abortion they argued was only problematic because it was illegal. The anti-abortion statutes drove abortion underground and into the hands of

back alley butchers. Although morally objectionable, the women were not to blame. Poverty and ignorance caused abortions, and illegal practitioners made a bad situation worse. Put abortion in the hands of competent professionals and it would eliminate the ugly side of an ugly business. Until society has addressed the underlying socio-economic causes of abortion, society might as well provide a safe environment to do it in. After all, people were going to do it anyway. I'm sure you've heard this argument before. We're just trying to be reasonable in an unreasonable situation, said the Times. They are past masters at this approach.

Fredrick Taussig's book Abortion (1936) articulated the new perspective. His book was widely read and had considerable influence on liberal opinion. Medical, psychological, economic reasons trumpeted moral reasons. Using Marxist mathematics, Taussig estimated that there were "681,600 illegal abortions" annually, and at least "8,000 deaths due to botched procedures."¹¹

After the socialists seized control of the federal government in 1933, the Dr. Taussigs of America had more allies for the cause. In 1942 the New York Academy of Medicine held a conference on abortion, declaring that the unborn child "has not the self, the relationships, or the consciousness of his personality—save potentiality."¹³ Dr. Sophia Kleegman said the only reason for the anti-abortion laws was "the dogma of one particular church."¹⁴

By the time the Sherri Finkbine case came along in 1963, America had been softened up by leftwing propaganda for two decades. They were now ready to hear the argument for abortion, after being treated to the "hard case." Mrs. Finkbine was a typical suburban housewife: twenty-nine years old, good looking, four children, a handsome husband, and perfectly waxed kitchen floors. But she had unwittingly taken the drug thalidomide, a sleeping pill, during her first trimester of pregnancy. Doctors had recently discovered that 20 percent of babies born to mothers who had taken the drug suffered severe physical deformities, including flipper-like arms.

Using the health of the mother exception in Arizona's abortion statute, Mrs. Finkbine scheduled an abortion. But after the local papers got wind of the story, the hospital administrators got cold feet and refused to perform her procedure. So she went in search of a doctor who would. Like one of those Anna Nicole Smith sagas, the press followed her odyssey from one state to another, from one country to another. By then, the press was overwhelmingly in sympathy with Mrs. Finkbine. They covered her story with the hope of changing the existing laws. Bemoaning the prospect that she may be forced to give birth to a severely handicapped child, Planned Parenthood's Alan Guttmacher opined that "the abortion laws have not kept pace with medicine."¹⁵

Finally, Mrs. Finkbine was able to get an abortion in that bastion of progress, Sweden. Measuring the success of their campaign, the media took a Gallup Poll: 52 percent agreed that Finkbine had done the "right thing"; 32 percent were against the abortion; and 16 percent were too busy

wondering who would win the World Series.¹⁶ Judges know that hard cases make bad law, but propagandists know that they make excellent polemic. Finkbine's case showed that the hard case was an easy sell to the American people. It was just a matter of obfuscation to sell abortion-on-demand to the public under the banner of the "hard cases"—rape, incest, flipper-armed kids. Talk to any supporter of abortion and they'll give you the hard case, when the fact of the matter is such cases account for only a small percentage of abortions.

Abortion was still in the hands of state legislatures. Sensing the winds of change blowing in from the Left, several states felt comfortable about legalizing abortion for the hard cases. Between 1966 and 1972 fourteen states changed their laws to allow abortion in cases where a doctor said the pregnancy posed a serious threat to a woman's physical or mental health, when the child would be born with a grave physical or mental defect, or when pregnancy resulted from rape or incest. In 1970, four other states repealed all of their abortion statutes, legalizing abortion-on-demand. Abortion clinics sprouted up in large cities like New York and did a brisk business servicing the followers of the counterculture.

But most states in the American Heartland retained their abortion statutes. The Heartland was unprepared for Roe v Wade. Roe was the capstone on forty years of social engineering. All of this change was imposed from above; none was the result of actual grass roots efforts or organic change. Lacking effective leadership, Middle America was taken by surprise. They have been trying to get their bearings ever since. Actually these policies, which had reached the local level in the 50s, 60s, and 70s, have their roots all the way back to the Enlightenment. The elites had played with this poison for several generations. Now it was dispensed at the local level.

Using the pseudonym "Jane Roe", Norma McCorvey brought a class action suit against the state of Texas (1970) for having refused her request for an abortion. McCorvey claimed to have been gang-raped, which later turned out to be a lie. But under the 1857 statute, abortions were permitted only to save the life of the mother. Not having a life threatening condition, McCorvey was refused an abortion. She decided to sue Texas. Her lawyer, Sarah Weddington, thought McCorvey's case would make a good test for abortion-on-demand, so with the backing of leftwing groups, she prepared for trial.

The federal court in Dallas agreed with Roe. Texas then appealed to the Supreme Court, where it was argued two times, once in '72, and finally in '73. Chief Justice Rehnquist and Justice White dissented; the rest of the Court upheld Roe, thus overturning all the state anti-abortion statutes. Roe v Wade established abortion-on-demand as a Constitutional right, and touched off the most important conflict of our generation.

Using a pile of convoluted information to support his decision, Blackmun wrote for the majority. Blackmun was

an Establishment judge. And like most Establishment judges of that generation, his heroes were former Justices Brandeis and Holmes. From his perspective, the Roe v Wade decision was delivered in the spirit of Holmes' famous 1905 admonition that the Constitution "is made for people of fundamentally differing views, and the accident of our finding certain opinions natural and familiar, or novel, and even shocking, ought not to conclude our judgments upon the questions whether statutes embodying them conflict with the Constitution of the United States."¹⁷

Blackmun used this hollow quote to scare off the torch-bearing mob. Harry was saying that even though the majority out there in the Heartland might view the disposal of unwanted children as morally repugnant, America is a diverse nation and must accommodate people who regard unborn children as medical waste and impediments to female equality. It didn't matter that the writers of Constitution would have found such an interpretation of their work as a gross perversion. To keep pace with progress rights had to be crafted and enlightened individuals such as himself were the only ones qualified for the job. Unlike those bigoted Crackers in the Heartland, Harry was progressive. He would deliver a decision inline with "the progressive spirit of the Constitution." He would pull the Roe decision right out of thin air.

In the history of the Court no other decision was more arbitrary than Roe v Wade. Blackmun's decision had no basis in common law, history, or the Constitution itself. It was pure invention. Holmes would have been proud. As noted earlier, Blackmun relied heavily on the Amicus brief of Cyril Means. Briefly again, this argument had the "state's real concern in enacting criminal abortion laws to protect a woman, that is, to restrain her from submitting to a procedure that placed her life in serious jeopardy." Only secondarily were they concerned for the "potential" life of the child: "In assessing the state's interest, recognition may be given to the less rigid claim that as long as at least potential life is involved, the state may assert interests beyond the protection of the pregnant women alone."¹⁸ It must be remembered, said Blackmun, that "throughout the major portion of the nineteenth century, abortion was viewed with less disfavor than under most American statutes currently in effect."¹⁹ Then a pack of greedy physicians, who were seeking to cut out the "irregular" competition, pressured the states to pass abortion laws. Overturning Texas' abortion statute was a return to tradition, Harry insisted.

To ensure that greedy doctors and day before yesterday moralists never again forced women to have unwanted children, Blackmun decided to fabricate a new right for women, one impervious to meddling Cracker state legislatures. He called this new construct the "right of privacy." Harry admitted what he was doing: "The Constitution does not mention any right of privacy." Nevertheless, Blackmun believed the Ninth Amendment "broad enough to encompass a woman's decision whether

or not to terminate a pregnancy." Letting his guard slip, Harry revealed his true egalitarian motives:

The detriment that the state would impose upon the pregnant woman by denying this choice altogether is apparent. Specific and direct harm medically diagnosable even in early pregnancy may be involved. Maternity, or additional offspring, may force upon the woman a distressful life and future. Psychological harm maybe imminent. Mental and physical health may be taxed by child care. There is also the distress for all concerned associated with the unwanted child, and there is the problem of bringing a child into a family already unable, psychologically and otherwise, to care for it.²⁰

"In view of all this," wrote Blackmun, "we do not agree that, by adopting one theory of life, Texas may override the rights of the pregnant woman that are at stake." Although Harry wouldn't let the states adopt a "theory of life," that is exactly what he did, despite denying it. "We need not resolve when life begins, when those trained in the respective disciplines of medicine, philosophy, and theology are unable to arrive at any consensus. . ."²¹ Roe explicitly adopts a theory of life, one that refuses to consider a fetus' right to life and a state's belief that such a right ought to be protected, as states in the Western world had been doing for a thousand years. Acknowledging that there were divergent beliefs about when life begins, Blackmun was not at all uncertain about giving a woman the power to destroy the life inside her, a power the law had never given a woman before. As Richard Epstein said, "It is simple fiat power that gives his (Blackmun) position its legal effect."²² Elliot Silverstein, a supporter of abortion, put it even better: "If the Court really means, when it says it need not decide when life begins, that it need not recognize the State's valid interest in instilling a respect for life, then Roe is, indeed, a dangerous precedent."²³ If as, Blackmun claimed, there was such confusion about when life begins, then why not leave such a matter to the Legislature to decide? And why adopt the three-trimester framework?

In bizarre fashion, Blackmun proceeded to formulate a construct for legal abortion that resembled the work of a city commissioner fashioning an ordinance:

- (a) For the stage prior to approximately the first trimester, the abortion decision and its effectuation must be left to the medical judgment of the pregnant woman's physician.
- (b) For the stage subsequent to approximately the end of the first trimester, the State, in promoting the interest of the health of the mother, may, if it chooses, regulate the abortion procedure in a way that is reasonably related to maternal health.
- (c) For the stage subsequent to viability, the state in promoting interests in the potentiality of human life may, if it chooses, regulate, and even proscribe, abortion except where it is necessary, in appropriate medical judgment for the life or health of the mother.²⁴

Former Attorney General Archibald Cox pointed out that such a construct was a house of cards: "The failure to

confront the issue in principled terms leaves the opinion to read like a set of hospital rules and regulations, whose validity is good enough this week but will be destroyed with new statistics upon the medical risks of child-birth and abortion, or new advances in providing for the separate existence of a fetus.”²⁵

The three part formula was pure subterfuge. Knowing that the differences between a late term fetus and a newborn infant were negligible, Blackmun used his construct to distance himself from accusations of infanticide. He did this knowing that the construct’s supposed protection for late term fetuses was a charade. On the same day that Roe was decided, the Court ruled on another abortion case, Doe v Bolton. Doe and Roe, said Blackmun, should be “read together.”²⁶ Blackmun had said that in the last of his three part formula the state could intervene to “regulate and even proscribe abortion,” except in those cases where it is necessary to preserve “the life or health of the mother.”²⁷ Roe, however, didn’t define “health of the mother.” Doe v Bolton was designed to give this definition.

As it turns out the Court had a very Holmesian definition of “health”:

The medical judgment maybe exercised in light of all factors—physical, emotional, psychological, familial, and a women’s age—relevant to the well-being of the patient. All these factors may relate to health. This allows the attending physician the room he needs to make his best medical judgment.²⁸

Roe and Doe became the twin pillars of abortion-on-demand. These decisions made abortion untouchable before the twelfth week. After the twelfth week the states could impose some minor restrictions, but if a woman could find a doctor to say that carrying the unwanted child to term *might* threaten her physical, psychological, or financial “health,” abortion was legal right up to the last months before the birth of the child.

Two cases in the seventies strengthened the pillars. The Danforth decision (1976) brushed aside the third trimester distinction. Forbidding the states from using the third term division (24 weeks) for proscribing abortions, Danforth substituted “viability” as the only test for when states could restrict abortion. Like Blackmun’s definition of “health,” viability was vague and subjective. One physician may say one baby is viable, while another may deem the same child unviable. Finally, Colautti (1979) made it clear that viability was a matter for the mother and her physician to decide.

Today, abortion on demand is legal in every state in the Union. It kills approximately 1.5 million children annually. Currently, about 90 percent of abortions are done in the first trimester (12 weeks), using a vacuum aspirator. Second trimester abortions (12 to 24 weeks) account for 10 percent of the total. In the 70s saline injections into the uterus were preferred. Today, abortionists use a procedure called “Dilation and Extraction” (D & E): In this

procedure, the abortionist applies a local anesthetic, dilates the cervix, and basically pulls out the fetus one piece at a time, breaking them off against the two rings of the cervix.

Just last year the Supreme Court upheld the Partial Birth Abortion Ban, which proscribes a type of heinous late term abortion. Even though the ban will cover only 10,000 of the 1.5 million abortions annually, it is the most significant pro-life victory in over thirty-five years of legislation and litigation. Until the ban hundreds of thousands of children met their deaths in the most horrible manner. Abortionists called the procedure “Intact D,” opponents of abortion call it Partial Birth Abortion. A nurse who formerly worked with Dr. Martin Haskell described the procedure before the Senate Judiciary Committee, as performed on a 26 ½ week old child:

Dr. Haskell went in with the forceps and grabbed the baby’s legs and pulled them down into the birth canal. Then he delivered the baby’s body and arms—everything but the head. The doctor kept the head inside the birth canal. The baby’s little fingers were clasping and unclasping, and his little feet were kicking. Then the doctor stuck a pair of scissors in the back of his head, and the baby’s arms jerked out, like a startled 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 hole, 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.²⁹

Roe never pretended to be good law. It was pure fiat. Blackmun thought women needed the right of abortion, so he invented it. Franklin D. Roosevelt’s court-packing scheme was similar. In 1937 he tried to appoint six new justices to the Supreme Court for each sitting justice who was over seventy years of age. The Supreme Court, which consisted of primarily Republican appointees, had shredded Roosevelt’s First New Deal. Waiting for the justices to die was too constitutional for a progressive like FDR, so he proposed appointing a whole new slate of friendly justices to tack onto the existing Court. This, he hoped, would sway future decisions his way. To keep pace with progress the Constitution had to be rewritten without having to go through the hassle of the Amendment process. Roosevelt didn’t get away with his dictatorial scheme, Blackmun did.

Justices Rehnquist and White were dumbfounded by Roe. In their dissent they accused the majority of legislating from the bench:

The Court simply fashioned and announced a new Constitutional right for pregnant mothers, and with scarcely any reason or authority for its actions, invests that right with sufficient substance to override most existing state abortion statutes . . . As an exercise of raw judicial power, the Court perhaps has authority to do what

it does today; but in my view its judgment is an improvident and extravagant exercise of the power of judicial review that the Constitution extends to the Court. The Court apparently values the convenience of the pregnant mother more than the continued existence and development of the life or potential life that she carries. . . I can't accept the Court's exercise of its clear power of choice by interposing a constitutional barrier to states efforts to protect human life and by investing mothers and doctors with the constitutionally protected right to exterminate it.³⁰

Even liberal legal scholars who are pro-abortion think that Roe was poorly decided. "What is frightening about Roe," said John Ely, "is that this super protected right is not inferable from the language of the Constitution, the framer's thinking respecting the specific problem in issue, any general value derivable from the provisions they included, or the nation's governmental structure."³¹ Blackmun's vague references about a right to privacy found not in one Amendment but in no less than five, proves that he really didn't care whether it was in the Constitution or not. He said the right of privacy was recognized in a number of cases dealing with marriage, procreation, contraception, family relationships, child-rearing, and education. But he failed to mention that the state has always had a legitimate interest in regulating all these things through marriage laws, divorce laws, child protection and support laws, and mandatory education laws. Judge Richard Posner warns, "Roe v Wade raises the question whether we have a written Constitution, with the limitations thereby implied on the creation of new constitutional rights, or whether the Constitution is no more than a grant of discretion to the Supreme Court to mold public policy in accordance with the Justices' own personal and shifting preferences."³²

The right to privacy doesn't protect drug users, suicides, consensual incest, consensual sex between minors and adults, consensual cannibalism and human sacrifice, blood feuds and dueling; it doesn't shield a person from conscription, taxes, or eminent domain. And as Joseph O'Meara correctly pointed out, "There is nothing private about abortion." It occurs not at home in a bedroom between a pregnant woman and her coat hanger. Roe was asking the court to create a special right for all women, and force the state to sanction, regulate, and protect an entire industry of abortionists, so women could exercise their sacred right. Not only this, the folks who gave us Roe v Wade believe that abortion is an affirmative right and the state thus has an obligation to provide abortions. Almost every lawsuit the pro-abortion lobby has brought since Roe has attempted to get taxpayer support for abortion. This is not about privacy. In their fevered brains, the state has a duty to give abortions to any women, or girl, who requests one but can't afford the cost.

And making abortion dependent upon "viability" is indefensible in an age when science is pushing back the date of viability every year. Post-natal care has now made it possible for infants to survive outside the womb who would have died just a few years ago. In ten years time

artificial wombs will make it possible to carry a child through most of gestation. Will those children be judged viable? And what about the millions who were judged non-viable and aborted simply for lack of a device or procedure to care for them outside the womb? Pro-abortion Justice Sandra Day O'Connor was thinking about these same questions when she said that "Roe . . . is on a collision course with itself. . . it has no justification in law or logic."³³

The states have chipped away at the Roe and Doe pillars from various angles, but the pillars are still there. The legal structure of abortion has survived repeated challenges over the years. In Webster V. Reproductive Health Services the Supreme Court upheld a Missouri law that had a preamble which said "the life of each individual human begins at conception." The law had two key provisions: "(1) prohibited the use of public employees and facilities to perform abortions; (2) when a doctor believes a woman is carrying a fetus of at least 20 weeks, he must determine with the latest tests whether it is viable or not." The preamble, said the Court, was mere rhetoric and did not affect the core right to an abortion in a "concrete way."³⁴

The Court's majority was moving to the right since Roe, and appeared to be willing to support abortion as an individual right, but was not prepared to fund it with federal taxpayer dollars. Reacting to the pro-abortion lobby's attempts to get taxpayer funding for abortions for poor women, the Court said in DeShaney v Winnebago County Department of Social Services there was "nothing in the Constitution that required the state to enter or remain in the business of performing abortions." Nor was there anything in the due process clause that conferred an "affirmative right to governmental aid, even where such aid may be necessary to secure life, liberty, or property interests of which the government itself may not deprive the individual." Maier v Roe upheld a Connecticut law that said Medicaid recipients could receive money for child birth, but not for non-therapeutic abortions. In Harris v McRae, the Court upheld the most restrictive version of the Hyde Amendment, which refused to release federal funds under the Medicaid Program to reimburse the state for the cost of abortions, except for those cases where abortion was necessary to save "the life of the mother." In this case the majority also upheld Missouri's viability test and its prohibition of abortion after viability, finding Roe's rigid trimester framework contrary to the Constitution's "general principles."

The important aspect of Harris was the Court's upholding of Missouri's prohibition on post-viability abortion. Viability, however, was still subjective and in the discretionary judgment of the physician. And in all of these cases "the essential holdings in Roe were upheld." Justice Scalia, an opponent of Roe, voiced his frustration with this incremental approach. Writing the concurrence in part in the Harris case, he was disappointed that Roe itself couldn't be reexamined and overturned: "I think it should be done, but would do it more explicitly. . . It appears that

the mansion of constitutionalized abortion law, constructed overnight in Roe v Wade, must be disassembled door-jam by door-jam, and never entirely brought down, no matter how wrong it is.”³⁵

In the 1980’s the states used waiting periods and informed consent laws as tactics in the incremental approach. Planned Parenthood v Casey (1992) was the most important case to make it before the Court on these issues. Casey dealt with a Pennsylvania law that had five provisions. The Court focused on three in particular. The act required,

(1) a woman give her informed consent prior to an abortion, and be provided with certain information at least 24 hours before the abortion is performed; (2) the informed consent of one parent must be obtained for a minor to undergo an abortion, but a judicial bypass procedure is provided; (3) a married woman seeking an abortion must sign a statement indicating that she has notified her husband unless certain exceptions apply (for example, she is being abused by her husband). . . 36

It was the last provision in Casey that was controversial. The majority ruled that placing such a requirement on a woman past the age of consent placed an “undue burden” on her right to an abortion.³⁷ Again, the core of Roe was upheld in Casey; however, the three trimester framework was rejected as unworkable.

Casey was significant because it was heard before the Court after a decade of appointments by so-called conservative presidents, Reagan and Bush. These two frauds aggressively courted social conservatives, hinting that a few more appointments to the Court would do the deed on Roe. But Reagan’s and Bush’s appointees—O’Connor, Kennedy, Souter—voted to strike down Pennsylvania’s spousal notification law and uphold Roe v Wade as an unchangeable precedent—*stare decisis*. Exasperated at this betrayal, the pro-life forces had to wait out the Clinton era before getting another shot at Court appointments.

Pro-lifers in the 1990s devised a new strategy, this one aimed at banning Partial Birth Abortion (Intact D). As described earlier, Partial Birth Abortion is nothing short of infanticide. By showing how the procedure is performed, conservatives received overwhelming support for a ban. The Marxist media were unable to blackout the issue. Only hard-bitten killers like Senator Diane Feinstein and the leaders of Planned Parenthood and NOW came out in defense of Partial Birth Abortion. The Republican controlled Congress passed a ban. In public, the leftist President Bill Clinton found it expedient to pay lip-service to the ban, but he would support it only if the lying health exception was attached. When Congress rightly refused to attach one, Clinton vetoed the bill.

The states were also moving against Partial Birth Abortion. After Nebraska passed a ban without a health exception, the issue came before the Supreme Court in Stenberg v Carhart (2000). In a close five to four vote the

law was struck down because of its lack of a health exception.³⁸

If you remember, it was the health exception dictated in Doe that nullified all attempts to restrict abortion after the twelfth week. On the surface, Blackmun’s three trimester framework and later the “viability” test allowed states to regulate and even proscribe abortions in the second and third trimesters. In reality, the health exception allowed woman to receive an abortion at any stage of gestation. No matter what law the states passed, if there was a health exception, the law was meaningless. A woman could walk into an abortion mill just weeks before giving birth and claim that the pregnancy was making her depressed, or costing her too much money and an abortion could be scheduled for a few days later. The only limitation was finding a qualified “physician” willing to carry out the murder.

Only after the election of George W. Bush in 2000 was a ban on Partial Birth Abortion feasible. Bush had used the same strategy as his father and Reagan before him, promising social conservatives that he would appoint “strict constructionist” judges to the bench, which is a code phrase for jurists who will interpret the Constitution as it was written. The strategy worked. He was elected and two justices came up for replacement: Rehnquist and O’Connor. Appointing Roberts and Alito in their places, Bush managed to remove one of the six votes (O’Connor) upholding the core of Roe. Now, of the five justices upholding Roe, one is a “swing” vote. This is Kennedy. While upholding the basic right of abortion, Kennedy has allowed the states to restrict it after the first trimester. He, for example, voted to support Nebraska’s ban on Partial Birth Abortion in Stenberg v. Carhart. With Kennedy’s vote and the new Bush appointees, it was now possible to reintroduce a Partial Birth Abortion Ban, minus the health of the mother exception.

After the defeat in Stenberg, Bush managed to push a Federal Partial Birth Abortion Ban through Congress. Like Nebraska’s ban, this one had no health exception attached. As expected the Marxist judges on the lower bench ruled the law unconstitutional, so the same issue was back before the Supreme Court seven years later in Gonzales v Carhart. Bush’s appointments paid off. With Alito sitting in O’Connor’s seat and Kennedy voting with the majority, the law was upheld five to four, giving pro-lifers their most significant victory in over thirty-five years of legislation and litigation.

The Partial Birth Abortion Ban doesn’t challenge Roe directly. By destroying the health exception, however, it theoretically opens the door for the states to pass more laws proscribing abortion down to “viability.” But upon closer examination, the Court’s decision in Gonzales makes it clear that banning any abortion that takes place inside the womb is not going to fly with the Court. Those pundits are fools who see in Gonzales the imminent demise of Roe v Wade. The law is purely cosmetic, meant to push the bloodier aspects of abortion back inside the womb. As Justice Ginsburg pointed out in her dissent,

"The law saves not a single fetus from destruction, for it targets only a method of performing abortion."39

The Partial Birth Abortion Ban punishes only those doctors who, deliberately and intentionally vaginally delivers a living fetus until, in the case of a head-first presentation, the entire fetal head is outside the body of the mother, or in the case of a breech presentation, any part of the fetal trunk past the navel is outside the body of the mother, for the purpose of performing an overt act that the person knows will kill the partially delivered living fetus; and (b) performs the overt act, other than completion of delivery, that kills the partially delivered living fetus. . . 40

In other words, unless a court can prove that an abortionist intentionally delivered any portion of the fetus's body before killing him, there is no harm no foul. And the Attorney General explicitly stated he has no intention of extending the ban to cover abortions that are performed while the child is still in the mother's womb, regardless of the stage of gestation: "In the litigation: the Attorney General doesn't dispute the Act would impose an undue burden if it covered standard D & E."41 And if the child should "accidentally" slip outside the birth canal during an abortion, the abortionist is not liable: "The Act requires a doctor to deliberately deliver the child to an anatomical landmark. Because a doctor performing a D & E will not face criminal liability if he or she delivers the fetus beyond the prohibited point by mistake, the Act cannot be described as a 'trap for those who act in good faith.'"42 Under the provisions of the law, it is perfectly legal for an abortionist to kill a viable 26 week old fetus, as long as the killing takes place inside the womb:

In addition the Act's prohibition only applies to the delivery of 'a living fetus.' If the intact D & E procedure is truly necessary in some circumstances, it appears likely an injection that kills the fetus is an alternative under the Act that allows the doctor to perform the procedure.43

Ginsburg's dissent points to the Act's meaningless distinction, noting that there is no difference between killing a late term fetus inside the womb with a lethal injection, and killing an infant outside the womb with a pair of scissors:

Delivery of an intact, albeit nonviable, fetus warrants special condemnation, the Court maintains, because a fetus that is not dismembered resembles an infant. But so too does a fetus delivered intact after it is terminated by injection a day or two before the surgical evacuation, or a fetus delivered through medical induction or caesarian.44

On the surface the Partial Birth Abortion Ban and Gonzales look like significant steps toward overturning Roe v. Wade; but underneath they are hollow meaningless bones that the Republican establishment has thrown to their social conservative supporters. Pro-lifers are mistaken if they believe the Ban and Gonzales signal a serious shift in the Court, one that will eventually lead to overturning Roe v. Wade. Gonzales makes it clear that Roe is safe in front of the Roberts Court. This is not because conservatives are still lacking one more vote. No,

they are lacking the same number of votes as before. Alito and Roberts added nothing to the Roe equation. In their confirmation hearings, they held their abortion card close to their vest. Nevertheless, the smart money was betting that neither Alito nor Roberts would vote to overturn Roe. They were right.

Now that they sit on the bench for life, Alito and Roberts have nothing to fear in expressing their opinions on Roe. If they truly wanted Roe v Wade gone, the best way to effect that is to signal to the states to bring abortion cases before them. Scalia and Thomas have been doing that for years. In every major abortion case that has come before the Court, they have expressed their opinion that Roe should go. Gonzales v Carhart was no different. Thomas and Scalia concurred in part and dissented in part. Although concurring with the majority in upholding the Partial Birth Abortion Ban, they dissented, saying "The Court's abortion jurisprudence, including Casey and Roe v Wade, has no basis in the Constitution."45 Here was an opportunity for Alito and Roberts to sign onto Thomas and Scalia's dissent and tell the country, especially the states, that they would overturn Roe if the issue came before the Court again. But they didn't sign the dissent. So much for George W's appointees.

This was a great disappointment for conservatives because Roe is the real target they've hunted for thirty-five years. But Roe is safe, unless Bush or the next President appoints three more Justices like Thomas and Scalia. With the election of Barack Obama and huge Democratic majorities in both houses of Congress, it's almost certain that no conservative judges will be confirmed for the next decade. Even on the off chance that a Republican president is elected in 2012, he or she, will be a decidedly more liberal Republican. The Republican Party establishment has tried for twenty years to cut its ties with social conservatives. They will most certainly redouble their efforts before the next presidential election. And what about the states? For Roe to go down, a state must first pass a law that explicitly proscribes abortions anytime after conception, health exception not included. Last year South Dakota attempted this very thing. But the egalitarians forced the law before a state referendum, where it went down in defeat. Believing the reason for the defeat was the law's lack of an exception for cases of rape and incest, proliferators in South Dakota prepared a new Initiative for the 2008 election. This one allowed abortions in cases of rape, incest, and to save the life of the mother. But the Initiative was voted down 55 percent to 45 percent. As South Dakota is one of the more conservative states, the defeat is a bad omen.

But let us imagine that Roberts and Alito vote against Roe. What then? Most Americans believe that abortion would then be completely outlawed. Not even close. Roe v. Wade prevented the states from deciding on the issue. If Roe was overturned tomorrow, abortion would return to the state legislatures. Based upon what happened in South Dakota, only a few states would move to outlaw abortion completely. Without Roe, abortion-on-demand would remain legal in most of the states. All these years,

conservatives have been pleading with the Marxists to let them have **one** pocket of territory where abortions are not allowed—just **one**. That is the only thing Roe's demise would accomplish.

In order to outlaw abortion nationwide, using constitutional methods, one of three things would need to happen: the Supreme Court would have to recognize a pre-natal right to life under the Fifth and Fourteenth Amendment; or Congress would have to pass a law banning all abortions; or the Constitution would have to be amended to protect unborn human life. Even under the most Republican of Congresses, the chances of either of these scenarios happening are remote.

This was shown clearly in the 2008 elections, when 72 percent of Coloradans voted against an initiative that would have defined the unborn child as a person. The initiative encapsulated the stated objective of the pro-life movement, which is to eventually outlaw abortion nationwide by enacting an Amendment to the U. S. Constitution that affords pre-natal life the full protections of the Fifth and Fourteenth Amendments. But the major pro-life organizations did not line up behind the Colorado initiative. They thought it was asking for too much too soon. We must first use the "soft-sell" to promote a "culture of life," they said. And eventually, after fifty years, the American people will come to support a personhood Amendment to the Constitution. But all the demographic-political trends are moving in the opposite direction. In fifty years, pro-lifers, if there are any left, won't even be able to get enough signatures to put a personhood initiative on a state ballot, let alone enact an Amendment to the U. S. Constitution.

Given all this, the Partial Birth Abortion Ban is best seen as the high water mark of the pro-life movement. Constitutional efforts to outlaw or limit abortion have come to an end. Unless a different strategy is devised, conservatives will gradually lose ground, until eventually they are pushed out of the political process entirely. But a new strategy requires a new perspective.

Strategically, conservatives have failed over the decades because they do not truly understand their opponents. And tactically, they have lost every conflict because they have allowed their opponents to set the agenda, thus placing themselves on the defensive. As any lawyer or general knows, he who sets the agenda and takes the initiative almost always wins. The reason conservatives don't understand their opponents is because they have made a conscious choice not to. Retreat a little farther out, has been their strategy. The egalitarians are liars but they have never been shy about discussing their ideas or plans. The Court's majority in Casey, for instance, were emphatic as to what was at stake. Roe, they said, was an essential pillar of America's egalitarian society. An attack upon it was an attack upon their America:

To eliminate the issue of reliance that easily, however, one would need to limit cognizable reliance to specific instances of sexual activity. But to do this would simply be to refuse to face the fact that for two decades of economic

and social development, people have organized intimate relationships and made choices that define their views of themselves and their places in society in reliance on the availability of abortion in the event that contraception should fail. **The ability of women to participate equally in the economic and social life of the nation has been facilitated by their ability to control their reproductive lives.**⁴⁶ [Emphasis Added]

If conservatives took this position to heart, they would understand that this is not just about abortion, or the constitutional process. They are up against an ideology, one that in the case of abortion, justifies this heinous practice so that women can achieve equality in society. But this twisted thinking affects every other aspect of society, as well, not just abortion. Going on and on with the personhood argument is not going to work. For years conservatives have fooled themselves into believing that the abortion debate is really just about whether or not the unborn child is a person. For years they have sought to convince the egalitarians to respect unborn life because life begins at conception. This will not work. Why? Because the true egalitarians already **know** that life begins at conception. They don't care. Equality for women is more important to them than the lives of unborn children. To them 50 million deaths is a small price to pay in order to level the playing field. Laurence Tribe, probably the leading leftwing legal scholar in the country, put it this way:

Perhaps the Supreme Court's opinion in Roe, by gratuitously insisting that the fetus cannot be deemed a 'person,' needlessly insulted and alienated those for whom the view that the fetus is a person represents a fundamental article of faith or bedrock personal commitment. **The Court could instead have said: even if the fetus is a person, our Constitution forbids compelling a woman to carry it for nine months and become a mother.**⁴⁷ [Emphasis Added]

1. Elizabeth Cady Stanton, "Infanticide and Prostitution," Revolution, I, No. 5 (Feb. 5, 1868) p. 65
2. Revolution, I, No. 14 (April 9, 1868) pp. 215-216
3. Dorothy Kelly, "Prevention and the Laws," Women Rebel, (April 1914) p. 10
4. Victor Meric, "The First Right," Women Rebel, (April 1914) p. 10
5. Ibid, p. 11
6. Ben B. Lindsey and Wainwright Evans, The Companionate Marriage, (New York: Boni and Liveright, 1927) p. 338
7. Marian Morton, "Seduced and Abandoned in an American City," Journal of Urban History, vol. II (Aug. 1985) pp. 464-465
8. Henry Marcy, "Education as a Factor in the Prevention of Criminal Abortion and Illegitimacy," Journal of the American Medical Association, vol. 47 (1906) p. 1889
9. Dorothy Kelly, "Prevention and the Law," Women Rebel, (April 1914), p. 10
10. "Ten Years of Legalized Abortion in the Soviet Union," American Journal of Public Health, (Sept. 1931) p. 1043

11. Olasky, ***Abortion Rites***, p. 262
12. ***Time*** (March 16, 1936) p. 52
13. ***The Abortion Problem: Proceedings of the Conference Held Under the Auspices of the National Committee on Maternal Health, Inc.***, (Baltimore, Williams and Wilkins, 1944) pp.100-101
14. ***Ibid.***, pp. 50-52, 104
15. ***Arizona Republic***, (Aug. 21, 1962) p. 1
16. ***The Gallup Poll: Public Opinion 1935-1971*** (New York: Random House, 1972) p. 1984
17. ***Lochner v. New York***, 198 U.S. 45, 74 (1905)
18. ***Roe v. Wade***, 410 U.S. 113 1(1973)
19. ***Ibid.***
20. ***Ibid.***
21. ***Ibid.***
22. Richard Epstein, "Substantive Due Process by Any Other Name," in ***Supreme Court Review***, 1973 n.t. 31 at 182
23. Elliot Silverstein, "From Comstockery Through Population Control," ***North Carolina Law Journal***, 39-40 (1974)
24. ***Roe v. Wade***
25. Archibald Cox, ***The Role of the Supreme Court in American Government***, p. 113-114
26. ***Doe v. Bolton***, 410 U.S. 179, 191-193 (1973)
27. ***Roe v. Wade***
28. ***Doe v. Bolton***
29. H.R. Rep No. 108-158, p. 3 (2003)
30. ***Roe v. Wade***
31. John Ely, "The Wages of Crying Wolf: A Comment on Roe v. Wade," in 82 ***Yale Law Review***, 921 n. 19 (1973)
32. Richard Posner, "The Uncertain Protection of Privacy by the Supreme Court," in ***Supreme Court Review***, p.173, 199
33. ***Webster v. Reproductive Health Services***, 492 U.S. 511 (1989)
34. ***Ibid.***
35. ***Harris v. McRae***, 448 U.S. 438 (1980)
36. ***Planned Parenthood v. Casey***, 505 U.S. 852 (1992)
37. ***Ibid.***
38. ***Stenberg v. Carhart***, 530 U.S. 922 (2000)
39. ***Gonzales v. Carhart***, 550 U.S. (2007)
40. 18 U.S.C. 1531 (2000 ed. Supp.IV)
41. ***Gonzales v. Carhart***
42. ***Ibid.***
43. ***Ibid.***
44. ***Ibid.***
45. ***Ibid.***
46. ***Planned Parenthood v. Casey***
47. Lawrence Tribe, ***Abortion: The Clash of Absolutes***, (New York: Norton, 1990) p. 135

The Debate

In the 1850's the conflict over slavery came to a head. As part of the Compromise of 1850, the Fugitive Slave Law was revamped. Among other things, the law required free-state authorities to return runaway slaves to their masters down South. In response, several Northern states passed so-called Liberty Laws, which in effect nullified the Fugitive

Slave Law, and thereby challenged the authority of the federal government.

Then came the Kansas Nebraska Act (1854), a law that nullified the Missouri Compromise of 1820. In the famous Compromise, slavery was banned north of the 36° 30' line. Now, under the new act slavery in the territories was to be contingent on "popular sovereignty": if a majority of any new territory's residents wanted slavery they could have it, regardless of whether the territory was north or south of the 36 degrees and 30 minutes line.

The Supreme Court's decision in the ***Dred Scott*** (1857) case was the straw that broke the camel's back. The decision capped off a decade of defeat for anti-slavery forces. Writing for the majority, Chief Justice Taney ruled that Congress and the territorial governments had no power to exclude slavery from the territories, popular sovereignty notwithstanding. Property in slaves was protected under the Fifth Amendment and neither Congress, nor the territorial governments could deprive any U.S. citizen of his property, said Taney. Nor could they prohibit a man carrying his property (slaves) across state lines. In effect, ***Dred Scott*** said that all Congressional action limiting the expansion of slavery in the past seventy years, including the Northwest Ordinance of 1786, were null and void. Abolitionism was no longer a viable movement.

For abolitionists, who had worked for half a century to limit the expansion of slavery, these measures were not simply temporary set backs; they were a declaration of war on the anti-slavery cause. Henry Clay's dream of a compromise between the North and South was dead. Pro-slavery and anti-slavery folks could not live together under the same system. Abraham Lincoln captured the significance of ***Dred Scott***: "It is merely for the Supreme Court to decide that no state under the Constitution can exclude it [slavery], just as they have already decided that. . .neither Congress nor the territorial legislatures can do it. . ." If, therefore, the Constitution protects "the right of property in slaves," then "nothing in the Constitution or laws of any state can destroy the right of property in slaves." The next step, said Lincoln, was to nullify all the free-state constitutions that had outlawed slavery. Lincoln understood that the Constitution could no longer serve these two irreconcilable positions. He used a Biblical metaphor to drive home this point: "A house divided against itself cannot stand.' I believe this government cannot long endure permanently half ***slave*** and half ***free***." 1

Constitutional efforts to outlaw or limit the expansion of slavery had failed. Unless the anti-slavery folks intended to permanently back down, they would have to devise a new strategy. The slavery debate was over. The only option left was a naked struggle for power. The winner of the struggle would impose his system with respect to slavery. In a famous speech (1858) Lincoln's future Secretary of State William H. Seward called the impending collision of the two Americas "the irrepressible conflict."²

There are limits to diversity within one system of laws. In the 1850s, those limits were reached over slavery. In 1973 the limits of diversity were reached again, this time over abortion. There are, however, significant differences between the conflict over slavery and the present one over abortion. In the 1850s the underlying differences between the people of the North and the people of the South were slight. Although North and South developed sectional identities, both shared the same culture, both shared the same Western Christian Culture-Identity. The differences between North and South were issue-based, not identity-based. Slavery and race were those issues. Once the slave system was destroyed and Reconstruction ended, the South was easily woven back into the fabric of American society. When slavery and race were put aside, the Northern and Southern people were the same.

On the other hand, the differences between the typical San Francisco pro-choice liberal and the average Alabama pro-life conservative are vast. Every year the differences increase. Even though both are children of the West, their differences do not center on one or two issues, like slavery and race—their differences are fundamental.

Since Roe v Wade much has been written on abortion. Whether conservative or egalitarian, most arguments stick pretty close to the classical liberal concepts found in the U.S. Constitution. Classical liberalism is the name given to that body of political thought found in the writings of such philosophers as Locke and Montesquieu. Classical liberalism was a response to the religious and political upheavals in Europe during the sixteenth and seventeenth centuries. The Reformation pitted Protestants against Catholics; Nationalism was eroding the former connections between the kingdoms of Europe; money and the new middle class were challenging the landed nobility; science was questioning the authority of the Church. The unity of Western Christendom that had existed for 1,000 years was coming unraveled.

Using reason as their guide, classical liberals tried to redefine the individuals' relationship to society. All the old definitions seemed uncertain and based on the arbitrary claims of the nobility and the Church. Feudal society was full of inconsistencies and unfairness. Classical liberals would try to create a formula for a rational objective society. John Locke's Second Treatise On Government is the most influential statement of classical liberalism.

First, Locke asked what was the origin of society. Before formal societies existed, so the theory goes, men were sovereign independent beings, living in a "state of perfect freedom," and could "order their actions, and dispose of their possessions and persons as they thought fit, within the bounds of the law of Nature, without asking leave or depending upon the will of any other man." In this "state of Nature" every man obeys the "law of Nature. . .which obliges everyone. . .that all being equal and independent, no one ought to harm another in his life, health, liberty, or possessions. . ." Man had no prior social obligations. But because this state of Nature was inherently unstable and

dangerous to his interests, he entered into a voluntary social contract with other sovereign men. Society begins "by common consent," and the only "reason why men enter into society is the preservation of their property. . ." Instead of each man acting as his own little country, "the community becomes an umpire, and by understanding in different rules and men authorized by the community for their execution, decides all the differences that may happen between any members of society. . ."3 Thus men traded a bit of their sovereignty for the protections of social organization. But a man's most important rights—life, liberty, property—were retained as inherent, with society having limited power to infringe upon them.

Since society is man's creature, it serves his interests. If at any time the state threatens inherent rights, especially property rights, "the people have a right to remove it by force,"4 and set up another government to their liking. Thus government receives its power from the voluntary consent of the governed. Classical liberalism influenced most educated men of that era, including the authors of the U.S. Constitution.

Classical liberalism was an idea within the Western Culture. It was a noble attempt to protect the individual from the arbitrary abuses frequently encountered in the social context. Feudal society was rife with arbitrariness based on the prerogatives of birth, wealth, and class. Classical liberals wanted to substitute the rule of laws for the rule of men. They didn't want to destroy the organic culture and the existing inequalities that were based on birth, wealth, and class. What they wanted was a legal-political context that was free of arbitrariness, where natural abilities could allow a man to move up the social ladder—they wanted equality of opportunity. A social contract, however, can't exist apart from a particular cultural context. And culture identity is the actual basis of the social contract, not the voluntary consent of sovereign individuals.

Classical liberals put too much faith in reason, when man is primarily irrational. Will, instinct, passion, emotion, fear, superstition, individual identity—influence a man's behavior far more than reason. His social arrangements reflect this fact. Humans are never seen apart from a social group. From the moment of birth, man is a member of the most basic society—the family. And the basis for the social group is shared culture identity, not an abstract social contract. The outward reflections of this identity are seen in connections of blood, language, religion, race, shared history—culture. The terms "man" or "human being" are abstractions. A man is a unique individual, born at a particular time, into a particular class, into a particular culture. He has unique talents, intelligence, and will. His moral universe is unique, and is defined by these existential conditions. He will live and die in his particular world. A man's environment conditions him, but doesn't fully define him. He must do this himself. And ultimately the differences between individuals and groups originate

from these internal defining forces unique to the individual or group.

What is identity? Ultimately it is spiritual. In so much as I am able to possess something, I am at once connected to it, and also have distance from it. I possess an attribute such as an idea, a belief, a desire, an experience—in other words, it is mine rather than yours. But I also have a distance from my attribute—it is mine, but it is not me. Even if I lose an idea, or my desires change, or I am subjected to different experiences, I am still the same “I.” The invisible “I” is my identity. Although my identity is separate from my attributes, without my attributes I am unable to define myself. Thus certain attributes become more important than others in defining my identity. As an idea, a belief, or experience becomes more central to accomplishing my aims in life, the less I possess it and the more I am possessed by it, until finally the attribute becomes indistinguishable from my identity.

Similarly, the organic social group has an identity, a culture identity. It's a super personal identity, but an identity nonetheless. The culture identity uses attributes to define itself. But the culture identity is not the sum of its attributes and experiences. Ultimately it is a spiritual unity. Culture attributes include blood connections, religion, language, race and customs. What seems insignificant to one group is vital to another. Religion is important to some cultures. Others like the Zo'e of South America consider a tube of wood inserted in the lower lip an essential attribute of their tribal culture identity. Experiences like wars, revolutions, migrations and persecutions help define the culture identity. The Civil War, for instance, is a defining experience for the American culture identity. Six hundred years of English occupation is a defining experience for the Irish. The organic culture identity acquires or loses attributes and undergoes new experiences, but a certain continuity remains.

Only those who share this culture identity are able to *feel* this connection with the past, and a continuity with the future. More important than attributes or past experiences is a shared purpose. The culture identity dies when it has no plan for the future. Life is moving forward. The cliché about “living in the now” is a lot of nonsense. The only people who “live in the now” are corpses. Life is about living into the future. The culture identity is healthy and under effective leadership when its plan for the future leaves the group healthy, secure, powerful and growing. Similarly, the individual is healthy when his plans for the future fulfill his destiny. As every identity is unique, so each requires a different plan of action, one that is suited to that identity at that stage of development. Thus there is no such thing as a template for the perfect society, the perfect economy, or the perfect social contract, just as there is no such thing as a template for the perfect life. Each has a unique journey, in keeping with its unique identity. The history of the world is the history of identities in motion—defining themselves, asserting themselves, in conflict or cooperation with other identities, living, growing, declining, dying.

Man has free-will, but he is not “born free,” as Rousseau and Locke would have it. He is born a dependent to family and community. As he is raised into the society, a man earns rank and freedoms and privilege. Even the smallest of social groups—family, band—are governed from the top-down. The Marxist nonsense about primeval egalitarianism is a lie. As social groups grow into tribes, chiefdoms, and states hierarchy becomes even more pronounced, and classes develop. Minorities give form and direction to society. In every society there is internal competition between those who have power, and those who want more power. At any given time, the definition of justice is dependent on these competing interests within society. As the social group grows or declines, competing interests change the definition of justice, sometimes organically, other times artificially.

By observing the various cultures of the world one can arrive at a set of universal laws. Aristotle's definition of justice as fairness is, as far as I can tell, a universal virtue. The problem is that every culture has a somewhat different definition of fairness. And the definition of fairness changes as the circumstances of justice change. Any concept of justice is dependent on an organic culture identity's comprehensive moral or religious definition of the good as applied to the circumstances of justice. “The circumstances of justice are the circumstances that give rise to the virtue of justice.”⁵ Society is a cooperative endeavor for the mutual benefit of individuals, and is marked by the clash as well as the cooperation of interests. Persons unite their interests for the mutual benefit, but they also clash over how common assets should be distributed and on what grounds individual interests should prevail against the group's interests. And there are conflicts between competing individual interests. There must be principles of justice in order to come up with arrangements for sorting out these competing claims. The underlying conditions that make these arrangements necessary are the circumstances of justice. What need have you of justice when there is no clash of interests? And how can you decide which claim should prevail unless you first examine the circumstances that gave rise to the clash?

Generally, states are overthrown as a result of a disjunction in identity, not because of a violation of an abstract social contract. When a culture identity disjunction becomes great enough, no abstract social contract, however “just,” will restore the former social order indefinitely. Social groups are established and grow in size under pressure from external threat, or as a result of conquest. Never in the history of the world have a bunch of similarly situated sovereign men sat down and traded rights for protections in the manner of Locke or Rousseau. Leaders of little societies, as well as big ones, are jealous of their independence and will not merge with other societies unless forced to do so.

Usually a society is in a state of crisis when faced with external threats. At such times it is the leadership that acquires more power to make decisions for the group. And thus it is the leaders, not the people, who decide the terms

of the new social contract. For example, before the 1730s the Cherokee Indians were divided into 30 to 40 chiefdoms, of about four hundred people each. Then, as white settlement started to encroach upon their lands, they formed a defensive confederacy. By 1758 a Cherokee council met regularly at their capitol, Echota, to discuss issues, pass laws, and shape a concerted policy for all Cherokee. Similarly, the leaders of the American colonies banded together in response to the threat of England. And after the Revolution, disunion among the states and Shay's Rebellion caused the American leaders to meet in secret and form a more powerful central government with their Constitution of 1787. After several failed attempts, the German states finally formed a central government in order to meet the threat of war with France (1871). In every case, these societies were coerced into becoming larger.

The other way societies grow larger is through conquest. DingisWayo united the Zulu tribe through conquest. The tiny Roman city-state gradually conquered the various tribes of Italy, and later went on to conquer the peoples of the Mediterranean. William the Conqueror established Norman rule over England through the manner his name suggests. The seceding southern states in America were reunited with the northern states through conquest. The Aztec Empire, the Inca Empire, the Persian Empire, the British Empire — were expanded through annexation and conquest.

In order for societies to merge peacefully, as in the case of the Cherokee or American colonists, the social groups must share an underlying culture identity. Groups of very different culture identities almost never merge except through naked conquest. And diverse groups are almost always held together within one political system through coercion and force. Insurrection and rebellion go hand-in-hand with empire. Contrary to myth, empires such as the Roman and the British were not diverse societies, based on a set of abstract universal principles. Both empires were the result of one culture identity—the Roman or British—holding other identities in subjection through force and coercion. As soon as the Roman or British culture identity was no longer strong enough to keep the subject identities in form, these culture identities moved for self-determination through activism, or war. Thus the real basis of society is the organic culture identity and not the abstract principles of the "Law of Nature." And the terms of the social contract are decided by the leaders of the people.

Conservatives are the antibodies of the organic social group. They try to stave off death and sickness, maintaining those forms that have proven effective in keeping social order and ensuring cultural continuity. Conservatives are unique to a particular group. There are Jewish conservatives, Indian conservatives, and American conservatives. Each type of conservative seeks to preserve his particular culture identity to the exclusion of all others. Conservatism is a visceral emotional loyalty, an organic attachment to the culture identity. Even though all cultures make universal claims, conservatism is not a

universal philosophy with utopian aspirations. Nor is it wedded to a particular economic or political doctrine. Conservatives may adopt an economic or political philosophy that seems best for the group at a particular time, but strictly speaking the free-market thinking of Adam Smith and the limited government philosophy of Locke and Jefferson, which are now associated with American conservatism, are classical liberal concepts. Cultural issues are more important to conservatives than abstract economic and political concepts. Conservatism is more of a tendency than a formal philosophy. American conservatives today are called "social conservatives."

The egalitarian is the direct opposite of the conservative. The conservative is the partisan of a particular culture; the egalitarian wants to destroy all the existing organic societies and create an entirely artificial society, built not on culture identity but on a theory. Reacting to the French Revolution, Thomas Paine announced with excitement that "we now have the opportunity to begin the world anew." The egalitarian Paine was not referring to a French world, or any other particular world. He was talking about the entire world. The egalitarian begins with this totalitarian approach.

Life is rough on the egalitarian. Life makes no sense in a world where the strong protect the weak and the weak obey the strong; where superior will, talent, and intelligence put some men above others, and create hierarchies that monopolized wealth and power; where social groups are based on organic culture identity, not abstract principles; where these identities exclude those outside the group ("other"); where groups compete for power causing wars. Life in this world is not worth living. So he sets out to improve the world.

Unlike the classical liberal, the egalitarian is not content with reforming a particular organic society. His ideas are not tailored to fit into a particular cultural context. In fact, cultural difference is the primary problem to him. Differences cause inequalities, and inequality causes injustice. The egalitarian believes that we are all the same; but not in the Christian sense of being children of God. The Christian believes that God made each of us unique and gave us free-will; and therefore inequality is endemic to the human condition. The egalitarian denies the unique identity and free-will and believes that we are merely meat machines programmed by our environments. If there are differences among us, it is in the environment. Level all environmental conditions and we will return to our primeval sameness, and live in perfect equality and perfect justice.

Therefore, the purpose of society should be to eliminate differences and create equality of condition. Society should smash down barriers to equality. Society should compensate you for your weaknesses, and where needed, it should curtail your strengths, so as to level the playing field for all. Culture identity is irrational and should not form the basis of the social group. Differences of culture, religion, and nation are all superstitions. They should all

be smashed down too. There will then be no more divisions in humanity: no more Americans; no Mexicans; no Muslims; no Christians; no Jews. There will be only humans, living under a human government that protects human rights, and promotes human equality. In this society, there will be no masters or servants; no rich or poor; no generals or privates; no leaders or followers. As there will be no need for competition, there will be no more wars. All things will be held in common, all people will be equal, contributing according to their abilities, and receiving according to their needs. Peace and love will return to humanity, and the world will join hands and sing John Lennon's "Imagine."

To the egalitarian, history is the record of oppression, injustice, one big mistake. All of our elders were liars. All religion is superstition, used by the master class to keep their slaves ignorant and in subjection. For thousands of years the governments of the world were the enforcers of a vast conspiracy, designed to prevent a return to the communist paradise. But the true-believer knows that socialism is inevitable. Egalitarian thinkers had figured the whole thing out on a blackboard, and then put it in books. Comte reduced his formula and issued it in *The Positive Philosophy*. Karl Marx put his formula in *Das Kapital*. Edward Bellamy wrote his down in *Looking Backward*. What they all shared in common was a belief that there is a template for the just society, and all that was needed was to apply it. Egalitarians of whatever kind—Revolutionary Socialist, Maoist, Democratic Socialist, American Liberal—aim for this universal society. They only differ over how to get there.

Egalitarianism can be traced back as far as Plato's *Republic*. And Christ's preaching against the "love of money" inspired a religious strain of egalitarianism. After Christ's crucifixion, the disciples practiced communal living, holding "everything in common" (Acts 4:35). Monasticism during the Gothic period was based on the ideals of the common life. Monks and friars took vows of poverty, chastity and obedience. But religious egalitarianism was practiced only by the initiates. It was meant to produce conditions that were conducive to the better contemplation and worship of God. There was a clear distinction between life inside the commune and life outside in the secular world. It is true that during the Reformation a few radical Protestant leaders like Thomas Müntzer tried to confiscate lands from the nobles and redistribute them to the peasants. But for the most part Christian egalitarians did not have a political program to force the common life on the secular society.

Modern egalitarianism is a different animal entirely. This type is secular, atheistic, materialistic, and it always has a definite political program. Modern egalitarianism really has its origins in the Enlightenment, especially in the writings of Jean-Jacques Rousseau. Inspired by Rousseau, Robespierre and his Jacobins tore France to pieces during the French Revolution in the 1790s—burning, destroying, murdering under the banner of Liberty, Equality, Brotherhood. Then Napoleon and the French middle class crushed the Jacobins and ended their Reign of Terror.

Egalitarians regard Napoleon as the betrayer of the revolution. To them the ideals of Liberty, Equality, Brotherhood remain unfulfilled. And this is where their mission begins. They want to finally and fully actualize the ideals of the French Revolution.

In the century following the French Revolution industrialism and capitalism greatly expanded the methods of production and exchange. The resulting inequalities of wealth and property caused egalitarians to focus on economic inequalities. They called their movement socialism. Containing many different strands, socialism basically teaches that the system of private property—whether in the form of industrial capital, accumulated money, landed estates, serfs, or slaves—is wrong because it creates inequalities which lead to the unjust exploitation of one person by another. Historians call the first generation of socialist thinkers "utopian" because most advocated building small socialist communes which would serve as models for the rest of society to follow. Fourier (1772-1837) set up a few communes in Europe, and a famous one in America named Brook Farm (1841-47). Longfellow and Emerson and a procession of America's elite visited Brook Farm. Robert Owen (1771-1858) built a commune in Indiana called New Harmony. Another utopian was Saint-Simon (1760-1825), who influenced a generation of socialists. But the most famous and influential socialist was Karl Marx (1818-1883).

Marx castigated the utopians as unrealistic dreamers. In his *Communist Manifesto* (1848) Marx claimed that his theory of dialectical materialism would do for "history what Darwin's theory of evolution did for biology." His socialism was scientific, not utopian. To distinguish his socialism from the other varieties, he labeled it communism. Briefly, Marx thought that the history of all societies "has been the history of class struggles," between the oppressors and the oppressed, the rulers and the ruled, the exploiters and the exploited. A man's relations to the mode of production determine everything about him, said Marx. Whether you are a hunter-gatherer, a farmer, or a manufacturer will determine what gods you worship, what beliefs you have, what values you cherish. The prevailing methods of production and exchange in any given society will determine its social, cultural and political structures. Classes take shape based on their collective relation to the modes of production and exchange. But internal contradictions develop between the exploiting class and the exploited class. Eventually the contradictions become so great that a social revolution occurs, producing another mode of production and exchange, which will in turn create new classes and new contradictions. Marx called this process dialectical materialism.

It was not always this way, though. Like most egalitarian dreamers, Marx believed that the first form of society was socialism. Once upon a time men and women lived in a communist paradise. There was no private property, so there were no classes, families or governments. Then the snake of ownership entered paradise in the form of monogamous marriage, and women and children became

the first form of private property. Things went downhill from there. Men enslaved other men. Caste, rank and class followed. As property was monopolized into landed estates, the landowner class exploited the landless class of serfs in an economic system called feudalism. The oppressors invented the state to keep the oppressed in subjection. Then in the late 1400s, the growing merchant class started undermining the feudal system, producing the capitalist mode of production and exchange. Two new classes then emerged: the exploiting capitalists (bourgeoisie), and the exploited workers (proletariat). As is true of every other economic system, capitalism has internal contradictions. To improve their profit margins capitalists improve the methods of production and produce more and more goods. This in turn creates a demand for more and more workers, and the workers have to work for lower wages. With their wages depressed workers are not able to purchase the ever-increasing quantity of goods. This creates an endless cycle of booms and busts. Eventually the busts will become so great, said Marx, that the overworked, impoverished workers will revolt. Once they seize the state, the people will set up a dictatorship of the proletariat in order to purge the last remnant of the bourgeoisie. The state and the means of production will then be in the hands of the people. Class differences will disappear. Since the state was nothing more than an instrument that the exploiters used to control the exploited, with the absence of classes the state will eventually "wither away." Citizens will finally govern society through direct democracy. Society will look much like the egalitarian paradise of old.

Dialectical materialism was supposed to be a scientific process like photosynthesis. But when it is put next to the historical record dialectical materialism becomes a pile of nonsense. Marx's explanations of history are childish. Marx's theory had the working classes being gradually reduced to abject poverty. But the fact is that under capitalism the working classes have tended to rise in wealth and power. And almost all of his important predictions never came true. Marx's theory said that the most advanced industrial societies of Europe (France, Germany, England) would be the first to shrug off capitalism and accept communism. But in fact communism has had its greatest impact in the most backwards societies (Russia, China, Vietnam). Marx's theory of history, however, was popular not because it was factual. Humans naturally envy those who have more money, more talent, more intelligence and so forth. It's a story as old as Cain and Able. And people naturally resent the "unfairness" of life, where some people got this and others got that. For the envious and resentful, Marx prophesied about a great day of revenge. It was the message of victimization and the promise of revenge that inspired millions of people. Nineteenth century Europe and America were brutal places for the poor and the powerless. There was certainly a dire need for more social justice. But Marx was uninterested in mere reform. He pointed to a paradise that could only be reached after a long journey across an ocean of blood. Get rid of the mythological paradise and Marx's message is nothing but

envy, resentment and blood. He expressed this nihilism perfectly, saying "Communism abolishes eternal truths, it abolishes all religion, and all morality...it acts in contradiction to all past historical experience" (Karl Marx, *Communist Manifesto*, trans. Ed. Samuel Moore and Joseph Katz, New York: Pocket Books, 1964, p. 92) .

From 1869 to 1912 Marxist political parties— called either Social Democratic or Socialist— were organized in every Western nation. Socialists also gained control of all the major trade unions. They became dominant in academic, intellectual, and artistic circles. In keeping with Marx's vision of a universal socialist movement, representatives of the various socialist organizations met in a global parliament called the International. There were four Internationals, the first two being the most important. The First International (1864-73) fell apart over squabbling between Marx and anarchist leader Bakunin. After Marx's death the new Social Democratic parties of Europe and America formed the second and most important International (1889). Right away there were differences of opinion. Most of the socialist parties were already involved in parliamentary politics. So the question arose: should socialists prepare for revolution in keeping with Marxist doctrine, or should they drop the politics of revolution altogether and continue to work for the gradual acceptance of socialism within the democratic process? Another question concerned control of the movement: the orthodox Marxists insisted on international control, believing that the socialist parties should work to undermine their own national governments and bring about a global revolution; others wanted local control, insisting that each nation's situation was unique, and the parties should work within their own nations to achieve limited goals. Edward Bernstein's *Evolutionary Socialism* (1908) advocated the gradualist approach. In England the highly influential *Fabian Essays* (begun in 1889) contained a blueprint for socialist legislation and gradualist reform. Fabians such as George Bernard Shaw and Sidney and Beatrice Webb, who were members of England's upper class, sought to change society by "wire-pulling"— influencing key politicians, civil servants, and trade union officials. Edward Bellamy's socialist tract *Looking Backward* (1889) was the Bible for American gradualists such as Eugene Debs and Columbia professor John Dewey. The intellectuals who gathered in New York City's Greenwich Village and the Lower East Side brought this form of gradualist socialism into American society. Eventually they joined the two party system, becoming a powerful part of the Democratic Party's coalition. They dominated the Roosevelt Administration from the second and third tier posts. Today, they are the dominant voice in the Democratic Party and in American society as whole. Gradualists were thereafter known as Democratic Socialists; orthodox Marxists were called Revolutionary Socialists.

The First World War finally destroyed the international socialist movement. Revolutionary Socialists saw the war as the death knell of capitalism. The socialist parties, they said, should encourage resistance to conscription. They

should organize strikes and undermine the war effort of the bourgeoisie governments. But the Democratic Socialists were caught up in the war fever. Instead of organizing resistance to the war effort, they joined it, calling on their constituents to enlist and fight for their country. The Democratic Socialists' insistence that a worker's loyalty to his country (nationalism) trumped his loyalty to the international workers of the world contradicted the core of Marxism. The worst blow came immediately after the war, when Marxists again called for global revolution. The Bolsheviks had just come to power in Russia (October 1917), and many socialists believed that with one final push they could easily take all of Western Europe. There were Communist uprisings in Budapest, Berlin and Bavaria. And the Red Army under Trotsky marched into Poland. But within a matter of weeks the uprisings were suppressed and the Red Army was turned back. And nowhere did the workers rise up and throw off their capitalist chains. Thereafter Democratic Socialism in the West would be a reform movement, pushing for the creation of a welfare state within their respective nations.

In the aftermath of the First World War and the failed uprisings, Marxist thinkers like Georg Lukács (1885-1971) and Antonio Gramsci (1891-1937) tried to explain why the revolution in the West had failed and the revolution in Russia had succeeded. Lukács *History and Class Consciousness* (1923) and Gramsci's *Letters From Prison* (published post humously, 1947) were scathing critiques of Revolutionary Socialism. Marx was wrong, they said. World revolution is not inevitable. Marxism is only a political instrument not a prophecy. The revolutionaries were wrong in thinking that once they had seized the structures of society the people would welcome socialism with open arms. Most societies outside the West like Russia are primitive and consist of a small elite that uses brute force to impose its will on an uneducated mass, said Lukács and Gramsci. It was relatively easy for the Bolsheviks to replace the Russian elite and impose their will because the mass had been taught through the centuries that he who holds the whip and the gun rules. But that kind of power has shallow roots. Not having the "class consciousness" of a true proletarian, the Russian peasant will come to see the Bolsheviks as the latest tyrants in a long line of tyrants. And to stay in power the Bolsheviks will have to resort to terror and coercion. Sincere belief in socialism will remain the possession of a small elite. When that elite disappears, socialism will disappear from Russia overnight. Nor will socialism come to the West in the manner Marx had predicted, said Lukács and Gramsci. The problem in the West is even more formidable than in Russia. Unlike Russia, the state in the West rests on civil society not on brute force. There is a long tradition of consent, of participation and constitutionalism that goes back as far as the Middle Ages (*Magna Carta*). A government's legitimacy depends on the consent of a vast educated middle class, holding certain opinions, beliefs and assumptions about proper authority. Marxism can not be imposed from the top down, they said. The people will resist. The structures of the existing

societies rest upon an accepted cultural-religious-moral worldview that has taken centuries to evolve. Getting rid of it overnight will not be possible. Socialists have to first undermine and dismantle and then replace this worldview from the bottom up before the people will accept socialism. The primary enemies are the family, Christianity, nationalism, patriotism, hierarchy, and traditional morality. So instead of storming the ramparts of power with a gun in hand, said Lukács and Gramsci, cultural Marxists should infiltrate the institutions of society and gradually erode the cultural-religious-moral underpinnings of the West by promoting free love, feminism, homosexuality, atheism, pacifism and multiculturalism.

To teach this strain of cultural Marxism Lukács and the German Communist Party founded the Institute of Social Research at Frankfurt University in 1923. Its founders consciously modeled the school on the Marx-Engels Institute in Moscow. Hitler took power in 1933, and as most of the school's leading lights were Jewish and Marxist, they took a ship for America and reconstituted the school with the help of Columbia University. By then they had dropped "Marxism" from the name of the school and started calling it simply the Frankfurt School. Through Frankfurt School thinkers like Max Horkheimer, Theodor Adorno, Wilhelm Reich and Herbert Marcuse this strain of cultural Marxism would play a prominent role in shaping the counterculture and New Left movements of the 1960s, the radical feminist and homosexual movements of the 1970s, and the environmental and multicultural movements of today. The concept of political correctness is derived from the Frankfurt School's *Studies in Prejudice* program. The fact that most Americans now accept the moral authority of political correctness is a testament to the success of cultural Marxism.

Critical Theory is another invention of the Frankfurt School. *Critical Theory* adopts the pretense that Western Civilization is suffering from a form of mental illness, which has caused it to commit crimes against humanity. To effect a cure and pay for its crimes, the West must undergo collective psychotherapy and pay restitution to its many victims. Authority, the family, hierarchy, sexual morality, loyalty, patriotism, capitalism, nationalism, ethnocentrism, conservatism — are all symptoms of the illness. But the number one symptom is traditional Christianity. According to Theodor Adorno's book *The Authoritarian Personality* the traditional family and the Christian ethic are the breeding grounds of fascism. In every traditional Christian household is a potential Hitler, said Adorno. And the so-called great men of Western history — Augustine, Charlemagne, Luther, Columbus, Washington — were sexually repressed perverts and criminals, said Wilhelm Reich. Years ago we were taught that Western Culture has offered people more freedom and opportunity than any other culture. But actually the West is history's greatest repository of oppression, greed, racism, sexism, homophobia, and antisemitism, said Herbert Marcuse.

The Frankfurt School focused its efforts on introducing Critical Theory into America's education system. They were very successful. Back in the 1950s and 1960s their ideas were highly influential at the major teachers colleges. And today many history, sociology and psychology textbooks contain Critical Theory. Pick up any American history textbook and you are likely to find the theory: The European stole the land from the Indian; The European killed all the buffalo; the European enslaved the beautiful black man and invented Jim Crow; the European conquered the loving peoples of the world to create his empires; the European invented capitalism to oppress the workers; the European destroyed the environment with his industrialism; and on and on.

In keeping with Marxist dogma, Critical Theory denies individual responsibility. We are only members of classes. And there are only two classes at any given time in history: the oppressor class and the oppressed class. European Americans are all members of the oppressor class. The object of Critical Theory is to deconstruct the average Westerner's world view and induce a guilt complex. Continually bombarded with these accusations, the subject begins to believe that he shares collective responsibility for the supposed "crimes" of his ancestors. And if he is "guilty," then, of course, he must pay restitution for the sins of his class. The complex is called "White Guilt." The only remedy for it is to support all the demands of the socialist agenda.

Most Americans have a stereotypical image of a communist. He's a guy dressed in a drab uniform carrying an AK-47 in Peking or Hanoi. But the Frankfurt School Marxists were not trying to create goose-stepping revolutionaries. First, they wanted hippies. Frankfurt School thinker Herbert Marcuse articulated free-love doctrine for the counterculture. Author of Eros and Civilization (1955), Marcuse was the guy who coined the phrase "make love, not war." Ultimately the Frankfurt School thinkers wanted the children of the hippies. Because even though they were subjected to an intensive deconstruction process—which is why they called it the counterculture—the hippies still retain elements of the older value system. But their children do not. Take a look at the typical member of the MTV generation: he's amoral and lives only to satisfy his animal desires; he lacks discipline, ambition and purpose; he has no patriotism, honor or dignity; he is missing religion, culture and convictions; he has no loyalty to family, friends and country; his only heroes are Hollywood degenerates and sports stars. He is exactly what Lukács and Gramsci wanted: a person lacking identity, a talking monkey, a blank slate upon which to write the values of socialism. Their work is now paying dividends. In the recent presidential election (2008) 66 percent of those under thirty years old voted for the Marxist candidate, Barack Obama. Where Marx's revolution failed Lukács and Gramsci's has succeeded.

Meanwhile, socialists in Russia would keep their revolutionary roots and their internationalist ambitions. Political structures were supposed to follow economic

conditions, according to Marx's theory. But most Russians were peasants engaged in agriculture. Their mode of production and exchange was still feudal. Therefore, they had to first go through the capitalist phase of economic development before moving on to socialism, said Marx. Revolution was supposed to start in the most advanced capitalist societies (Germany, France, England), and spread from there. When he realized that revolution would not happen in the West, Marx became opportunistic. He turned his theory on its head. In the preface to the Russian 1882 edition of the Communist Manifesto, Marx gave Russia permission to skip the capitalist stage of economic development and move right on to socialism.

Using this interpretation of dialectical materialism, Lenin, the leader of Russia's Social Democratic Party, developed his own brand of egalitarianism (Marxism-Leninism.) Lenin preferred Marx's name for socialism, calling it communism. The underlying economic conditions are not necessary to achieve socialism in Russia, wrote Lenin in his book What is to be Done? (1912). A well organized group of professional revolutionaries, said Lenin, could act as a "vanguard" for the people. Relying on their unique insights, the revolutionary vanguard could propel the masses to socialism, regardless of the society's economic stage of development. If a ruthless elite imposed it, socialism could work anywhere. Lenin called this idea democratic centralism. This meant the rule of a small party elite through terror, secrecy, and propaganda. Stalin later refined the idea to mean the rule of one man through a few handpicked lackeys. Improving party discipline through intra-party purges was another Stalinist improvement on democratic centralism. Focusing his attention on peasants and agriculture rather than workers and industry, Mao Tze-Tung later developed his own style of Marxism-Leninism called Maoism. This triumvirate — Lenin, Stalin, Mao — created the version of egalitarianism that would serve as the model for communist regimes in the non-Western world.

During the Second World War Democratic Socialists and Revolutionary Socialists joined together to defeat the Axis powers. Not since the 1890s had socialists worked so well together. Many socialists in the West were confident that the differences with their Soviet comrades could be worked out and the dream of global socialism finally realized. Franklin D. Roosevelt, for one, held out hope that after the war America and the Soviet Union could lay the foundations for a New World Order based upon the general principles of socialism, which were later embodied in the United Nations Charter and the Universal Declaration of Human Rights. But after the war the dream of socialist cooperation died when Stalin held onto Eastern Europe and pursued an aggressive policy with his Democratic Socialist cousins in the West. A Cold War developed. The war in Korea and the ruthless nature of Soviet and Chinese communism caused a conservative reaction in the West. The old labels of communism and socialism became highly unpopular, as conservatives started to point out the common ideological heritage of the Soviet and Chinese communists and their American

Democratic Socialist cousins. Conservatives exposed the sympathies, the collaborations, the outright treasons of figures such as Alger Hiss and Harry Dexter White, both of whom held key positions in Roosevelt's administration. Lest they face a full fledged reaction, as happened in Spain in the 1930s, egalitarians in America began to camouflage their communist sympathies, and they got rid of the socialist label entirely. Now they are known exclusively as liberal democrats, or progressives.

Since they have already laid the basis of a welfare state in Europe and America, egalitarians now concentrate their focus on cultural issues. This is Frankfurt School style of Marxism. The Marxist idea of class struggle has been expanded to include white vs. black, men vs. women, native vs. immigrant, straights vs. homosexuals. It's the same old concept of history as a struggle between the oppressors and the oppressed, with the mirage of an egalitarian paradise somewhere up ahead. But despite the camouflage, the name change, and the new focus, the contemporary liberal is an ideological relative of Mao, Stalin, Lenin, Marx, Robespierre and Rousseau. Like them, he believes that basic inequalities cause injustices, and like them, he believes there is a template for the perfect society. Egalitarians only differ on how to get there. Just like children trying to force square blocks into round holes, egalitarians have tried for over 200 years to smash their templates down onto the existing organic societies of the earth. The result has been misery on an unprecedented scale. By attempting to erect a heaven on earth they have created a living hell.

The conservative accepts life, he builds culture on natural human dispositions. America is a Western Christian nation, therefore the conservative believes in keeping the Christian ethic at the core of his world view. The Conservative believes in the exclusive claims of Western Christian culture identity. At the other end, the egalitarian is committed to building an artificial culture, one based on theories, and not organic identity. This universal culture claims to speak for all "humanity." The egalitarian views organic cultures as primitive, backward, and intolerant. Because the Western Culture is the most powerful organic culture in existence today, they see it as the ultimate enemy of their utopian fantasies. At this level, the conflict is existential, there can be no compromises: Western conservatives will either preserve their culture, or the egalitarians will succeed in snuffing it out forever. Their global utopia is the mirage of fools. At issue here is whether the West will die at the hands of these fools.

The fundamental difference between conservatism and egalitarianism is seen clearly in the present abortion debate. Realizing that life begins at conception, the American conservative believes abortion is murder. To the conservative motherhood is a blessing, the most significant part of a woman's life. As the backbone of the family, the mother's place in society is seen as essential. The family is the basic unit of society. It is the primary institution for preserving social order and ensuring cultural

continuity. To the conservative abortion is a frontal assault on motherhood, the family, the culture, life itself. On the other side, the egalitarian believes that the family has traditionally been an institution of oppression for women. And although necessary for procreation, maternity has historically served as a shackle to keep women in subjection to men. Until such time as procreation can be had without the slightest possibility that it will threaten their ability to stand in relation to men as absolute equals, women need abortion as a weapon in the fight for their equality.

In the present debate over abortion, conservatives and egalitarians stick pretty close to the classical liberal concepts of the U.S. Constitution. Some who are pro-abortion like Judith Jarvis Thomson, and David Boonin-Vail argue that even if the unborn child is a person, it has no right to use the mother's body, unless she gives her consent. Their argument is social contract theory at its extreme libertarian interpretation. This approach is largely hypocritical because the same folks who use it, demanding that the government stay out of a woman's private life, turn right around and demand that the government intrude into its citizens lives in a number of other situations: gun control, education, environment. But most who support abortion—Michael Tooley, Mary Ann Warren—adopt a very narrow definition of personhood, which allows them to deny the unborn child's humanity, and therefore exclude him from legal protections. Their narrow definitions don't hold water though because they end up excluding most of mankind, both born and unborn. Of the various pro-abortion arguments, the feminist approach is the most consistent. Catherine MacKinnon, Ruth Bader Ginsburg, Sally Markowitz, and Naomi Wolf — all fully accept the humanity of the unborn child, but insist that women need abortion to achieve equality in a patriarchal society.

In a society that has long since driven Christian values out of the public square, conservatives use a combination of arguments against abortion. Stephen Swartz contends that a person's life is one continuum from conception to death. Francis J. Beckwith emphasizes a mother's parental responsibilities, and Don Marquis uses Kant's Golden Rule to argue that abortion is wrong because it deprives a person, the unborn child, of a "future like ours."

Hatched in the fevered brain of M.I.T. philosophy Professor Judith Jarvis Thomson, "A Defense of Abortion" is probably the most talked about pro-abortion essay. Using a series of examples, Thomson insists that a woman has an unqualified right to an abortion, even if the fetus is a human being. Her essay is a radical extrapolation of social contract theory, what is sometimes called libertarianism.

Libertarianism is classical liberalism carried to its extreme. Briefly, the individual is sovereign, and prior to society. He has absolute rights. Only he can exchange his rights for the protections of society. In exchange for the protections of society, he assumes certain obligations. But he is

obligated to society only in as far as he has consented to the exchange. Society has no prior claims on him.

Libertarian liberals like Thomson get their current definition of individual liberty from John Stuart Mill. Back in 1859, Mill wrote a book entitled On Liberty. Its purpose was to expound the principle that

the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot be compelled to do or forebear because it will be better for him to do so, because it will make him happier, because, in the opinion of others, to do so would be wise, or even right. These are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him, or visiting him with any evil in case he do otherwise. To justify that, the conduct from which it is desired to deter him must be calculated to produce evil to someone else. The only part of the conduct of anyone, for which he is amenable to society, is to which concerns others. In the part which concerns himself, his independence is, of right, absolute. Over himself, over his body and mind, the individual is sovereign.⁶

Personally Thomson doesn't believe it, but for the sake of argument, she is willing to "grant that the fetus is a person from the moment of conception." Because even if a person, the fetus has no right to use a woman's body without her consent. To make her argument, Thomson asks you to imagine waking up in a hospital back-to-back with a famous violinist, who has a fatal kidney ailment. Because you are the only one with a matching blood type, the Society of Music Lovers has kidnapped you and hooked you up to the famous fiddler to "extract the poisons from his blood." The hospital director tells you it will be another nine months before the violinist's kidneys are in good shape and they can unhook you. Even though it was immoral for the Society of Music Lovers to kidnap you and put you in this predicament, unhooking you, the hospital director says, would be doubly immoral, because it would kill the violinist. ⁷

"Is it morally incumbent on you to accede to this situation?" asks Thomson.⁸ After all, every person has a right to life, and violinists are persons. What if it were longer than nine months? How about nine years? Or for the rest of your life? This example is Thomson's argument in defense of abortion for pregnancies caused by rape.

What about cases of pregnancy that threaten the life or health of the mother? For these cases, Thomson asks whether it is moral for the hospital director, who knows the violinist is going to die anyway, to keep you hooked up to the violinist because unhooking you would prematurely cause the death of the fiddler: "It's all most distressing," says the director, 'and I deeply sympathize, but you see

this is putting an additional strain on your kidneys, and you'll be dead within the month. But you **have** to stay where you are all the same. Because unplugging you would be directly killing an innocent violinist, and that's murder, and that's impermissible." This is simply intolerable and asking too much of a person, says Thomson. You have more than enough right "to reach around your back and unplug yourself from that violinist to save your life."⁹

If you think the violinist example is strange, try this one. Thomson asks you to imagine being "trapped in a tiny house with a growing child." Not just any house or growing child, no, she means a really tiny house and a "rapidly growing child." If you don't get out quick, the fat kid will crush you to death. What do you do? The fat punk is safe; he'll walk away from the rubble without a scratch. But you're going to die unless you do something to stop Blimpie from crushing you.¹⁰

Thomson finds it understandable if a bystander responded to your cries for help, saying, "we cannot choose between your life and the child's, we cannot be the ones to decide who is to live, we cannot intervene." But she also insists that the woman should not have to sit "passively" waiting for the fat kid to crush her. She has the "right of self-defense."¹¹

Thomson then gives her justification for abortion-on-demand. Does a child's right to life obligate the mother to give him the use of her body to keep him alive? To answer this, Thomson calls on Henry Fonda, the actor. Imagine that you are sick with a rare fever and the only thing that can save you is the "cool touch of Henry Fonda on your fevered brow." You live on the East Coast; Henry lives on the West Coast. Are you entitled to Mister Roberts' touch? Should Henry feel obligated to fly out and lay hands on you? No, of course not, says Thomson: "It would be frightfully nice of him to fly in from the West Coast to provide it. . . .but I have no right at all against anybody that he should do this for me."¹²

Thomson is not arguing that the fevered patient in need of Henry Fonda's touch, or the violinist, or the unborn child, have no right to life. They do. But they don't have a right to use another person's body to secure their life unless that person gives their voluntary consent. We are all little sovereign autonomous entities with no prior social obligation. We dole out rights on a voluntary basis. But we don't owe anybody anything, says Thomson.

Even in cases where sex was consensual, the child's right to use his mother's body is still dependent on the mother's consent. Many people engage in casual sex solely for pleasure, says Thomson. They use birth control not expecting or wanting a pregnancy. But pregnancies occur anyway. Are these women obligated to carry the child to term? Not at all. If you opened your window "to let the air in" (had sex for pleasure) and a burglar (baby) climbed in instead, are you obligated to let him stay? What if you "installed burglar bars" (contraception) on your windows and a burglar came through anyway? A mother is no more obligated to let the unwanted child stay in her womb than

the homeowner is obligated to let the burglar stay in his home.¹³

Try this one: Suppose, says Thomson, “people-seeds drift about on the air like pollen,” and they can “take root in your carpet and upholstery” if you let them float through your window. Naturally, you don’t want any “people-seeds” taking root in your lovely new carpets, so you install screens on your windows (contraception), designed to keep out the obnoxious seeds. But despite the screens, a seed gets through. Are you obligated to let the little “people-seed” (baby) grow in your brand new Stainmaster carpet? asks Thomson. No. You can’t help it if these “people-seeds” are floating around. It’s normal for people to open their windows to breath air (sex). You even took the precaution of installing screens (contraception) to keep the “people-seeds” out, but still one got through. They are your carpets; you didn’t invite the “people-seed” to take root. Thomson believes you have every right to spray the little seedling with Roundup (abortion).¹⁴

A woman’s body is her private property, says Thomson. The unborn child is a trespasser. “Minimally Decent Samaritanism” may cause the mother to allow the trespasser to stay, but she has no obligations to a trespasser who has violated her property. Even in cases where pregnancy was intended, the unborn child’s right to life doesn’t trump the mother’s right to kick him out of her property. At best the unborn child is a guest. But if for whatever reason the mother decides that he has worn out his welcome, she is well within her right to show him the door—vacuum aspirator. It may be “indecent and self-centered” to deny the child the use of her body “for one hour,” but it’s not “unjust.”¹⁵

No one is required to be a Good Samaritan, insists Thomson. Kitty Genovese was murdered in a New York City street, while thirty-eight people watched, or heard her cries for help. Yet no one tried to intervene, or stopped to call the police. Their indifference to Kitty’s plight may have been “immoral,” but it was not illegal. Same with abortion; even in those cases that outrage the moral conscience: “It would be indecent in the woman to request an abortion, and indecent in a doctor to perform it, if a fetus is in her seventh month, and she wants the abortion just to avoid the nuisance of postponing a trip abroad.”¹⁶ Such an abortion would be immoral. The state, however, has no legal basis to interfere.

Thomson’s complete disregard for babies grates on the consciences of many liberals. So the personhood argument was invented for those liberals who are not prepared to accept the humanity of their victims. In his decision, Blackmun emphasized that fetuses were not persons in the constitutional sense. Mary Ann Warren’s essay “On the Moral and Legal Status of Abortion” takes this position as well. Warren defines personhood as,

(1) Consciousness (of objects and events, external and internal to the being, and the capacity to feel pain); (2) reasoning (the developed capacity to solve new and relatively complex problems); (3) self-motivated activity (activity that is relatively independent of either genetic or

direct external control); (4) the capacity to communicate, by whatever means, messages of indefinite variety of types, that is not just with an indefinite number of possible contexts, but of many possible topics; (5) the presence of self-concepts, self-awareness, either individual or racial, or both.¹⁷

Don’t let the little buggers fool you, says Warren. The “eight-month-old fetus” may look like a human being, but he can’t “communicate messages,” can’t “reason,” can’t engage in “self-motivated activity.” The unborn child, “even a fully developed one, is considerably less person like than is the average mature mammal, indeed the average fish.” The fetus has no more “right to life than a new born guppy.” Such an insignificant claim should “never override a woman’s right to obtain an abortion, at any stage of her pregnancy.” Refusing to give her reactionary enemies the slightest traction, Warren castigates Comrade Thomson for allowing that some abortions may be “indecent,” if sought for frivolous reasons, such as a trip to Europe: “Whether or not it would be indecent (whatever that means) for a woman in her seventh month to obtain an abortion just to avoid having to postpone a trip to Europe, it would not, in itself, be immoral, and therefore it ought to be permitted.”¹⁸

Like Thomson, Warren has a penchant for bizarre examples. She asks the reader to imagine a human spaceman, who has been taken prisoner by space aliens. The aliens want to use his cells to clone “enumerable” humans. If the space traveler doesn’t try to escape, thousands of humans can be cloned using his cells. Does he have the right to escape? asks Warren. Certainly:

Regardless of how he got captured, he is not morally obligated to remain in captivity for any period of time for the sake of permitting any number of potential people to come into existence, so great is the margin by which one actual person’s right to liberty outweighs whatever right to life even a hundred thousand potential persons have. . . . Consequently, a woman’s right to protect her health, happiness, freedom, even her life, by terminating an unwanted pregnancy, will always override whatever right to life it may be appropriate to ascribe to a fetus, even a fully developed one.¹⁹

Michael Tooley is just as ruthless as Warren and his examples are just as bizarre. Tooley uses the example of kittens subjected to a chemical that gives them human-like consciousness in order to set the bar up high for entry into his personhood club. He sets it so high that he unwittingly excludes himself along with the rest of mankind. According to Tooley,

An entity cannot have a right to life unless it is capable of having an interest in its own continued existence. An entity is not capable of having an interest in its own continual existence unless it possesses, at some time, the concept of a continuing self, or subject of experiences and other mental states. The fact that an entity will, if not destroyed, come to have properties that would give it a right to life does not in itself make it seriously wrong to destroy it.²⁰

If rationality is one of his criteria, then Tooley is definitely out of the personhood clubhouse.

Tooley's definitions of personhood are pretty narrow. He admits that "even newborn humans do not have the capacities in question." If his conclusions are correct, "then it would seem that infanticide during a time interval shortly after birth must be viewed as morally acceptable." Tooley has a heart, he just doesn't have one for such dated things as children. In his opinion, at least "some members of non-human species have a right to life." He is convinced that some animals are "capable of envisioning a future for themselves"; they have "desires"; and have an "interest in their own continued existence." Tooley is not the only progressive who holds this opinion. Peter Singer has also suggested that higher mammals have a right to life. And if we were enlightened as Tooley and Singer, we would also come to "the conclusion that our every day treatment of members of other species is morally indefensible and that we are in fact murdering innocent persons."²¹ Got that? Orangutans and Dolphins deserve the protections of the Bill of Rights, but newborn infants are medical waste.

If you look closely at these arguments for a woman's right to her body and the personhood defense of abortion, it is easy to see that they are camouflaging polemics used by egalitarians to mask their true motives. The problem is these arguments are based on an extreme interpretation of individual rights. They are libertarian arguments. But the people making these arguments are collectivists on just about every other issue. On the one hand, liberals like Thomson, Tooley and Warren viciously oppose the state's interfering with a woman's "privacy" when it comes to abortion; but on the other hand, they support a whole host of social-engineering schemes that bring the state deep into the citizen's private life. The same feminists who demand the "right to choose," support hate crime laws, marital rape laws, sexual harassment laws, affirmative action, divorce laws tilted toward women, mandatory sex education—all of which are based on nanny-state collectivist concepts. These "pro-choicers" are libertarian on abortion, but enemies of *laissez faire* capitalism. These leftists don't want the state in your bedrooms, unless, of course, it is searching for your guns. And from their perspective, public education should not only be mandatory, all parental rights over your child's education should be relative to the essential state task of instilling your son or daughter with "progressive" values. Teaching your child to read and write are secondary to "educating" them about America's racist, sexist, classist society. And all good liberals support "speech codes" in our nation's universities, which punish students who use "derogatory or intimidating" language toward minorities, woman, or homosexuals. These are hardly libertarian positions.

Francis J. Beckwith recounted an excellent example of this leftist hypocrisy in his essay "Arguments From Bodily Rights: A Critical Analysis." In a November 1990 Nevada referendum, having to do with abortion, the feminist

Nevada Women's Lobby asked the public to help "get the government off our backs and out of our bedrooms." Then in January these same abortion rights activists pushed a proposal through the state legislature that asked for taxpayer funds to setup "school-based sex clinics," which would offer, among other things, an abortion referral service for school-aged girls. "Forgetting that most taxpayers keep their wallet in their back pocket during the day and on their dressers at night," writes Beckwith, "The Nevada Women's Lobby had no problems doing in January what they vehemently opposed in November. The Libertarians of November were social engineers come January."²²

Another good example of this type of liberal hypocrisy is the recent decision taken by a Maine school board to give contraceptives to middle school students as young as eleven. And the school clinic would prescribe the birth control without the parent's permission being necessary. If you were to query these leftist school administrators about their opinions on abortion, you would hear a lot of trite "libertarian" nonsense about "privacy" and "keeping the state out of our private lives." But these same "libertarians" have no problem at all usurping your role as a parent in order to put your eleven-year-old daughter on the Pill.

Why the inconsistency? Because egalitarians know that personal liberty arguments work best when selling abortion to the masses. Such arguments are better than coming right out and saying that a woman needs the option of killing her kid in order to level some mythical playing field. Liberal legal scholars found it more expedient to fashion the "pro-choice" argument around the classical liberal concepts of individual liberty, knowing that most Americans would be alienated if they were told that killing 1.5 million unborn children every year was necessary in order to achieve female equality. The crackers in the hinterland (fly over country) had never read Marx, but they could identify with the concept of personal liberty.

Pro-abortion ideologues put a different position before the courts and the public than the one they put before their fellow travelers. To the true egalitarian abortion is a necessary part of the revolutionary struggle. Even though it is the deliberate taking of a child's life, abortion is a legitimate revolutionary response to patriarchal oppression. As the victims of oppression, women are not to blame. Blame lies with the oppressor class of males. However regrettable, the aborted child is collateral damage in a struggle for equality. This is the feminist defense of abortion. As noted earlier, Ruth Bader Ginsburg took this position in her critique of Roe v Wade. Some of the other feminist ideologues who have expounded on this position are Catherine MacKinnon, Sally Markowitz, and Naomi Wolf.

In her essay "Roe v Wade: A Study in Male Ideology," Catherine MacKinnon said the Roe decision was based on the false premise that women control their own sexuality. Not so, says MacKinnon. Sex as practiced from the beginning of time, especially in the marriage context, is

just a legitimized form of rape. Even though she may “believe” she consented to sex, the typical woman today is a brainwashed sex slave. It has always been that way. Roe is improper because “abortion policy has never been explicitly approached in the context of how women get pregnant, that is, as a consequence of intercourse under conditions of gender inequality: that is as an issue of forced sex.”²³

“What are babies?” asks MacKinnon. They are allies of patriarchy, and however brutal it may seem to abort them, it is a defensive action. Questions about the morality of abortion are strictly secondary, and out of place. Women must have the choice of abortion, but “not because the fetus is not a form of life. In the usual argument, the abortion decision is made contingent on whether the fetus is a form of life.” This is totally inappropriate, says MacKinnon. “Why should women not make life or death decisions?” If a woman aborts, it is the fault of the man who “raped” her: “Most women who seek abortions become pregnant while having sex with men. Most did not mean or wish to conceive.”²⁴ Until women control their own sexuality, we cannot have a proper debate about the morality of abortion.

Sally Markowitz begins with the same basic premise—women are not autonomous actors, they are an oppressed slave class, and the personhood argument is inappropriate within this context. Markowitz puts forward two principles: the Feminist Proviso and the Impermissible Sacrifice Principle. In the first principle, “Women are, as a group, sexually oppressed by men and this oppression can neither be completely understood in terms of, nor otherwise reduced to oppressions of the other sorts.” The second principle: “When one social group in society is oppressed by another, it is impermissible to require the oppressed group to make sacrifices that will exacerbate or perpetuate this oppression.” Together, these principles “justify abortion-on-demand for women **because they live in a sexist society.**” The unborn child is a hostage in a war for equality. Patriarchy needs women slaves to bare its children, so abortion is an effective tactic against the male slave masters. Until patriarchy frees its women, Markowitz encourages her oppressed sisters to get the little bastards while they’re still in the womb:

Let feminists insist that the conditions for refraining from having abortions is a sexually egalitarian society. If men do not respond, and quickly, they will have indicated that fetal life isn’t so important to them after all, or at least not important enough to give up the privileges of being male in a sexist society. If this makes feminists look bad, it makes men look worse.²⁵

Naomi Wolf is just as committed to the war against patriarchy. She is, however, more sentimental about enemy casualties. Abortion is a moral tragedy, says Wolf. She suggests that feminists ought to put aside the de-humanizing language when it comes to aborted children. In fact, mothers ought to mourn their aborted children as fellow human beings. Out of respect for Priam, Achilles finally gave him Hector’s corpse, allowing the old Trojan to

mourn his dead son. After bloody battles, it’s customary to call a truce, so both sides can carry off the wounded and the dead. There are no enemies in the after life. But no one mourns for the aborted child, says Wolf. Perhaps feminists should hold the occasional “candlelight vigil at abortion clinics, standing shoulder to shoulder with the doctors who work there, commemorating and saying goodbye to the dead.”²⁶

Wolf doesn’t suggest for a minute that abortions should be outlawed or restricted in any way. Abortion may be a moral tragedy, but it’s a legitimate tactic:

War is legal; it is sometimes even necessary. Letting the dying die in peace is often legal and sometimes even necessary. Abortion should be legal; it is sometimes even necessary. **Sometimes the mother must be able to decide that the fetus, in its full humanity, must die.** [Emphasis Added] ²⁷

And make no mistake; Wolf has no qualms about killing children. When a conservative asked her at a roundtable discussion whether the fetus was a human being, Wolf snapped back, “Of course it’s a baby. And if I found myself in circumstances in which I had to make the terrible decision to end this life, then that would be between myself and God.” Although recognizing that abortion is a deliberate killing of another human being, Wolf wants a little sympathy for the victims, because “it is never right or necessary to minimize the value of the lives involved or the sacrifice incurred in letting them go.”²⁸

Of the three pro-abortion arguments, the feminist is the most consistent. There is nothing new here. Throughout history it is often the least consistent arguments that are the most popular. To accept the feminist position you must first acknowledge the personhood of the unborn child. Then you must accept that abortion is the deliberate killing of an unborn child. Most that are pro-abortion don’t have the stomach for such honesty. They prefer hiding behind a lie. The unborn child is either a “part of a woman’s body,” or he is only a “potential human being.” If he is only a potential human being, then the unborn child could potentially turn out to be a shoe, or a rock, or a Brazilian walnut. Who knows? Whatever it is, the fetus is not a human being, they insist. Both positions are cowardly and inconsistent and typical of mass ideas.

According to the first, the fetus is a part of the mother’s body, just like a cell. Therefore, abortion is akin to amputating a smashed finger, removing an appendix, or having some cells scraped from the insides of your mouth with a cotton swab. The “philosopher” Mortimer Adler claimed that until the child reached viability, he was “part of the mother’s body, in the same sense that an individual’s arm or leg is a part of a living organism. An individual’s decision to have an arm or leg amputated falls within the sphere of privacy—the freedom to do as one pleases in all matters that do not injure others or the public welfare.”²⁹ Adler’s fellow traveler Laurence Tribe, Harvard Law School professor, said that even “though the fetus

eventually develops into a separate independent identity . . . it begins as a living part of the women's body."30

Adler and Tribe are both egalitarian frauds, using whatever argument seems best at the moment. In the same book *Abortion: The Clash of Absolutes*, Tribe contradicts his above position, arguing that "Even if the fetus is a person, our Constitution forbids compelling a woman to carry it for nine months and become a mother."31 When you're fighting for progress, Tribe and Adler believe that lying is an effective tactic against the reactionary enemy.

The notion that the fetus is a part of the mother's body is unscientific. In his book *The Abortion Papers*, Dr. Bernard Nathanson wrote "that the modern science of immunology has shown that the unborn child is not a part of a woman's body in the sense that her kidney or heart is."32 In fact, as soon as the pregnancy implants itself in the wall of the mother's uterus an immunological battle begins between the mother and the baby. The mother's white blood cells maneuver to confront the alien embryo that has set up camp:

Therefore, an intense immunological attack is mounted on the pregnancy by the white blood cell elements, and through an ingenious and extraordinarily efficient defense system the unborn child succeeds in repelling the attack. In 10 percent or so of cases the defensive system fails and pregnancy is lost as a spontaneous abortion or miscarriage. Think of how fundamental a lesson there is here for us: Even on the most minute microscopic scale the body has trained itself, or somehow in some inchoate way knows, how to recognized self from non-self.33

Another good example of the separateness of the mother and the unborn child is the inescapable fact that conception can be formed in a Petri-dish using the sperm and egg of white parents and the conceptus can then be transferred to a black surrogate mother and carried to term. And when the child is finally born, it will be white, and will carry the unique DNA of the embryo conceived in the Petri-dish nine months before, using the sperm and egg of the white parents.

The pro-abortion personhood argument is equally flimsy. Looked at closely, Warren's and Tooley's personhood arguments are really transparent attempts to narrow the definition of a person just enough to exclude the unborn child. In order to qualify as a person, Warren says you must have consciousness, reasoning, self-motivated activity, and the capacity to communicate messages. Tooley says an "entity" can't have a right to life unless it "has an interest in its own continued existence," and can't possibly have an interest in its own continued existence, unless it has a "concept of a continuing self." In other words, if you didn't graduate from Columbia University; don't have a time share on Fire Island; can't put a down payment on a Lexus; or can't complete a decorating plan for your new corner apartment on the Upper West Side of Manhattan—if you can't do any of these things, you're not a person.

The problem with their arguments is that all of us at various times in our lives lack the qualities Warren and Tooley use to define a person. Under their definitions, sleeping people and infants, because they lack "consciousness" and a "concept of a continuing self," have no right to life. People in comas, people suffering amnesia are not "conscious" and have no "concept of a continuing self." But these are temporary states, Tooley and Warren would object. Well, so is pregnancy. And what about the senile? What about suicidal teenagers? They have no interest in their "own continued existence." Should we stop them from killing themselves? Or are they fair game for others who might want to kill them?

One can make the argument that most of humanity lacks rationality. History is a testament to the fact that humans are primarily guided by irrational passions, perceptions, desires, fears, emotions. Witness drug users, drinkers, people who eat at McDonalds, people who fall in love with "losers," people who watch the *Jerry Springer Show*. Are these people rational?

To accept their narrow definitions of personhood, you must also accept infanticide, as both Warren and Tooley do. The newborn infant simply can't hurdle their personhood bar. "Since I do not believe human infants are persons," says Tooley "infanticide is in itself morally acceptable."34 Warren also supports infanticide: "Killing a newborn infant isn't murder. Thus, infanticide is wrong for reason analogous to those which make it wrong to wantonly destroy natural resources, or great works of art."35 Infanticide is the Achilles Heel of the personhood argument because most Americans will not stomach infanticide. Then again, most Americans who claim to be "pro-choice" use a vulgarized personhood argument to justify their position. This is an irrational, paradoxical position, which would disqualify them as persons under Warren's and Tooley's definitions.

Used by the majority of "pro-choicers," the personhood defense of abortion is a hollow attempt to assuage guilty consciences. Killing is a disagreeable business. But if a person de-humanizes the victim, it makes it so much easier. Combatants do this in time of war. The enemy is transformed from a human being into an object: "Gook," "Jerry," "Kraut," "Crusaders." Even military nomenclature uses "target," "enemy personnel," and "collateral damage." The pro-abortion ideologues are no different. They use "fetus," "material," and "parasite." Thomson, Tooley, and Warren's use of bizarre de-humanizing examples are evidences of guilty consciences. Unborn children are "burglars," "people-seeds," and "kittens on consciousness drugs"—they are anything but human beings. Pro-abortion ideologue Pollack Petchesky put it bluntly, when he said, that "on a level of biology alone . . . the fetus is a parasite."36

Medical science says that the zygote is an individual human being at his earliest stage of life. Life never stands still from conception to death, life is one continuum. If you interrupt the continuum at any point, you have killed that

individual human being. Stephen Swartz's excellent essay "Personhood Begins at Conception" makes this point very well. The unborn child, says Swartz, is not an organ like a heart or lung. Nor is he a simple cell, or a cancer cell. If left to grow, a cancer cell will not develop into a walking, talking, reasoning human being. But a zygote will develop into a full grown human being. All of us were zygotes at the beginning of our lives, just as all of us will be elderly at the end. And if our mothers had aborted us when we were zygotes, or at any stage of gestation, we would *not* be here. It is true that pre-natal life has special dependencies that post-natal life does not. But all of us will have special dependencies at other times in our lives as well—hospitalization, adolescence, senility, old age. Although each stage of life has its special considerations, the individual experiencing that stage of life is still the same person, and should be treated accordingly:

A being at the beginning of his development cannot be expected to possess what only that development will provide him. He is already the being who will later function as a person, given time. The sleeping person is also a being who will later function as a person, only he will do it much sooner. What they each have now—a fully developed brain in one case, and a potential brain that will grow into a developed brain in the other—is a basis for their capacity to function as a person. It is the same essential basis, one undeveloped, the other developed. It is merely a matter of degree; there is no difference in kind.³⁷

If infants, sleeping people, amnesiacs, the comatose, the mentally ill are protected from unjustified homicide, then so should the unborn.

Even if you put his position in its most favorable light, Tooley's argument is absurd. Imagine twin girls born at precisely the same time. One is born comatose, and will remain that way until she is nine-years-old. Her sister is born healthy, but the moment she develops Tooley's "concept of continuing self," she slips into a coma, and like her sister will remain that way until her ninth birthday. According to Tooley's twisted logic, it is moral to kill the first twin because she has no history of functioning as a "person." But it would be immoral to kill the second twin because she does have such a history, however brief.

It simply is not possible to narrow the definition of personhood with the intention of excluding the unborn without at the same time excluding infants as well. There are no differences between the fetus in his eight month and the newborn infant. The pro-abortion personhood argument thus falls apart over infanticide. Here is Warren sounding like some savage in the Amazon jungle: "It follows from my argument that when an unwanted or defective infant is born into a society which cannot afford and/or is not willing to care for it, then its destruction is permissible."³⁸

Don Marquis used Kantian philosophy to fashion a personhood defense for the unborn, one that he hoped was not too broad, or too narrow. Marquis believes the pro-life position that it is always "prima facie wrong to take

human life" is too broad because it seems to include cancer cells. Conversely, he believes the pro-abortion argument that it is only "prima facie wrong to kill a rational agent" is too narrow because it excludes infants, the severely retarded, and the mentally ill.³⁹

Killing is wrong because of the effect on the victim, says Marquis. It "deprives him of all the experiences, activities, projects, and enjoyments that would have otherwise constituted" his future. "What makes killing an adult human wrong is the loss of his or her future." Marquis admits that the problem with any argument that relies on psychological qualities is you always end up excluding one or another class of people. Because the terminally ill and the aged don't have much of a future, Marquis' formula ends up excluding them: "The claim that the loss of one's future is" what makes killing them wrong does not mean "that active euthanasia is wrong."⁴⁰

One of the best arguments against abortion is that it attacks the very heart of social order, which is social obligation. Thomson's libertarian interpretation of the social contract is a pile of nonsense. Either you are in society, or you are out. The individual and society are not sitting in their own little kingdoms, trading rights for obligations. All contractual agreements exist *within* society. Outside of society is anarchy and war, not a utopia full of sovereign people. The individual is *not* prior to society. There are no sovereign individuals. Whatever rights and privileges you manage to get in a particular society, the society is sovereign, for if it were not, there would be no society. If everyone was left as judge in his own case, the laws could only be applied to consenting individuals.

Thomson's contention that the child has no right to live in his mother's body undermines all social obligations. A woman must give her consent before the child can stay. This applies to all pregnancies, says Thomson. Even if the pregnancy was intended and the child is carried into the ninth month, Thomson believes the mother has every right to "unplug" herself through abortion. Her argument is predicated on the false notion that society is made up of sovereign individuals. The mother has no obligations to her child. No one owes anyone anything, unless they give their consent.

To make her argument, Thomson assumes that all obligations in society are voluntary. A mother's obligation to her child is similar to those obligations toward a stranger. Her argument is untenable in part because parental obligations are different than those obligations to strangers. Normally, a woman gets pregnant after engaging in consensual sex, being fully aware that pregnancy is a likely possibility. Pregnancy is a natural result of engaging in sex. Any twelve-year-old knows this. Pregnancy is not an unusual event like being kidnapped by music lovers, or being burglarized. Also, what makes Thomson's arguments inappropriate is their novelty. Sex and pregnancy go together like eating and digesting. If you engage in sex, you assume the risk of pregnancy. If you eat, you should likewise expect to digest. If you

engage in certain behavior, you must accept the inherent consequences of that behavior.

Thomson's thesis also nullifies parental support laws. Under the current laws, a man who has consensual sex with a woman is responsible for the financial upkeep of any resulting offspring, even if he used birth control and didn't intend to have a child. As Michael Levin points out, "All parental support laws make the parental body an indirect resource for the child. If the father is a construction worker, the state will intervene unless some of the calories he is expending lifting equipment go to providing food for his children."⁴¹

Let us carry Thomson's argument to its logical end. Why should there be any difference between the way a mother can treat her child before birth, and the way she can treat him after birth? Remember, Thomson accepts that the fetus is fully human at all stages of gestation. Still she insists that the child has no "prima facie" right to his mother's body. Abortion is not deliberate murder, says Thomson. Aborting a child is the same as unplugging yourself from that violinist. Yes, the violinist will die if you unplug yourself, but you are not deliberately killing him, just refusing to give him use of your body. Why not be consistent? If a mother can unplug herself at any point during the pregnancy, why not after the pregnancy as well? What if a mother brings a baby to term, delivers him, and raises him for one year. Then one day after watching *Sex In the City* she discovers that motherhood is a drag. So she makes plane reservations, packs her bags, and jets over to Europe for a few months. Meanwhile, her child starves to death. No harm no foul, right? She didn't kill the child; she just "unplugged" herself.

Our society still prosecutes child abusers precisely because we believe that parents *assume* certain obligations to their children. They are obligated to provide a minimum of food, shelter, medical care, and education. And if the parents don't live up to their obligations, they can be prosecuted and the child can be removed from their custody. The parents can't simply "unplug" themselves anytime they choose. The mother who let her child starve to death while she was on a trip to Europe would be tracked down and prosecuted for murder. Most civilized people still recognize that we assume certain involuntary obligations as part of living in society. And one of those obligations is to care for our children.

Not only are we obligated to our family, we are also obligated to strangers. In a case out of Minnesota, a cattle buyer name Orlando Depue was awarded damages after he was literally kicked out in the cold. It was a cold January night in Minnesota—we're talking Eskimo weather. Depue had eaten dinner with a couple, the Flateaus. Feeling sick after the dinner, he asked the couple if he could sleep over. But the Flateaus refused to give him board and told him to leave. Too sick to drive, Depue was forced to sleep in the backseat of his car. In the morning his fingers were popsicles, and later had to be amputated.

Depue sued the couple for damages. The Court said: "In the case at bar the defendants were under no contract obligation to minister to plaintiff in his distress; but humanity demanded they do so, if they understood and appreciated his condition . . . The law as well as humanity required that he not be exposed in his helpless condition to the merciless elements."⁴² An obligation is assumed once you "understand and appreciate" the conditions of your fellowman, even if he is a stranger. What goes for strangers goes double for family members.

Looked at within the normal context of familial obligations, Thomson's Henry Fonda example falls apart. Although it may be asking too much of Henry to run about the country laying hands on sick folks, it would be only just to expect his healing touch if you were his son or daughter. The glue that holds society together is assumed responsibility to family, friends, strangers, and country. No doubt we owe each of these categories a different level of responsibility, but without assumed responsibility, there is no society.

There is something deeper at work in Thomson's examples than just a brutal social contract theory. They reveal someone with a deep hatred of maternity itself. Such attitudes are typical of feminists like Thomson. Pregnancy is like being kidnapped and hooked-up to an ailing violinist. In her bizarre world, the wonders of maternity are similar to being trapped in a tiny house with an ever expanding child, who will eventually crush her to death if she doesn't kill him first. Contraceptives are like bars on your windows meant to keep burglars (babies) out. Something so natural and traditionally welcomed by women the world over is reduced to a malevolent force. A woman is trapped, put upon by nature, and abortion is a defensive reaction. In feminist literature, with few exceptions, pregnancy is everything negative, never a gift or a blessing. All healthy cultures treat child birth as the penultimate female experience. Feminists like Thomson see it as a curse.

Liberals such as Harry Blackmun and Judith Jarvis Thomson framed the abortion debate and conservatives feel compelled to base their arguments on the same classical liberal premises. From their side, the unborn child's right to life outweighs the mother's right to control her body. The problem with this approach is the unborn child is not an independent actor as social contract theory assumes. The neonate is a special dependent. In Lockian social contract theory dependents are not afforded full rights. In fact, if you didn't own property, Locke believed you had no stake in society, and therefore should not be given the full rights of a citizen. This is where early American property qualification for voting is derived from.

Pro-lifers frame the debate as if they were going into court to represent the child in a legal dispute against his mother. Strictly speaking, carrying a child to term entails more than just respecting the baby's right to life. Maternity is about the performance of an affirmative duty. The two are somewhat different. For example, respecting your neighbor's property rights normally requires only that you

refrain from violating his property through trespass, theft, or vandalism and so forth. If you do nothing to your neighbor's property, you have observed his rights. But you are not required to go over to his house every week and mow his grass, or help him put on a new roof, if he needs one. And respecting another's right to life requires only that you refrain from killing him. Normally, you are not obligated to make sure your neighbor is well fed and has adequate shelter.

Thomson's argument relies on this classical liberal notion that to observe another person's rights we are not obligated for another's upkeep. But caring for a child does require that the mother do more than just respect the child's right to life. She must nurture the child; she must protect him from abortion; she can't use drugs or alcohol; and if she intends to keep him after birth, she must provide food, shelter, healthcare, and education. Thomson points out this weakness in the pro-life position:

Opponents of abortion have been so concerned to make out the independence of the fetus, in order to establish that it has a right to life, just as the mother does, that they have tended to overlook the possible support they might gain from making out that the fetus is **dependent** on the mother, in order to establish that she has a special responsibility that gives it rights against her that are not possessed by an independent person—such as an ailing violinist who is a stranger to her.⁴³

Thomson makes a good point here. Ancient obligations to our family and society take precedence to our individual rights. This is the correct conservative argument against abortion and infanticide. Cardinal Newman put it this way:

We are not our own anymore than what we possess is our own. We did not make ourselves, we can't be supreme over ourselves. We are not our masters. We are God's property. Is it not our happiness to view the matter? Is it any happiness or any comfort to consider that we are our own? It may be thought so by the young and prosperous. These may think it a great thing to have everything, as they suppose, their own way—to depend on no one, to think of nothing out of sight, to be without irksome and continual acknowledgment, continual prayer, continual reference to what they do to the will of another. But as time goes on, they, as all men, will find that independence was not made for man—that it an unnatural state—will do for a while, but will not carry them safely to the end.⁴⁴

Our parental laws are rooted in this ancient wisdom. Until 1973, most governments in the Western world applied this thinking to abortion. Childbirth is a blessing. It is an essential relationship. Without mothers, society is not possible. The family is the primary unit in society, the primary socializer of citizens. More specifically, the traditional nuclear family performs those essential tasks best. Good families make good taxpayers, good patriots, good citizens. If the government is effective, it will do all in its power to create an environment where healthy families can flourish. Family life is none of the government's business, you may say. You are wrong! All cultures have found that social stability is dependent on strong families.

Marriage contracts and family law are found in all healthy societies. Children raised by responsible fathers and mothers are less likely to engage in anti-social behavior. The problems of America's inner cities today are largely due to the absence of solid families, specifically the absence of fathers. Studies continue to show that children who grow up in fatherless households are far more likely to end up in prison. Protecting the integrity of the family is a legitimate state interest and falls well within the constitutional mandate. Compelling a woman, who is already pregnant, to carry her child for at least the nine months of pregnancy is a legitimate extension of that mandate. Except to save the life of the mother, there is **no** legitimate reason for abortion.

The Liberal approach to cultural and familial issues is a recipe for social disintegration. Relativising the family structure through gay marriage, relaxed divorce laws, and allowing abortion-on-demand are dire threats to the nation. Ignoring such threats is similar to ignoring a foreign army that has landed on our shores because we must not interfere with their "right to conquer."

Does this mean that society's interest in maintaining family integrity outweighs a woman's right to control her own body? Yes. If the state has the authority to control its citizens in any situation, it certainly has the authority to hold a mother accountable for the life and health of her unborn child. This is merely a reasonable requirement of living in a civilized society, one that Western society imposed on women for over 1,000 years.

Thomson's argument in defense of abortion demonstrates the absurdity of libertarianism. Taken to its logical end, libertarianism is a child's attempt to avoid thinking seriously about the problems of society. If man is reasonable, then the "best government is the one that governs least," say libertarians. How to deal with immigration? Open the borders. How to deal with the drug problem? Legalize all drugs. What about foreign policy? Don't have one. How to regulate an increasingly interdependent economy? Don't. The libertarians are right, if man was generally reasonable, there would be little need of government. And if we all had wings, we could solve the traffic problem overnight. And mental telepathy would eliminate our telecommunication problems as well.

But man is not generally reasonable, and thus we have laws and governments. How a government governs depends on the present situation. For example, an increase in the number of people in a given space, an increase in diversity among the people, and an increase of the likelihood of conflict with other societies, often creates the need for more government. And the reverse is generally true—less people, less diversity, more space, equals more freedoms.

Even under the best of conditions, no government in history has allowed everything. The Declaration of Independence and John Stuart Mill notwithstanding, the individual is not sovereign. No one has an absolute right to

anything, including life, liberty, and property. Rights are limited by the demand of living in an organized society. The Founding Fathers who gathered in Philadelphia to write the Constitution of 1787 knew this. They realized, despite social contract theory, there were prior obligations that we assume as members of society.

Rights are especially limited in time of war. The direr the threat to society, the more society will curtail the individual's freedoms, and subordinate his interests to society. Speech is often regulated in time of war. At the very outbreak of the Civil War, Lincoln, jailed the Mayor of Baltimore and the entire legislature of Maryland, lest they vote for secession. Leading Copperhead and Ohio Congressman Vallandigham was jailed and exiled to the Confederacy for encouraging peace talks with the South. Responding to criticism of his order to suspend the right of *habeas corpus* and the arrest of Vallandigham, Lincoln wrote: "Must I shoot a simple-minded soldier boy who deserts, while I must not touch a hair of a wily agitator who induces him to desert? . . . I think that in such a case to silence the agitator and save the boy is not only constitutional, but withal a great mercy." The Southern rebellion, Lincoln continued, reached into the North, where "under the cover of 'liberty of speech,' 'liberty of press,' and '*Habeas Corpus*,' the rebels hoped to keep on foot amongst us a most efficient corps of spies, informers, suppliers, aiders and abettors of their cause." For those who accused him of setting a pattern that would be carried over into peace time, Lincoln said he could no more believe that the necessary curtailment of civil liberties in wartime would establish precedents fatal to liberty in peacetime "than I am able to believe that a man could contract so strong an appetite for emetics during temporary illness, as to persist in feeding upon them through the remainder of his healthful life."⁴⁵

The same was true of wars in the twentieth century. Under the Sedition Act, hundreds were jailed for criticizing conscription during the First World War, including Socialist leader and presidential candidate Eugene Debs. Thousands of Japanese, Germans, and Italians were "interned" during the Second World War as potential fifth columnists. An American citizen name William Pelley had his publishing company and press confiscated and was sentenced to fifteen years in prison under the Espionage Act—all for writing a pamphlet accusing FDR of having fore knowledge of the Pearl Harbor attack.

Property rights are also relative to the needs of society. Under Eminent Domain the government can take your property to build roads, airports, military bases, harbors—anything it deems to be in the public interest. In time of war, property rights become even more tenuous. During the Civil War property was confiscated or destroyed throughout the South. Very few of the owners were compensated after the war, and only after long court battles. Most got nothing, for most of the property was in slaves. Others had their lands taken for leading the Confederacy. Jefferson Davis had his Mississippi plantations seized. Likewise, our nation's National Military Cemetery at Arlington, Virginia now sits on land

confiscated from Robert E. Lee. Lincoln took over the railroads during the war. And during both world wars the government conscripted heavy industry and compelled it to produce war goods.

Even the way we use our property during peacetime has its limitations. You can't set up a nuclear reactor in your backyard. Nor can you build a poison gas factory in your house. And the power to tax is the ultimate expression of the public interest superseding the private. You can influence the tax system through your representatives, but you can't simply opt out of the tax system anytime you choose.

The entire legal system is based on the fact that society is sovereign. If the government believes you have committed a crime, it can deprive you of your life, liberty, or property. You can't stand as judge in your own case. You are not even guaranteed a perfect trial. The Constitution only mandates a "fair" trial. What is considered "fair" changes from time to time, judge to judge, community to community. Nor are you guaranteed the right outcome. In many cases a person's guilt is uncertain. Many a man has lost his life, liberty, and property for a crime he didn't commit. As a citizen of this country, you are only guaranteed as much due process as the situation allows. As noted above, due process almost disappears in time of war and national emergency. All of your rights are relative to the needs of society

Last but not least, you have no absolute right to life. In time of war the state will put a gun in your hands, send you to the frontline, where you will fight, and if necessary, die for your country. Exemptions from combat are not absolute. If you refuse to help the war effort, you can be imprisoned, and even shot. Hundreds of deserters were shot during the Revolutionary War and the Civil War. Thousands were jailed for draft evasion. Persons caught in the war zone, of both sexes, were pressed into service to dig trenches, to cut firewood, or to gather food.

When pressed against the wall, the state's demands on the citizen increase. Not since the Civil War has the American state been threatened with extinction. America experienced something like this in the weeks following 9/11. After three planes were deliberately crashed into buildings, America went into survival mode. Orders were in the works to shoot down any plane that appeared to be on a similar suicide mission, and was not responding to radio contact. Those in authority had to weigh the lives of the hundreds on board the hijacked plane against the thousands of citizens that could be killed if that plane was allowed to crash into another building. Would the right to life of those on board that plane have prevented the President from issuing the shoot-down order? No. He would have issued the order, and no one at that moment of crisis would have questioned his judgment. Only later after everyone's fears had lessened would some congressman call hearings into the "unreasonable" shoot-down order. But on 9/11 that same congressman was the one yelling the loudest for protection. If you remember the dynamic in this country in the two weeks after 9/11,

that is the actual basis for the relationship between the individual and society, not the theoretical one found in the Declaration of Independence and John Locke.

This is not to say that all of these decisions to abridge individual liberties were justified. Some of them certainly were not. They are extreme examples, used to demonstrate that in the balance between society's interests and the individual's it is society that must ultimately prevail. In order to establish law and order and protect the nation from foreign threats the state, any state, needs this basic authority over the individual. That is the price the individual pays for living in an organized society.

If you are laboring under the illusion that you have absolute rights, let me enlighten you. Beside the part about the colonies severing their political ties to Britain, the Declaration of Independence is a statement of abstract principles, not law. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are Life, Liberty, and the Pursuit of Happiness." Jefferson wrote excellent rationalist poetry. You will remember that in John Locke's social contract theory, which is where Jefferson got these ideas, man was supposedly a sovereign free agent **before** the creation of society. His Creator had supposedly given him the inalienable rights—life, liberty, and property. He was his own little country, so to speak. But when once he fell from classical liberal grace and decided to band together with other sovereign men, he traded in the inalienable portion of his rights for the protections of society. He empowered society to be his judge, including in matters involving his life, liberty, and property.

In other words, a man's rights may belong to him by nature and inhere in his person by virtue of God's creative act, but the demands of living in society necessarily limit these rights. A man's rights must be balanced against the common good, public order, and the rights of other individuals. If the state could never take a man's life, liberty, or property, then the laws could never be enforced, and organized society would not be possible. Any man charged with murder could simply stand on his "sovereign" rights, and refuse to be tried.

Jefferson's rhetoric in the Declaration of Independence is a statement of principles, based on Locke's theory of the supposed origins of the social contract. He is writing about man as he existed in the classical liberal Garden of Eden, **before** the social contract. The United States Constitution, on the other hand, is concerned with life **after** the social contract.

The Constitution mandates a balancing test between the "rights of the individual and the demands of living in an organized society." What the Founding Fathers intended was that the greatest amount of freedom be given the individual consistent with good government, what classical liberals used to call "ordered liberty." As I've shown, the needs of government change with the situation. In time of war, individual liberties are severely limited; and in time of

peace, liberties are increased. But in the balancing scales, society's interests outweigh the individual's interests.

The Fifth Amendment prevents the federal government from depriving U.S. citizens of "life, liberty, or property, without due process of law." And it prevents the government from taking private property "for public use, without just compensation." The Fourteenth Amendment extended these protections to the states. The key phrase here is "due process." What angered classical liberals like the Founders was arbitrary power, power without due process. The Constitution is aimed at curbing arbitrary power. Under feudalism the nobility was privileged with a great deal of arbitrary power. In many courts, men decided what the law was. Whether you got justice depended on the man who sat as judge in your case. The Constitution writers wanted to replace the rule of men with the rule of laws. So now when the state wants to take your life, liberty, or property it must provide you due process of law. In other words, the government can still kill you, put you in prison, or take your property away, they just can't do it arbitrarily. "The touchstone of due process is the protection of the individual against arbitrary action of government."⁴⁶

Due process, however, is not a concept written in stone. It has never been reduced to a particular formula, and it is therefore quite flexible: "Due process of law has never been a term of fixed or invariable content."⁴⁷ As noted earlier, due process has always assumed a balancing test: "Considerations of what procedures due process may require under any given set of circumstances must begin with a demonstration of the precise nature of the government function involved as well as of the private interest that has been affected by government action."⁴⁸

There are two types of due process: procedural and substantive. To have procedural due process, the government must establish "fundamentally fair" procedures before it can deprive you of your rights. This is pretty straightforward. Substantive due process, on the other hand, is more nebulous. Under this type of due process, before the government can deprive you of your rights, it must have a "reasonable justification." So even if the government has erected a decent set of court procedures, it must "demonstrate a valid reason for the deprivation," and there must be a "compelling state interest" involved.⁴⁹ Just what exactly constitutes a "valid reason" and a "compelling state interest" is a matter of interpretation. There is the rub. Substantive due process, at any given time, is dependent on societies "current understanding of what is allowable government conduct."⁵⁰

From the conservative perspective, there is more than enough substantive justification in the Federal Constitution, the state constitutions, and the common law to compel an already pregnant woman to care for her unborn child, for at least the nine months of pregnancy. Blackmun's assertion that the "state has no right to conscript a woman's body" is nonsense. The state

conscripts all of our body's for a number of reasons. All that is needed for it to do so is find a "compelling state interest." The laws themselves are a form of conscription, for they compel the citizen to behave in a certain way. Any two-bit anarchist knows that. The threat that foreign enemies have posed to America's existence in the past justified conscripting millions of men. America has lost over one million men in all of its wars. Abortion kills approximately 1.5 million U.S. citizens every year. And since Roe v Wade, 50 million have been murdered. If preventing the murder of 1.5 million citizens in the coming year is not a "compelling state interest," I don't know what is. The fact that millions of citizens are in favor of this form of murder is no legitimate argument for abortion. At one time, millions of Americans were in favor of owning slaves. That thousands of citizens every year decide to murder other adult citizens has never been a legitimate argument for overturning the murder statutes. No one is forcing a woman to bear children for the state. The state is merely forcing her to care for the child she has already conceived. By whatever means, she has already conceived a child, and the state is more than justified in protecting the unborn child. This is the same rationale behind all parental laws. If the mother doesn't like this, she can move to China or the Amazon jungle.

From the egalitarian perspective, Roe v Wade is the case most often cited as an example of "proper" substantive due process. Blackmun ruled that Texas' interest in "protecting potential human life" should not outweigh "a woman's right to privacy," which includes her "decision whether or not to terminate her pregnancy."⁵¹ This was a value judgment. Blackmun stretched the concept of individual liberty into the "right of privacy," and he declared that the unborn child was not a person deserving of constitutional protections. The convoluted nature of his decision makes it plain that Blackmun was social engineering, in accordance with his egalitarian values. He was designing a new due process framework for abortion-on-demand. Why? **Because in his opinion women needed abortion to achieve equality.**

Conversely, the Texas anti-abortion statute that Roe overturned was based on a substantive balancing test in exact reverse of Blackmun's. The legislators who passed the statute and the judges who upheld it for one hundred years believed that the state's interests in protecting unborn children outweighed a woman's liberty interests. The anti-abortion statutes treated the unborn child as a special dependent, without the full rights of the Fifth Amendment, but more than enough to justify protection. These were value judgments too. Both Roe and the anti-abortion statutes depended on the value judgments of those writing and interpreting the law. Roe was an expression of egalitarian values; the anti-abortion statutes were expressions of Western Christian values.

Roe is not a case of faulty constitutional interpretation. Like many decisions in the 1950's and 60's and 70s, Roe represented a changing of the guard on the High Court. Blackmun was well aware that the right to an abortion was not in the Constitution, not in the Common Law, nor in the

Western legal tradition. He knew that the Framers of the Constitution would have been revolted by his ruling. As Rehnquist and White said in their dissent, Roe v Wade was "an exercise of raw power." Blackmun **had** the power to change the law, so he did it. He was exactly correct when he said "the Constitution was designed to serve human values."⁵² And in Roe v Wade the law served his values.

Blackmun was merely expressing an inescapable fact: It is impossible to establish a set of laws that will never change upon interpretation and application. Although it is possible to enact an Amendment that expressly prohibits abortion, for instance, this would not solve the underlying problem of Roe. Laws serve the values of the community. When the laws no longer reflect the values of the community, they are changed or reinterpreted. Laws must be enacted, interpreted, and enforced. No set of laws, for instance, can guard against corrupt legislators, judges, and policemen. Nor will the laws that reflect the values of one community stand forever, when those who take the legislator's bench, the judge's gavel, and the policeman's gun hold very different values. The laws will **eventually** come to reflect the values of the new legislators, judges, and policemen.

Conservatives such as James Dobson have suggested electing Supreme Court Justices so as to weed out liberal judges like Blackmun. But this won't permanently guard against decisions like Roe. What happens when the majority of voters are TV-watching morons, raised on the gutter values of Hollywood? What kind of judges do you think they will vote for?

It simply is not possible to write laws that will not change, if the values of the community change. The Ten Commandments are no exception. Don't kill; don't steal; don't lie—pretty simple, right? Wrong. There has never been a uniform interpretation of the Ten Commandments. Those who wrote the Commandments certainly had a different interpretation than even the most traditional of Bible believers today. Only a fool would suggest executing Sabbath-breakers today, as was done in Ancient Israel. Conservative Christians, for example, believe that killing in self-defense and in time of war is moral, while pacifist Christian sects do not. As for stealing, David took the shewbread from the Temple and Jesus and his disciples plucked corn in the fields. And the Church has never condemned starving people for stealing food. Rehab the prostitute lied to the soldiers of Jericho about hiding the spies of Israel, and yet she is celebrated throughout the Bible for her actions. All of our criminal laws have evolved over time. Years ago there was only one punishment—death. Horse thieves and pick pockets were hanged alongside those who had committed pre-meditated murder. But today we recognize different "levels" of offense, for murder as well as theft. Each level of offense carries its own peculiar punishment. And the punishment reflects the community's current opinion as to what is appropriate punishment for that particular offense. Laws reflect the values of the community that enacts them and applies them.

* * *

A body of thought has grown out of the classical liberal tradition that has tried to identify justice without reference to the ends that it serves. John Rawls' book A Theory of Justice (1971) tried to articulate this view. It is based on two claims. First, that certain individual rights are so essential that society's interests should never be allowed to override them. And second, that those rights should not depend for their justification on any particular moral or religious conception of the good life.

Rawls' theory was a break with tradition. Traditionally the concept of justice was related to the ends that it served. Aristotle thought that you had to determine the most desirable way of life before you could define justice. John Locke and Thomas Jefferson thought that the purpose of justice was to protect the individual's natural right of life, liberty and property. And John Stuart Mill believed the end of justice was to promote happiness. All these definitions of justice are utilitarian. Relying on Kant's concept of rights, Rawls objected to the utilitarian approach because it relies on a particular conception of the good life. Society, said Rawls, is composed of persons with differing conceptions of the good life. People have different interests, different aims, different gods; therefore, society is best organized on principles of justice that do not themselves presuppose any definition of the good life. This allows each citizen the freedom to choose his own ends. And it lessens the chance that a majority believing in one particular definition of the good life will persecute minorities who hold different beliefs. Such an arrangement respects the individual as a being capable of choice, and treats him as an end rather than a means. Justice is therefore an end in itself.

Rawls' theory of justice is built on a hypothetical position he calls the "veil of ignorance." Parties to his social contract must first be stripped of any knowledge of their place in society. They don't know their religion, sex, class, race, age, wealth, intelligence, talents or abilities. Nor do they know what ideas they have about the good life. They only know that they possess some of these attributes, and that such attributes are worthy of being protected. Rawls' purpose in placing the parties behind this veil is to prevent their decisions being prejudiced by the contingency of natural and social circumstances. It is assumed that all parties will choose principles of justice that protect even the most disadvantaged person in society because no one knows whether they may end up being that person.

In his book Liberalism and the Limits of Justice (1982), Michael J. Sandel demonstrated that a social contract built on Rawls' veil of ignorance is impossible. A theory of justice without reference to the attributes of the parties involved and without reference to any particular conception of the good life is meaningless, said Sandel. Not only is Rawls' veil of ignorance a hypothetical situation, which is true of most social contract theories, it involves a type of human being that has never existed, one without identity. Because the parties behind the veil have no beliefs, ideas, attachments or experiences, they

lack identity. Also, as I alluded to earlier, justice is impossible apart from the circumstances that give rise to the virtue of justice. Behind Rawls' veil there are no circumstances. And bargaining or even discussing rights or interests in order to arrive at a contract requires that the parties have some differences of interests, opinions, knowledge, aims and power.

Behind Rawls' veil of ignorance is a universe without purpose, without telos, as the Greeks called it. This perspective has plagued Western thought since the seventeenth century. Unlike Greek or scholastic conceptions, Rawls' and Kant's universe is a place devoid of inherent meaning. "Only a world ungoverned by a purposive order leaves principles of justice open to human construction and conceptions of the good to individual choice."⁵³ In such a world the purpose of justice is to give the individual unfettered choice. Once free of God, Nature, or his role within the organic social group, the individual is crowned with sovereignty over all his choices.

Rawls' sovereign rational being is merely a conception. And a society that adopts his theory of justice is promoting divisions that will ultimately undermine social order. Like it or not, we are tied to our identity. Any decisions we arrive at, whether about justice or anything else, must necessarily depend on who we are. We cannot regard ourselves as

independent in the sense that our identity is never tied to our aims and attachments...without great cost to those loyalties and convictions whose moral force consists partially in the fact that living by them is inseparable from understanding ourselves as the particular person we are—as members of a family, or community, nation, or people, as bearers of this history, as sons and daughters of that revolution, as citizens of this republic. Allegiances such as these are more than values I happen to have or aims I espouse at a given time. They go beyond the obligations I voluntarily incur and the "natural duties" I owe to human beings as such. They allow that to some I owe more than justice requires or even permits, not by reason of agreements I have made but instead in virtue of those more or less enduring attachments and commitments which taken together partly define the person I am.⁵⁴

It is impossible to arrive at principles of justice without making value judgments that some choices are better than others. Take a look at the issue of religious liberty as contained in the First Amendment. Traditionally what makes religious activities more worthy of legal protections than other activities is the role it plays in the good life, the type of character it produces, and from a political perspective its abilities to mold good citizens. Rawlsian liberalism, on the other hand, says that religious activities are important not because of their content, but instead because they are the result of free and voluntary choice. There is nothing that distinguishes between what believers consider to be vital claims of conscience, and what others see as mere preference. And thus demands that the laws

not unduly burden the free exercise of religion are no more deserving of respect than demands to protect any other preferential choice. If, for example, religious believers are permitted a special day off from work for a religious observance, why can't baseball fans demand their own special day off to watch games? To give religious activities greater weight in law than sports activities is to say that religion is more central to the individual's self-definition in his quest to live the good life. This was the meaning the Founding Fathers gave to the First Amendment. But it runs counter to Rawlsian Liberalism.

Rawls' intent was to create an individual free of prejudice, capable of making unbiased decisions, but in actuality Rawls' "free and rational agent" is a person without character or moral depth:

For to have character is to know that I move in a history I neither summon nor command, which carries consequences nonetheless for my choices and conduct. It draws me closer to some and more distant from others; it makes some aims more appropriate, others less so. As a self-interested being, I am able to reflect on my history and in this sense to distance myself from it, but the distance is always precarious and provisional, the point of protection never finally secured outside the history itself. A person with character thus knows that he is implicated in various ways even as he reflects, and feels the moral weight of what he knows.⁵⁵

What that means is exactly what Rawls' theory tried to guard against: a society composed of sovereign individuals is an abstraction; and a society cannot accommodate all manner of diversity. A society must find its principles of justice in some conception of the good life. And a society with large groups of people, holding very different ideas of the good life will eventually come unraveled. The current conflict over abortion is a classic example of this. Rawls' political liberalism dictates that we keep our private morality apart from our public life. When we run into a contentious issue like abortion, where one side believes it is an essential human right and the other believes it is murder, Rawls advises us to bracket the issue out of political debate. But if abortion is in fact murder, as pro lifers contend, then bracketing it out of the debate runs counter to one of the basic purposes for having a society—to protect individuals from unjustified homicide. Why have a society at all when an entire class of persons are bracketed out of protection simply because the idea of protecting them is contentious to one segment of society? Telling pro-lifers to ignore the issue of abortion because millions of people are in favor of it is untenable.

Philosophers such as Rawls, Kant, and even Locke, Jefferson and Aristotle tried to arrive at a theory of justice apart from the historical contingencies that give rise to societies. History teaches us how organic societies are formed and how these societies define justice. Principles of justice are indeed founded on conceptions of the good life. But ideas of the good life are derived from the unique moral-religious worldview of that particular organic culture

identity, not from one universal worldview, as philosophers would have it.

The fundamental quid pro quo of any social contract is protection and obedience. For society's protection the citizen returns obedience to its laws. Protection includes the ideas of justice and accountability. People willingly obey the laws of their society only if they believe the laws are just. And they trust their government only if it is accountable. Power is tenuous if it rests only on naked force. Stable political power is spiritual, not physical. If it is to last, political authority must rest on the public opinion that those who wield authority do so by moral right. Whether this consent is expressed formally through regular elections or tacitly through loyalty to a traditional hierarchy is irrelevant. When the people believe the laws are unjust and the government is not accountable, the regime's hold on power is uncertain. More and more the regime will have to rely on the naked force of its police-military to retain power.

Government is about controlling people. But people naturally do not want to be controlled. Even the simplest man wants the freedom to do what he wants. Government limits his freedom. This is grating. He will allow the government to limit his freedom only if he trusts those in authority. And he will trust those in authority only if they are people like him, if they share his culture identity. Culture identity is spiritual. It is at this spiritual level that people connect with their leaders. The average man in any society has little grasp of the political issues of his day. He doesn't understand history. He has never read the fundamental documents and laws of his society. So he has no objective basis to judge whether the laws are just and the political authorities are accountable. He feels his way through life. He relies upon his leaders to define the big picture for him. The leadership class must formulate the laws of society. Trust is essential in this relationship. If he senses a disconnect with his leaders, he starts to distrust them. He'll begin to accuse them of all manner of evil. Eventually he'll look for new leaders, ones he can trust. A common cause for this disconnect is a culture identity disjunction.

The events that led up to the American Revolution are instructive. On the surface the Revolution was caused by the British government, when they attempted to tax the colonists without their consent. But if you look deeper, the actual cause of the Revolution was a growing culture identity disjunction.

In 1765 the British Parliament passed the Stamp Act, which taxed various items sold and transacted in the American colonies. A good chunk of the American people saw the Stamp Act as the first step in a larger diabolical conspiracy designed to take away their liberties. Which liberties the colonists had in mind were at first undefined. A French-backed Catholic party in England was thought to have organized the plot, receiving their secret instructions from the Pope himself. At any moment, the colonists believed, the Anglican establishment in England was going to ship a Bishop over to America in order to

regiment the colonies' independent churches. Protestant liberties would then be at an end. Then it was only a matter of time before they would be kneeling before the hated Pope in Rome.

Memories of when the Church of England's Archbishop Laud tried to run all the Puritans out of England and organize religion in the colonies (1630s) caused some of this paranoia. Laud's efforts failed and contributed greatly to causing the English Civil War (1642-1648). Parliament had learned its lessons and had no intentions of repeating that mistake. But over the decades the colonists had lost a great deal of respect for the British government. From their perspective the Stamp Act was really another attempt to force the Church of England down their throats, even though on the surface it was a tax law. They were sure that Granville, the author of the Stamp Act, and his fellow minister the Earl of Bute were attending late night mass with the Pope and dancing together with the Devil himself. Soon after the Stamp Act was enacted, riots broke out in several colonies. Stamp distributors were tarred and feathered. Effigies of Granville, the Earl of Bute, and the Devil were burned side-by-side on the public commons in most of the larger towns.

The conspiratorial bent in the American consciousness was also the legacy of the Reformation, the English Civil War and the Glorious Revolution of 1688. Paranoia, however, doesn't fully explain the visceral reaction to the Stamp Act, especially since the tax would have effected very few of those who rioted. The violent outbursts, the readiness to blame their own government for orchestrating a diabolical conspiracy showed that their trust in the British Parliament had all but evaporated. This process had been going on for over a century; the Stamp Act just revealed what was happening beneath the surface in colonial society.

That the colonists' reactions to the Stamp Act were based on subjective feeling and not on objective fact is obvious to any student of the period. Granville was not a French-backed Catholic. He and the Earl of Bute didn't know the Pope. And both couldn't have cared less whether the colonists accepted Anglican orthodoxy. Granville was simply a penny-pinching minister, and the Stamp Act was his ham-handed way of getting the colonists to pay their share of the empire's expenses.

England was in debt after the Seven Years' War (French and Indian War, 1756-1763). Most of the fighting had taken place in America. And the colonists had reaped most of the benefits of England's victory. The war had doubled the size of America's territory, and the French were finally being driven from the North American continent. Controlling Canada and everything west of the Appalachians, the French had been a constant threat to the colonists. They had fought two previous wars, trying to drive the English colonists into the sea. Now the French were leaving Canada and abandoning the forts on America's frontier. The colonists were also the least taxed subjects in the British Empire. The Stamp Act was largely symbolic as it would have brought in very little revenue.

Britain's real benefit in keeping the colonies was the trans-Atlantic trade. Because the war had heavily benefited the colonists, it seemed only fair to Parliament and Granville that they pick up part of the tab.

The colonists didn't see it that way. They smelled a nefarious plot. The Devil and the Pope were behind it. They exploded in violence. Their reaction dumbfounded Parliament. Even the colonial leaders were taken by surprise. Benjamin Franklin actually signed up to be a stamp distributor, but quickly demurred after witnessing the people's reaction. Wanting self-determination and sensing opportunity, leaders like Patrick Henry and Samuel Adams harnessed this anger and distrust and channeled it into an effective political movement.

The colonists had lost trust in the British Parliament because of a culture identity disjunction, not because Parliament had violated some abstract social contract. Over the decades the colonists began to think of themselves as Americans, not just Englishmen. Although sharing the same Western Christian culture identity with their English cousins, the American colonists had developed a unique national culture identity over the previous two centuries since Jamestown and Plymouth. When they spoke about political relations with the mother country, they began to make distinctions between the British Parliament and their own colonial legislatures. They had grown in wealth and power. Through their colonial legislatures they had learned to govern themselves. Except for the military protection England provided, the colonists could take care of themselves. With the French leaving after the Seven Years' War, they no longer needed English military protection.

After the French signed the peace treaty, Pitt the Elder commented that the colonists would seek more independence and if the Parliament were wise, said Pitt, it would give it to them. As Secretary of State, Pitt was the genius who engineered England's victory. Through his prescient statesmanship he had made England the preeminent power in the world, a position it would hold into the twentieth century. He knew what he was talking about.

Unlucky for England, Pitt was growing old by the late 1760s, and his party (Independent Whigs) was losing power in Parliament. He was kicked upstairs to the House of Lords and was on the back bench by the time the Stamp Act crisis exploded. His arguments for appeasing the colonists fell on deaf, stupid ears. Mediocres like Granville and North replaced him in the government. Instead of loosening the apron strings, they wanted to tighten them. So the colonists revolted.

To use a crude analogy, the colonists reacted to the Stamp Act much in the same way that a teenage boy reacts to an overbearing father who tries to impose more chores or a stricter curfew. A wise father gives a child more independence as he matures. But if instead of giving more freedoms, a father imposes more restrictions, the child is liable to rebel. That is what happened with the American Colonists. Parliament imposed more restrictions

precisely when it should have granted more freedoms. And true to form the colonists packed their bags and moved out of the house, peeling out in the front yard as they left.

The specific pretext for the American revolution—taxation without representation—was less important than the underlying culture identity disjunction. If the conflict was not over taxation, it might have been over Indian Policy, or the Navigation Acts. Similarly, the specific argument over chores and curfew is less important than the underlying fact that a teenager starts to develop his own identity and will naturally seek more independence.

The same is true of many other conflicts. In 1857, Indian Sapoyas serving in the army of the British East India Company mutinied after they refused to handle new bullets that were apparently greased with pig and cow fat (an outrage to Muslims and Hindus respectively). The mutiny quickly spread across northern India. After capturing the fortress of Cawnpore, the mutineers massacred the entire British garrison. In 1993 four white police officers were acquitted of charges in the beating of black motorist Rodney King. South Central Los Angeles exploded. In both of these cases the specific pretext for violence was less important than the underlying culture identity disjunction. The Indians were reacting to over a century of British domination. The blacks of South Central Los Angeles were reacting to the perceived injustices of living in a so-called white man's country. These violent eruptions have little to do with the breach of some objective social contract. They were the result of an underlying culture identity disjunction. As long as there is a culture identity disjunction such violent eruptions will occur again and again because there is no trust between the government and the governed, and there is no trust because they do not share the same culture identity.

Whether the philosophers and theologians like it or not, the organic culture identity evolves its own interpretation of the Moral Law. Universalist schemes, whether religious or ideological, have always broken down in the face of these organic divisions. A social contract is possible within a given society only because those within it share the same culture identity. Laws are seen as just only because those within the society share the same comprehensive moral-religious conception of the good life. As laws must reflect some conception of the good life, one system of laws cannot contain a diversity of identities holding very different definitions of the good life. Sooner or later an issue will come along—taxation, greased bullets, pummeled motorists, abortion—that cannot be bracketed out. One of the identities will succeed in assimilating, excluding or extirpating the opponent; or, a political division will take place.

* * *

The Constitution of 1787 was designed to serve the American nation that created it. It was an expression of the values of a particular organic culture identity, at a particular time of history. Those values are Western Christian. The Constitution did not create the American

nation, it gave it form. The American nation was forged organically over two centuries from Jamestown to Yorktown. The representatives of this organic culture identity met in Philadelphia and wrote the Constitution. Outside of this organic context, the Constitution means something different. Look, for example, at the nation of Brazil. It has precisely the same constitution as the United States. They copied our Constitution word - for - word. Are the United States and Brazil the same? If you listen to the egalitarians who say that America is a set of culturally neutral abstractions found in the Declaration of Independence and the Constitution, The answer would have to be: yes. But only a fool with a very shallow view of history would give that answer. A closer examination of the two countries reveals vast culture - identity differences. And it is precisely these culture- identity differences that form the basis for our respective nations, not the dead words of a constitution. It is the nation which breathes life into a constitution in its own peculiar way.

In *Roe v Wade* Blackmun insisted that the Constitution was not the reflection of one particular nation, with a particular culture identity, with a particular value system. The Founding Fathers, said Blackmun, designed the Constitution with the greatest amount of diversity in mind. It was designed to handle everyone from Catholics to cannibals, in a culturally neutral system. Blackmun quoted from a 1905 dissent by former Justice Oliver Wendell Holmes. The Constitution, wrote Holmes, "is made for people of fundamentally differing views, and the accident of our finding certain opinions natural and familiar, or novel, and even shocking, ought not to conclude our judgment upon the question whether statutes embodying them conflict with the Constitution of the United States."⁵⁶ In other words, you might believe that abortion is cold blooded murder, but others don't. And you have no right to demand that others adopt your beliefs about abortion. Different strokes for different folks. Some folks believe that children are gifts from God. Others believe that they are medical waste.

What about Baal worshipers? Nature cults are hip these days, what with all the Wiccan worship. What if several million fools from Berkley, California decided to move to Arkansas and set up an agrarian society, centered on the worship of Baal, the ancient god of Canaan and Carthage. And as part of their religious expression they sacrificed a few children to Baal every spring in the hopes of producing a good harvest. Remember, in many ancient fertility cults that practiced human sacrifice it was a great honor to be selected as the spring offering in times of great crisis. Many of the best families of Carthage offered their children to Baal. In other words, it was a voluntary act. Should we allow voluntary human sacrifice? But the victim is a "minor," you might say. Well, what if the sacrificial offering was eighteen or nineteen?

Since we're following this train of thought, what gives society the right to determine the "age of consent"? Isn't the "age of consent" a value judgment based on the moral beliefs of a particular culture? After all, I can find fifteen-year-olds that are far more mature than some forty-year-

olds. If the age of consent is a value judgment, what about sex between a forty-year-old father and his six-year-old daughter? Remember, in many cultures girls as young as eight are eligible for marriage. Until the late nineteenth century, Delaware's age of consent was seven. What about consensual cannibalism? What about voluntary blood feuds? If two families want to kill each other, why not? As long as their gun-play doesn't jeopardize the lives of non-consenting third parties, there should be no problem in Holmes' or Mill's book.

Most Americans still see the absurdity of these propositions. All societies make value judgments about how its citizens ought to live. The laws reflect these values. The only real question is what value system will be applied, and how the parameters of that value system will be defined. The parameters determine the extent of allowable diversity. There are limits to diversity in any society. Human sacrifice, cannibalism, infanticide, pedophilia, incest, child marriage, blood feuds, slavery—all fall outside America's present value system. And until 1973, abortion fell outside the value system of most Western governments.

What happened in *Roe v Wade*, however, was not a case of the Western Christian value system reinterpreting its own values, liberalizing itself for the sake of "diversity," as Blackmun asserts. No, starting in the nineteenth century a completely **opposite** value system was emerging from the sewers of Europe, and later took ship for America. You will find this sewer value system in the writings of Darwin, Feuerbach, Marx, Engels, Comtè, Dewey, and Freud. This sewer value system set about to destroy the existing Western Christian value system and replace it with a set of egalitarian abstractions derived from a completely material explanation of the universe. Slowly but surely these sewer values have gained power throughout the West. And *Roe v Wade* was an **expression** of this new value system.

The diversity argument is camouflaging, used by those who have adopted the egalitarian value system. In a world where egalitarians have absolute power, there will be no diversity. If you don't believe me, go speak against homosexuality and abortion at the University of California Berkley. You will find yourself being spat upon and ticketed by the campus cops, as happened recently to an anti-abortion activist. Or go to Columbia University and talk about our immigration problem. You'll find yourself being shouted down and pelted with objects, as happened to Jim Gilchrist of the Minutemen. The most intolerant place in America is at a seminar on "tolerance and diversity" at the University of California Berkley.

The U.S. Constitution was designed to handle the diversity within a Western Christian nation. It was not designed to deal with every conceivable question of cultural diversity. When the Founders spoke about religious diversity, they were speaking about diversity amongst Christians. When they talked about religious tolerance, they had in mind Catholics, Anglicans, Quakers, Congregationalists, Baptists, Methodists, Presbyterians, Ana Baptists, etc.

Conflicts amongst Christians had torn Europe apart for two hundred years. It was within the context of these religious wars that they spoke about religious diversity. Non-Christians were such a small number of the population that they really didn't influence the debate about religion in those days. The Founding Fathers didn't write the First Amendment with the intention of one day welcoming five million Baal worshippers to America's shores. And if there had been two million well organized Muslims on America's frontier in 1791, the First Amendment would have been written very differently.

In their wildest dreams the Founders couldn't have imagined that in 200 years time a value system would evolve in America that looks upon pregnancy as a shackle used to keep women in subjection to men. And in order to break free of the shackle, women need contraception, abortion, and even infanticide. The writers of the Constitution would later witness the birth of these ideas in Jacobin France (1790s). The more responsible among them—Washington, Hamilton—condemned these ideas as incendiary. Thomas Jefferson was initially supportive of the French Revolution, but withdrew his support when it turned bloody. Only a few fools like Thomas Paine, who would actually become a deputy in the French Convention and would almost lose his empty head, supported the French Revolution. But even after witnessing the French Revolution the Founders could never have imagined these Jacobin ideas mutating into a value system that now regards the annual murder of 1.5 million children as a necessary price to pay for women's liberation. In their day, there was no diversity of opinion on abortion. There were no "pro-choice" delegates in Philadelphia in 1787. Transported in a time machine to present day America, the Founders would think that a pack of Baal worshipers had landed on America's shores and taken over the government. A tour of University of California Berkley's campus would confirm their supposition.

"We need not resolve the difficult question of when life begins," wrote Blackmun. When life begins is a religious-philosophical question that you must answer for yourself. In a diverse society, your view of when life begins must never be imposed on another person who holds a different view. "By adopting one theory of life," the Texas legislature overrode a woman's right to an abortion, said Blackmun.⁵⁷ Justice Stevens emphasized this same approach in *Webster v Reproductive Health Services*: "The Missouri legislature [which said that life begins at conception] may not inject its endorsement of a particular religious tradition in this debate, for the Establishment Clause does not allow the public to foment such a disagreement." 58

Let's take Blackmun's and Steven's arguments to their logical end. What if our Baal worshippers set down roots in Arkansas, and according to their "theory of life," children less than two years of age are not persons. But they do make excellent sacrifices to Baal. If the Court forbade the Baal worshipers from sacrificing their toddlers, but allowed pregnant mothers to abort their unborn children, then the

Court would be adopting a “theory of life,” one that says life begins after birth.

And Stevens’ ham-handed attempt to discount the pro-life position merely because it finds some of its philosophical support in the Christian religion is typical leftist tripe. If we discounted all the laws that were also found in the Bible, then murder, rape and robbery would have to be tolerated. As noted earlier, all laws impose a moral perspective. Those who are pro-abortion, for instance, advocate a whole host of laws and social engineering schemes that impose a moral perspective: civil rights, hate crimes laws, income redistribution, environmental laws, universal healthcare, gun control, affirmative action, sex education. The list is endless. Leftist activism always adopts a moralistic stance. Their basic world view is moralistic: According to them, “bad” racist, capitalist, bourgeois, sexist pigs have been hogging all the wealth and power in the world, and it’s only moral that the “good” non-white, poor, proletarians, take it back—“Power to the People!” All their talk about “scientific determinism” cloaks the heart of a world improver. Their “libertarian” “pro-choice” rhetoric disguises egalitarian collectivist morality: They believe women have been kept barefoot and pregnant since the beginning of time; abortion is their only means of escape; denying them abortion is immoral. Ask any NOW member whether it is moral to make abortion illegal and be prepared to wipe the spittle off your face as she screams out moral indignation.

So the pro-abortion lobby is correct when it says that pro-lifers are trying to impose their morality on others. But those who are pro-abortion are also trying to impose their morality on others:

All rights imply obligations on the part of others, and all obligations impose a moral perspective on others, to make them act in a certain way. Thus, the abortion rights advocate, by saying that the pro-lifer is obligated not to interfere with the free choice of the pregnant mother to kill her unborn offspring, is imposing his moral perspective on the pro-lifer who believes it is her duty to rescue the unborn because those beings are fully human and hence deserve, like all human beings, our society’s protection. Therefore, every right, whether it is the right to life or the right to an abortion, imposes some moral perspective on others to either act or not act in a certain way 59

Everything depends on which value system you subscribe to.

Once you get through the camouflaging polemics, what is clear about the abortion debate is that the two positions are irreconcilable. Put simply, those who are pro-abortion are saying, “If you don’t like abortion, don’t have one.” But to pro-lifers this sounds like, “If you don’t like murder, don’t commit one.” At that level of the debate, there can be no compromises. This is what happened 150 years ago when half of America was saying, “If you don’t like slavery, don’t own one.” On such a fundamental question like abortion or slavery there is room for only one position within one system of laws. America will either be all pro-life, or all pro-abortion. Lincoln was smart enough to see the

fundamental disjunction over slavery in the 1850s. Unfortunately, conservatives refuse to see the fundamental disjunction over abortion today. The egalitarians are not so blind, or so cowardly. They are making plans for an America without conservatives. Listen to Peter Singer: “During the next thirty-five years the traditional view of the sanctity of human life will collapse under the pressure from scientific, technological, and demographic developments. By 2040, it may be that only a rump of hard-core, know-nothing, religious fundamentalists will defend the view that every human life, from conception to death, is sacrosanct.”⁶⁰ If present trends continue, Singer is exactly correct.

1. James McPherson, *Battle Cry of Freedom*, (New York: Oxford University Press, 1988) p. 465-466
2. George E. Baker, ed. *The Works of William H. Seward*, 5 vols. (New York, 1853-84) IV, pp. 282-292
3. John Locke, *Two Treatise on Government*, (1690) e.d. (London: J.M. Dent, 1993) pp 116, 117, 226, 227, 158
4. *Ibid.*, p. 194
5. Michael J. Sandel, *Liberalism and the Limits of Justice*, (New York: Cambridge University Press, 1982, 1998) p. 29
6. John Stuart Mill, *Autobiography*, (Penguin Classics, 1989) pp. 66-69
7. Judith Jarvis Thomson, “A Defense of Abortion,” in *The Abortion Controversy: Twenty-Five Years After Roe v. Wade*, (Belmont, CA: Wadsworth Publishing, 1998) Poijman And Beckwith pp. 117-118
8. *Ibid.*, p 119
9. *Ibid.*, p 120
10. *Ibid.*, p 121
11. *Ibid.*, p 121
12. *Ibid.*, p 123
13. *Ibid.* p. 125
14. *Ibid.* p.125
15. *Ibid.*, pp 129-130
16. *Ibid.*, p 130
17. Mary Ann Warren, “On the Moral and Legal Status of Abortion,” in *The Ethics of Abortion*, (New York: Prometheus Books, 2001) Baird and Rosenbaum
18. *Ibid.*
19. *Ibid.*
20. Michael Tooley, “In Defense of Abortion and Infanticide,” in *The Ethics of Abortion*, (New York: Prometheus Books, 2001) Baird and Rosenbaum
21. *Ibid.*
22. Francis J. Beckwith, *Politically Correct Death: Answering the Argument for Abortion Rights* (Grand Rapids: Baker Books, 1993) Chapter 7
23. Catherine MacKinnon, “Roe v. Wade: A Study in Male Ideology,” in *The Abortion Controversy: Twenty-Five Years After Roe v. Wade*, Poijman And Beckwith p.98
24. *Ibid.*, pp 96-97
25. Sally Markowitz, “A Feminist Defense of Abortion,” in *The Abortion Controversy: Twenty-Five Years After Roe v. Wade*, Poijman And Beckwith, pp. 394-398
26. Naomi Wolf, “Our Bodies, Our Souls,” in *The New Republic*, 16 Oct 1995
27. *Ibid.*

28. *Ibid.*
29. Mortimer J. Adler, *Haves Without Have-Nots: Essays for the 20th Century on Democracy and Socialism*, (New York: Simon and Schuster, 1991) p. 210
30. Laurence H. Tribe, *Abortion: The Clash of Absolutes*, (Norton, 1992) p.210
31. *Ibid.*
32. Dr. Bernard Nathanson, *The Abortion Papers: Inside the Abortion Mentality*, (New York, Frederick Fell, Inc. 1983) p. 150
33. *Ibid.* pp. 150-151
34. Tooley, "A Defense of Abortion and Infanticide"
35. Warren, "On the Moral and Legal Status of Abortion"
36. Pollack Petchesky, *Abortion and Women's Choice*, (Boston, Northeastern University Press, 1990) p. 350
37. Stephen Swartz, "Personhood Begins at Conception," in *The Moral Question of Abortion*, (Sophia Institute Press, 1990), p. 265
38. Warren, "On the Moral and Legal Status of Abortion"
39. Don Marquis, "Why Abortion is Immoral," in *The Abortion Controversy: Twenty-Five Years After Roe v. Wade*, Poijman And Beckwith, p341
40. *Ibid.*, pp. 339-354
41. *Constitutional Commentary 2*, (Summer 1986) p. 519
42. John T. Noonan, "How to Argue About Abortion," in *Morality in Practice* (Belmont, CA: Wadsworth Publishing, 1998) p. 150
43. Thomson, "A Defense of Abortion", p. 125
44. Cardinal John Henry Newman, *Apologia pro vita sua*, (1864) in *The Ethics of Abortion*, (New York, Prometheus Books, 2001) Baird and Rosenbaum
45. McPherson, *Battle Cry of Freedom*, pp. 598-599
46. *Dent v. West Virginia*, 129 U.S. 144 (1889)
47. Preface to the Chapter "Due Process," in *Corpus Juris Secundum*
48. *Morrissey v. Brewer*, 408 U.S. 471 (1972)
49. *Kramer v. Union Free School District*, 395 U.S. 621 (1969)
50. L. Powell Belanger, *Prisoner's Survival Guide*, p. 209 (P.S.I. Publishing, 2001)
51. *Roe v. Wade*
52. *Ibid.*
53. Sandel, *Liberalism and the Limits of Justice*, p. 175
54. *Ibid.* p. 179
55. *Ibid.* pp. 179-180
56. *Lochner v. New York*
57. *Roe v. Wade*
58. *Webster v. Reproductive Health Services*
59. Francis J. Beckwith, "Pluralism, Tolerance, and Abortion Rights," in *Politically Correct Death: Answering the Arguments For Abortion Rights*, Chapter 5 (1993)
60. *National Review*, (March 9, 2007)

Mass Man

When discussing abortion it is common to assume only two sides in the debate—pro-life and pro-abortion. A conservative perspective informs the pro-life position; an egalitarian perspective informs the pro-abortion position.

Up to this point I've explored both sides, and I've explored the classical liberal context in which the debate takes place. For the most part these are well thought out arguments. There is a world view in back of each side, and true-believers pushing their respective agendas. But what both conservatives and egalitarians tend to forget is that most women who get abortions, and most men who drive their daughters, wives, or girlfriends to get abortions, indeed, most people in this country have no principled stance on abortion one way or the other. Whenever abortion is brought up this person is euphemistically called a "moderate."

"Moderate" is a generous label, intended, I suppose, to suggest that he has weighed both positions in the debate and finds merit in both. He's reasonable, a compromiser. Upon closer examination, however, you'll find that Mr. Moderate has no real convictions at all. Instead, his "convictions" have been issued to him like a uniform worn according to the fashion of the day. When they prove uncomfortable or become unfashionable, he discards them and puts on new ones. He is indistinguishable from millions of others just like him—he is mass-man.

In former times, there were three classes in the West: the nobility, the priesthood, and the masses. The political drama was played-out amongst the first two classes. Knowing nothing of politics, the masses stood off stage. But over the past two hundred years mass-man has gradually taken center stage. Now, whether he is a fascist, a communist, or a liberal democrat, every politician in the Western World must handle the herd or be trampled by it. Not just in politics, everything today is about mass-man—literature, art, education, entertainment. This is especially true in America, a country that has created a religion of the mass-man.

After the Roman aristocracy imploded and one-man rule replaced the Republic, there were four centers of power in the Empire: the Emperor; the financial knights; the army; and the masses. The organic structure of Roman society had taken heavy blows through the decades of civil war and imperial expansion. Large *latifundium*(plantations), worked by slaves, replaced small independently owned farms in the countryside of Italy. Consequently, the free peasants left the land in droves and flooded into the slums of Rome. The city's population exploded between 100 B.C. and 100 A.D.. Ignorant and landless, with no allegiances to family or community, the masses of Rome were always a source of potential danger. But to the political class of Rome they were also a source of votes in the Assemblies. Demagogues like Milo and Clodius organized club-wielding political parties, calling themselves "Greens" and "Blues." And for the price of a few loaves of bread and the promise of blood-soaked circuses, the votes of the masses could be purchased. The herd would back any demagogue that came along. But if they weren't fed and entertained, they might burn the city down.

Later the Emperor found it expedient, and healthy, to establish a regular dole of corn and wheat, and to put on regular entertainments for the masses. In Latin this formula of politics was called *panem et circenses*—"bread and circuses." The Circus Maximus was built for that purpose. The Emperor Vespasian wanted an even bigger stadium, so he built the Coliseum in 70 A.D. Every week, sometimes every day, the masses of Rome would pour into the Coliseum for their bread and circuses. The theme of the circus was cruelty—mass executions, gladiatorials, animal fights. At every circus the crowd was thrown loaves of bread. Juiced-up on wine, their mouths jammed with bread, the masses would scream with ecstasy at the scenes of cruelty and degradation. This was democracy in its purest form. The emperors were giving the masses exactly what they wanted, no restraints at all. The mob wanted blood and bread and that is what they got. The Emperor and his bureaucracy may have choreographed the dance steps of the Empire, but the masses played the tune. Over the last two hundred years in Western history the masses have again seized power.

In his book *The Revolt of the Masses*, (1932) Ortega y Gasset explored the resurgence of the masses in Western Society. He saw several factors pushing mass-man onto center stage: scientific advances; industrialism; free-market capitalism; population increase; and especially egalitarian-democratic ideas. The first three causes knocked the common man loose from his organic roots as a farmer-peasant living on the land. Then there was a dramatic population explosion. Between 1800-1914 the population of Europe went from 180 million to 460 million. In only a 30 year period after 1914 the American population doubled. And just since the end of the Second World War the population has nearly doubled again. Lots more people, lots more problems. And since the Enlightenment, the democratic ideal has been promoted without a closer examination of its premises. Though he has increased in quantity the average man has changed very little in quality, said Gasset. He has been given the reins of an advanced civilization, but he has the spirit of a barbarian. Massive political and technological power in the hands of barbarians makes our age a very unstable one.

Before the First World War organic culture still articulated Western society. The individual was still defined by his family, his local culture, his occupation, his class. In country, village, or city each individual had a unique place, each community had an identifiable continuity. A man was from a certain family, lineage, tradition, culture identity. He knew who he was. He had connections with the past. He had a future as *this* person. His life had meaning because it was given him by his organic community. A peasant, for insistence, from Flanders had a unique identity. He was attached to a certain piece of land that his ancestors had worked for centuries. He had certain religious beliefs, certain habits and customs, certain dialect and dress. His identity was forged over centuries. Through his elders and his community leaders, this identity was give to him as a birthright.

When the common man was uprooted from his organic community and pressed into the large cities to become workers and consumers, he lost his sense of place and purpose. He was no longer distinguishable from the rest of the masses. In the millions, this type of man is now the medium of power in the modern world:

Now, suddenly, they appear as an agglomeration, and looking in any direction our eyes meet with the multitudes. Not only in any direction, but precisely in the best places, the relatively refined creation of human culture, previously reserved to lesser groups, in a word, minorities. The multitude has become visible, installing itself in preferential positions of society. Before, if it existed, it passed unnoticed, occupying the background of the social stage; now it has advanced to the footlights, is the principle character, there are no longer protagonists; there is only the chorus.¹

The mass is not just a physical fact of numbers, it is a spiritual-psychological phenomenon derived from the mentality of the common man. "The mass," says Gasset, "is all that which sets no value on itself—good or ill—based upon specific grounds, but which feels itself 'just like everybody.' It is quite happy to feel itself as one with everybody else."²

There exists a great divide in humanity that belies any notion of universal equality. It is not that between the haves and have-nots; it is not that between the educated and the uneducated; nor is the divide racial or hereditary. The divide is spiritual, between the select man and the mass-man.

The select man exists in every racial and cultural group. He doesn't necessarily consider himself "superior" to others, nor does he, as a rule, carry himself with undue arrogance. He is that man who "demands more of himself than the rest, even though he may not fulfill in his person those higher exigencies."³ He imposes duties and obligations on himself. He piles up difficulties. He always has a plan, and his life he sees as a mission to accomplish this plan. His plans change, but he is almost never without one. Whether he succeeds or fails in his mission is irrelevant. What is important is his life must have a purpose, a purpose beyond serving personal ends. His life must consist of service to something that transcends himself. Service is not oppression to him, it is what defines him. "Life lived as a discipline is the noble life. Nobility is defined by the demands it makes on us—by obligations, not by rights."⁴ Goethe defined the spiritual divide this way: "To live as one likes is plebian; the noble man aspires to order and law."⁵

The origins of all social hierarchies are in the conquests won by select men engaged in naked competition. Inherent in the idea of nobility is the notion that the heirs will be able to live up to the same spiritual excellences of the original conqueror. All private right (privilege) is of this type. Unfortunately, what made the father noble is an inner quality, and this is not capable of being passed on to the son through heredity or education (breeding). Thus the

heirs of nobility are often not select men, even though they hold hereditary private rights.

Common right, such as those found in our Bill of Rights, is different than private right. A man comes by common rights as a benefit and a gift. It is unearned, “pure usufruct and benefit, the generous gift of fate which every man finds before him, and which answers to no efforts whatever, unless it be that of breathing and avoiding insanity.”⁶

Nobility is not resting on riches and ease; rather it is a continually demanding more of oneself. Nor is the select man on some quest for “originality.” On the contrary, the hallmark of the select man is that his ideas and plans are based on the cultural drama going on around him. These ideas (“living ideas”) become the most important motives in his life. His money and property, his wife, and his children, come second to his duty. The spirit of the age is crucially important to him. He will seek out his part in the cultural drama, not out of some superficial quest to “make history,” but because that part is his; he can be *nothing* else. He doesn’t wear the ideas of his time like fashions to be discarded when new ones take their place. He internalizes the ideas, truths, causes of his day. He will even die in service to them.

Such individuals are the spiritual core of all cultures. They are what one philosopher called the culture bearing stratum. This stratum is not a club, or a syndicate; you will find its members on both sides of any conflict. Every school of thought, school of art, school of science, religious or political movement is led by members of this stratum. Although they are a small minority in all societies, through force of will they’re the prime movers in society.

In stark contrast, mass-man demands nothing special of himself. He imposes no duties on himself. He has no standard to live up to; he floats along on the waves of his environment. Mass-man lives for himself because he understands nothing else. “Mass-man is he whose life lacks purpose,” said Gasset.⁷ While the select man sees himself within the context of the life of his culture, mass-man cannot, or will not, see the world beyond his tiny community and his seventy years of existence. History to him is a bunch of fairy tales. Unless they somehow effect his material life, the ideas of his time are meaningless. If he must have beliefs and opinions, the culture bearing stratum will supply them. But he does not internalize these ideas; he is never convicted by them; and he will not voluntarily give his life to them. In China, he is a Confucian. In India, he is a Hindu. In Soviet Russia, he is a communist. He changes his beliefs when safety or convenience requires it. In 1935, he’s a loyal Fascist; in 1945, he’s the guy in the square at Milan kicking Mussolini’s bullet-riddled corpse.

From the eighteenth century forward, mass-man has pushed further and further onto center stage. The Enlightenment philosophers said that human nature was basically good and only culture made men bad. Left to be

himself, the average man was rational, educable, moral, selfless, inclined to social virtue. The inventors of these ideas were, for the most part, educated men from the upper classes, so the “man” they were talking about was actually modeled on themselves. This was beside the point, Rousseau insisted. All men were equal, and if that was the case, then all men should have an equal voice in shaping the social contract. Governments that didn’t rest upon the “General Will” were illegitimate.⁸

The Enlightenment ideal was that more and more power should be given to the masses, the end being democracy based on the largest number of people. The purpose of government was, as Jeremy Bentham called it, “The Greatest Good of the Greatest Number.” This is the secular religion of our time. According to this faith, history is progressive, being moved along by what Hegel believed was a “Spirit of Freedom.” Forms of government were thought to be evolving from tyranny to democracy. And one day, when the lion lies down with the lamb, all questions—economic, social, political—will be decided by the people without representatives, in direct democracy.

The result of this thinking was to arm the masses with a sense of omnipotence, touching off what Gasset called the “Revolt of the Masses.” The mistake the Enlightenment philosophers made was they never seriously considered the basic spiritual division between select man and mass-man, a division that education will never erase. Most men are primarily irrational, driven by emotions, irrational beliefs, fears, will. Man uses reason as a tool to accomplish plans that are not always reasonable. Nor are most men selfless, or inclined to social virtue. Virtues originate in minorities and are *imposed* on the masses. And governing society according to the opinions of the greatest number of men will not lead to the greatest good. The average man can’t guide his own life. Leaving him to guide the life of the nation is a recipe for disaster.

Minorities have controlled the direction of society in the past, but their power has always rested on public opinion. “You may do everything with bayonets except sit on them,” Talleyrand once admonished Napoleon.⁹ In other words, force may secure power and enforce the laws, but if the regime is to last, power must be backed by the opinion that those in power possess it by moral right. “The state is the state of opinion,” said Gasset.¹⁰ Power is primarily a spiritual thing, the prevalence of a belief in certain opinions. It is no accident that the first power in high cultures is sacred. In the West, the Church preceded the Holy Roman Empire. Only later does the culture divide this power in two, each limiting itself to a time category: eternal and temporal. “Temporal and religious power are equally spiritual, but one is the spirit of the time, public opinion, mundane, fluctuating, whilst the other is the spirit of eternity, the opinion of God, God’s view of man and his destiny.”¹¹ When historians assess the nature of any given age in history, they know that looking at the personalities of the rulers is less important than examining the climate of opinion that was prevalent at that time.

In the past the state rested on the opinion of minorities. The masses hardly figured in the equation of power at all. Today, it is supposed to be the reverse. The masses are supposed to have opinions, and these opinions are supposed to form the basis of public policy. Why is this a problem? Because an examination of the majority of men reveals that they have no opinions per se. Opinions “have to be pumped into them from outside, like lubricant into machinery. This is done by the few. Without these producers of opinion, there would be chaos. Without a spiritual power, someone to command, and in proportion as this is lacking, chaos reigns over mankind.”¹² That is the danger when the masses occupy center stage—society is wobbling around on unstable opinion. Mass-man’s so-called opinions are changeable, unstable, superficial, subject to demagoguery.

Civilization is impossible without accepted standards of truth. “Whoever wishes to have ideas must first prepare himself to desire truth and to accept the rules of the game imposed by it. There must be a higher standard to which one’s opinions are held up to for comparison—history, philosophy, a tradition of truth.”¹³ There is no legal system, for instance, where there are no accepted legal principles. There is not art where there are no accepted aesthetic standards. “There is no culture where there is no acceptance of certain intellectual positions to which the dispute can be referred.”¹⁴

Society is held together by generally held truths. When a society lacks these truths, strictly speaking there is no society, for society implies a shared standard of truth. Any person in a dispute who is unwilling to conform his opinions to accepted truths is “intellectually a barbarian.”¹⁵ Except for the opinions pumped into him, mass-man has *no* opinions because he is unwilling to search out the accepted truths of our time upon which to base his opinion. Like a barbarian his opinions are mere appetites:

To have an idea means believing one is in possession of the reasons for having it, and consequently means believing that there is such a thing as reason, a world of intelligible truths. To have ideas, to form opinions, is identical with appealing to such an authority, submitting one’s self to it, accepting its code and its decisions, and therefore believing that the highest form of intercommunication is the dialogue in which the reasons for our ideas are discussed.¹⁶

In any debate today, whether it is about the economy, the war in Iraq, or abortion, you are confronted with the democratic position—“That is your opinion, not mine.” Resorting to accepted truths, historical facts to prove your point will not help your argument in the least. Like men, all opinions are created equal. What matters today is not truth, it is numbers. If the poll says your opinion is in the majority, it is the correct one. The policy of the nation is changed based upon how many people you can pack into the Washington Mall.

A Pandora’s Box is built into this kind of democracy. Theoretically democracy is the most rational form of

government. If all men are equal, then their voices should be heard equally. In practice, democracy usually ends up destroying the very things it set out to preserve. Liberal democracy is based on the theory that all men should have an equal chance to influence the social contract. But this is predicated on the assumption that each citizen will defer to accepted standards of truth. The educated class of eighteenth century Europe and America accepted the standards of representative government, the rule of law, and the protection of individual liberties. But mass-man has no knowledge of or appreciation for these standards. The more power he gets, the more he threatens these rational standards of government. This in turn produces chaos, which gives rise to the need for a strong man to restore order, who will rule without representative government, the rule of law, or safeguards for individual liberties.

The French Revolution was a microcosm of what happens when the masses seize power. The reform-minded classical liberalism of the National Assembly gave way to the mob politics of Jacobinism. As a result, France descended into chaos and murder. Then the strongman Napoleon crushed the mob and restored order. It was the same in Caesar’s Rome; in Mussolini’s Italy; in Franco’s Spain; in Pinochet’s Chile.

Having no sense of proportionality, no liberality, no grasp of the rule of law—mass-man’s method of politics is direct action:

When mass-man suffers some misfortune or simply feels some strong appetite, his great temptation is that permanent, sure possibility of obtaining everything—without effort, struggle, doubt, or risk—merely by touching a button and setting the mighty machine [State] in motion.¹⁷

The denizens of classical liberalism settle disputes in salons, courtrooms, and legislatures. Mass-man settles disputes in the streets. “He has been told that he is the state, and he will tend more and more to setting its machinery working on whatever pretext, to crush beneath it any minority which disturbs it . . .”¹⁸ He even has the temerity to claim that his vandalism is justified, clubbing, and beating people to death with bricks, screaming “No Justice, No Peace.” He stops his ears to those who point to the disparity between his stated grievances and his irrational behavior. He doesn’t want to hear it when politicians point out the differences between incoming taxes and outgoing welfare expenditures. He wants his dole and he’ll follow the demagogue who promises to deliver. He burns the city down if he doesn’t get what he wants.

Mass-man today carries himself with a sense of invulnerability. He is oblivious to history, and consequently is unable to see the potential precipices up ahead. He actually believes the trite slogan, “You can do anything you set your mind to.” Science and industry have built him a bubble of protection that his ancestors never dreamed

was possible. In the past, men lived in a world of disease, famine, wars, and hardship. To survive a man was obliged to settle down within the narrow sphere his limited abilities confined him to. Society had a structure, and he could not live without it. Even the rich in times past had to live in a world full of limitations and dangers. But the world today doesn't compel the mass-man to limit himself in any way, "it sets up no veto in opposition to him; on the contrary, it invites his appetite, which in principle can increase indefinitely."¹⁹

Not only have many material barriers disappeared for mass-man, social barriers have disappeared as well. He has no perspective on how these many benefits have come his way. He is like a spoiled child who believes all things are permitted to him. A child gets to be spoiled when all restraints have been removed, when there is no one there who is stronger or smarter to whom he must defer. In former times, a man was taught his limitations daily. Today, a thousand inventions and a hundred laws have spoiled mass-man. Having no interest in the origins of these inventions, or the story behind those laws, he begins to believe the artificial benefits they provide him are natural phenomenon like air or water, and therefore he believes they are his by "natural right." In his mind those benefits have always been there and will continue to be there in the future.

In reality, a minority has made his life possible. Over centuries of toil and invention they have created an artificial system based on highly exact and difficult ideas. These systems create an ever increasing demand for individuals educated in several disciplines just to maintain them. To meet the challenges of an increasingly complex society, individuals now specialize. It was common in the past for an educated man to become a generalist, to school himself in several fields. This had the benefit of giving him perspective, it allowed him to approach a problem with greater depth. Think of Descartes and Leibnitz, both of whom came up with revolutionary concepts in mathematics, as well metaphysics. Goethe was a poet, philosopher, biologist, and political pundit. Even Frederick the Great was an artist, amateur philosopher, as well as a King and a general. Like all educated men of their era, they believed it was essential to integrate various disciplines. Today, with an ever increasing amount of knowledge, learning many fields is difficult, so men specialize. It's relatively easy for a man of mediocre intelligence to specialize in one field or another. But the result of all this specializing is a cultural blindness. We have no "wise men" today; just a pack of specialists.

To make the discoveries of Newton, Descartes, Leibnitz and Heisenberg required depth. Einstein's Theory of Relativity, for example, owed something to his readings of Kant. Compare these thinkers to the "wise men" of today, such as Jared Diamond and Stephen Hawking. Both Diamond and Hawking are day before yesterday material determinists. Hawking's search for the "unified theory" that will explain everything sounds as if it might have been written in 1850 by Marx or Comtè. It's the same in politics. To make the policy decisions of William Pitt the Elder, or

Alexander Hamilton required depth. On any policy problem today the government assigns an army of specialists, each good in their particular field but largely ignorant of any other. No one is driving the boat. The result is Iraq.

The political leaders of the Western nations are now as mediocre as their constituents. Compare Bush, Blair, Chirac, and Merkel to John Adams, Pitt, Napoleon I, and Frederick the Great. To qualify as a statesman in the world of the latter, you were expected to grasp the ideas of the day. George W. Bush, on the other hand, is little more than an oil salesman. Blair is a typical graduate from the Bloomsberry School of European Socialist weaklings. Chirac is a corrupt French degenerate. And who the heck is Merkel? Select men need not apply to electoral office today, for the masses will quickly spot his quality and reject his application. Government service repels the select man. He has no tolerance for mediocrity, no patience for bureaucracy, and the stench of egalitarianism sickens him. Thus the public domain is left to mediocres, opportunists, and hate-filled egalitarians. The exceptional man finds his way to the private sector and civilization looses the services of the very people it needs to survive. As one philosopher put it, "The abolition of quality smothers the exceptional man in this youth, and turns him into a cynic."

The archetypical mass-man is what some philosophers have called Economic Man. He is the vulgar grandchild of Adam Smith's and Karl Marx's economic-centric world views. Both the free market capitalism of Smith and the scientific socialism of Marx saw man's primary purpose in life as satisfying material needs. Everything else was secondary and a superstructure. And history, they believed, was driven by economic forces. Hence both believed in the Economic Man; they differed only over how he should pursue his material needs.

In the language of the pop culture, Economic Man is the "winner." Your Hollywood mover and shaker, business mogul, Washington insider, or New York City jet-setter are typical of Economic Man. He is mass-man whose American Dream has come true. He has more discipline than his poorer cousin, but spiritually he is the same. The purpose in life is to acquire money, material security, endless amusements and sensual pleasures—bread and circuses on a mega scale. Culturally, he is a philistine. He imposes no ideas, no truths, no philosophy, no religion on himself. Lacking religion and morality, he sees nothing higher than himself.

Economic Man believes society should be nothing more than a set of culturally neutral laws and regulations designed to allow each mass-man the opportunity to become a "winner" like himself. Every mass-man sitting in his or her trailer dreams of more money, more cars, and more pleasures. Economic Man calls this the "American Dream." The dream consists of materialism as an end in itself.

Economic Man believes that government should impose no ideas, no truths, no religion, and no identity. In fact, no one should be allowed to define what is right and wrong in a moral sense. Society for Economic Man is a legal-economic contract between bunches of autonomous philistines trying to pile-up as much wealth as possible. The state's real purpose is to facilitate this quest, this dream. It must guarantee that every mass-man has the greatest number of "choices" on the bread and circuses menu.

Not everyone can become a Hollywood mover and shaker or a business giant, though. The average Economic Man in America lives in a perfectly manicured gated community, designed to keep out all threats to his placid, empty existence. He's not so rich as to eschew social welfare programs. But he doesn't want to pay for them. He wants a vigorous national defense. But if asked to serve he gets a deferment like Dick Cheney, or gets his rich daddy to find him a safe assignment in the Texas National Guard like George W. Bush. Combat is for "losers." Economic Man has lawyers to ward off lawsuits and the taxman; he has an IRA; he has insurance on his life, health, house, and car; he even has his toes covered in case of hang nails.

Nothing can touch Economic Man. He requires pre-nuptial agreements because marriage is just another indulgence to him, another game to entertain him in his "pursuit of happiness." If he becomes bored with his game ("We just grew apart"), he gets a divorce. Kids are interesting pets to him. Usually, he likes wearing the badge of morality in public, but he cheats on his spouse every chance he gets. Advanced degrees from our nation's finest universities cover his wall, but he is essentially a cultureless boor. College was never about expanding his knowledge. He needed a diploma to get a better job, to make more money. The courses from college, he scarcely remembers. The ideas and principles of civilization, he passed over with indifference. He measures his worth by the size of his boat and bank account.

The sum total of Economic Man's life is what America now calls "freedom." Everyone in the world is thought to want this freedom. All of America's wars were fought to secure this freedom. When we turn out every year for Memorial Day, we are thanking those who sacrificed their lives for this freedom—we are thanking the dead soldiers for making the world safe for Economic Man's bloated, overindulged, philistine.

At the lower end of the social scale is the "loser," just plain mass-man. Spiritually, mass-man is like his wealthier cousin, he merely lacks self-control. When it comes to taxes, conscription, and other obligations to society, he echoes Thomas Jefferson: "That government is best which governs least." But when his house burns down, gets flooded, or blown away by a hurricane, he screams for the government to help him. When he's old, he wants social security. When he's sick, he wants universal health care. When he's out of work, or simply doesn't want to

work, he wants unemployment relief. He believes he has a right to a good education, clean air, a living wage, health care, a house, happiness in general.

Mass-man talks big, but his deeds are small. He dreams of riches and wants to be like Economic Man, but he's too lazy to work for them. In his mind wealth was somehow monopolized by the rich after having lucked upon it or stolen it at the beginning of time. He just wants his share from the horn of plenty. So he listens greedily to the egalitarians when they talk about "income redistribution." Barring redistribution schemes, he lines up every week to buy Lotto tickets in the hope that his American Dream will finally come true.

Mass-man's religion is utilitarian. The ethical content of religion, he ignores. Christ's kingdom of Heaven message of service to others, he doesn't hear. He turns a blind eye to the Golden Rule. The gods must give him wealth, power, protection, and happiness. And he also wants to allay his fears of death by purchasing a piece of celestial real estate. Toward these ends, he asks his holy man for the proper number of prayers, the right kind of magic or talisman. Every evangelist must *sell* mass-man religion with promises of salvation and threats of damnation. The idea that virtue ought to be its own reward is alien to him. What is in it for me? he asks. To get his reward, he jabbers the requisite number of prayers, he walks the aisle and blubbers a few insincere confessions. Asked to explain his "faith," he searches for a few trite formulas given him by his preacher or priest. He has never read the Bible, but in the next world he will be a king, a judge, or a priest.

Politics is foreign to mass-man. He can't define a liberal or a conservative. He follows the loudest voice, the politician who promises to give him the most bread and circuses. Making a mockery of JFK's slogan, he only knows how to ask what his country will do for him. He doesn't care that his countrymen are dying in Iraq, as long as he is safe at home. He's no pacifist though. He wants his leaders to vigorously defend his bread and circuses. From the safety of his living room, he cheers as smart bombs slam into someone's house in Baghdad. But he has no real sense of patriotism or loyalty. He supported the war in Iraq back in 2003, now he's against it. In victory, he's a bully; in defeat, he's a lackey. Mass-man has no sense of social justice either. As long as he gets his bread and circuses, he will support the most vicious regimes on the planet. He doesn't care that his neighbors may have been carted off to Gulag in the night. As long as his bread and circuses are delivered on time, he raises no protest.

Mass-man must have his bread. Preferably he can get it with little effort as possible. What he really likes though are circuses. A thousand years have changed his tastes very little. Two thousand years ago he went to the bathhouses and the arena to get his fill of sex and violence. Today, he sits in front of a television for six hours every day, feeding on a steady diet of filth and gore. The *Jerry Springer Show* treats him to a daily entrée of "Fighting Transvestites" or "When Lesbians Attack." At

night he can watch greased men beat each other with folding chairs on WWE Smackdown. If that doesn't satisfy his blood lust, he can plug in Grand Theft Auto and simulate smashing a person's head in with a baseball bat, or he can murder a co-ed and dismember her corpse on Manhunt II.

Sexual morality is something forced on him. Given the opportunity he will ignore it. He married solely because his wife was attractive. He has children, but later regrets it. He cheats if he can. But if he doesn't have the nerve, the looks, or the opportunity, he cheats vicariously through his favorite movie star. Virtually every movie has the obligatory sex scene to satisfy him. Pornography is now one of his natural rights. Life, liberty, and lesbian three-ways—that's what our revolutionary forebears fought for. Hugh Hefner and Joe Francis are now his models for the "good life."

Films geared toward women are no better. The grass is always greener on the other side is the message. The so-called great "love stories" of our time feature infidelity as the primary theme: Dr. Zhivago, Out of Africa, The English Patient, Bridges of Madison County. Television romance dramas build on the same theme: Dallas, Dynasty, Desperate Housewives. Honestly, I cannot think of one highly acclaimed film that portrays a lasting, faithful marriage.

Quantity trumps quality in America's cult of the mass-man. Whatever the greatest number of people think is important takes first place on the agenda. Iraq, social security, and immigration must wait while America watches the adventures of Anna Nichole Smith's corpse. The most momentous foreign policy problem in the last forty years is unfolding in Iraq, but the masses would rather follow the chronicles of this dead stripper from Texas.

Despite the fact that mass-man can't control his own life, every public official must pretend that he controls the destiny of the nation. Polls are called for on every issue, as if the oracle of the masses will give us the right answer: "Should we pull out of Iraq?" Less than 40 percent of Americans can find Iraq on the map, but over 60 percent are now sure that Washington needs to get the troops out now. "What about domestic issues?" Only 42 percent can name the three branches of the government, and even less can describe their basic functions; but 75 percent are sure that the federal government has dropped the ball on education, social security, and health care. "What about the Courts?" Only 24 percent can name two the nine Supreme Court Justices, but the majority of Americans think the Court is "overstepping" its bounds in the decisions recently handed down by the Roberts Court. The majority of Americans have never read the Constitution, and don't know the significance of Yorktown, Gettysburg, or Brown v Board of Education. But 60 percent know who Homer Simpson is, and 73 percent can name all Three Stooges. (2006 survey by the nonprofit McCormick Tribune Freedom Museum in Chicago).

Other than acting as a great nanny to spoon feed him, the functions of government are a mystery to mass-man. Yet

no politician will dare suggest anything short of universal suffrage. Not only is a working knowledge of government unnecessary in order to vote these days, you don't even have to speak English. If you have a few brain waves and a pulse, your voice is equal to all others.

The leaders of America want to extend the ideal of Economic Man across the globe. They believe that Economic Man is the end product of social evolution. They are sure that the entire world will eventually look like a Chicago suburb, complete with malls, fast food restaurants, and golf courses. This was Francis Fukuyama's argument in The End of History, (1992). Those countries that have embraced Economic Man are "developed"; those that have not are "developing." The means to get from undeveloped to developed is free market capitalism and social democracy. Together, these ideas tend toward "globalism," which is the San Fernando Valley extended across the planet. Like Marxism, this thinking is deterministic; the forces moving us towards globalism are thought to be inevitable: "Globalization is not something we can hold off or turn off. It is the economic equivalent of a force of nature — like wind or water," said President Bill Clinton.²⁰

Multinational corporations and international banks are the driving forces behind globalism. The modern day multinational corporation now operates on a scale beyond the control of the nation-state. In 1985, which is a long time ago, the combined sales of the 350 largest corporations amounted to one third of the combined GNPs of all industrialized nations, and exceeded the combined GNPs of all developing nations, including China. And the typical international bank has branches in several countries, where they are not subject to the credit controls of the nation where their home-office is located. As a result, the idea of a national currency is a thing of the past. International banks and multinational corporations now control the major currencies of the world. For example, in 1990 commercial bank deposits in the U.S. came to about \$826 billion. This is what they call our "money supply." But the amount of U.S. dollars deposited in foreign branches of U.S. banks, and in foreign banks was about \$3,000 billion. Because multinational corporations can borrow U.S. dollars abroad, it is impossible for the U.S. government to control the volume of bank credit. Globally, the value of foreign exchange traded daily (1n 1990) is about \$1 trillion.²¹

The global economy now controls the economies of the individual nation-states. With a global economy already in place, Economic Man is now certain that global political institutions with the power to supersede national sovereignty are sure to follow.

Since the end of the Second World War institutions such as the United Nations, the International Monetary Fund, the World Bank, and the Council on Foreign Relations have promoted this idea of globalism. They are convinced that the forces of globalism will eventually overcome the

organic divisions of nation, religion, race, ethnicity, language, identity.

The parameters of the Establishment start from the free market capitalism on the Right, and go to the egalitarian socialist democracy on the Left. In between these two poles is the accepted regime of truth in the Western World today. The capitalists and the egalitarians differ only over economic policy. As collectivists, egalitarians want more state control over private property and the means of production. They want greater regulation of private industry and more taxes on the rich so as to redistribute wealth from the haves to the have-nots. The capitalists want greater protection for private property. Both share a materialistic view of life, and believe that man is the product of economic forces. Both believe that man's primary aim in life is to satisfy his basic material needs. Although they differ over means, capitalists and egalitarians believe society's end purpose ought to be to satisfy man's material needs.

As I've already mentioned in Chapter 3, for most of the twentieth century radical egalitarians tried to create purely socialist societies, ones where the state completely controls the economy and the means of production. They sought to spread this idea though "revolutionary socialism," meaning the violent overthrow of existing governments. This movement lost steam inside the West after the First World War. After that revolutionary socialism was largely a non-Western movement in places like Communist China and the Soviet Union. Western egalitarianism since the First World War has stressed a synthesis of egalitarian ideals operating within a free market economy, where property is still mostly private. Pure socialism is their ideal, but forcing it on the people, as in the Soviet model, seemed counter productive. From the Depression forward the Establishment has settled for private ownership with a greatly expanded government, a social welfare net, and more regulation and state planning on economic issues—a regulated "free market." This quasi-socialism is found in the theories of economist John Maynard Keynes, who was a Bloomsberry Fabian socialist. But on cultural issues egalitarians stand alone. No other competing ideals are tolerated in the Establishment. Years ago they called this synthesis "Fabian socialism," or "democratic socialism." Fabianism was popular in England at the turn of the last century. Fabians such as George Bernard Shaw and Sidney and Beatrice Webb were all from upper class English families. They sought to use their wealth, privilege, and political power to promote the gradual acceptance of socialism through education and the democratic process. In America democratic socialists are now called "liberals."

On the liberal Left in America are the Democratic Party, Noam Chomsky, *Mother Jones*, *The New Republic*, the ACLU, and the dread lock-wearing professional protester who turns out every time the G-8 has a meeting. On the Economic Man Right are the Republican Party, George Will, the *Wall Street Journal*, *The Fox News Channel*, and the guy who spends his weekends playing golf or reading Ayn Rand. The synthesis is seen in the United Nations,

The New York Times, or in business moguls with a "social conscience" like Bill Gates, George Soros, or Warren Buffet. While these latter live a lifestyle as Economic Man, they publicly champion leftist do-gooder causes.

Conservatives are often confused when they see the synthesis between capitalism and leftist activism. They start to smell a conspiracy when they see AT&T and Greenpeace working together. Conservatives overlook the fact that the differences between capitalism and egalitarianism are really just economic. **Both believe in matter over mind.** Both believe in globalism. And both share a hatred of organic cultures and the conservatives who defend them.

Organic cultures are a reflection of mind over matter. They build their societies based on their culture identity, which is an internal quality not an external quantity. Identity is our invention, it is who we believe ourselves to be in relation to what we believe the world to be. Both individuals and groups create identity. Different beliefs are the source of difference between individuals and groups. The materialist believes that the basic realities of human existence and history are material, and the morals, religions, thoughts, and beliefs are reflections of these material conditions, they are superstructures built on top of economic conditions. Nonsense, says John Lukacs, "The most important matter is what people think and believe—and that the entire material organization of society, ranging from superficial fashions to their material acquisitions and their institutions are the consequences thereof."²² Societies built on organic culture identity subordinate economic concerns to the integrity of the organic group. This is anathema to the materialist.

According to the Establishment, one of the most troublesome artifacts of the organic cultures is the nation-state. The nation-state is not primarily an economic arrangement. It is the political expression of an organic culture identity. When an organic culture identity declares that it will make its own laws, pursue its own interests, and if necessary defend those interests with armed force, it is a sovereign political unit. In the past the organic culture identity created such political units as the band, tribe, chiefdom and kingdom. Since the time of the Reformation the most common expression of the organic culture identity has been the nation-state. With other similarly situated independent nation-states pursuing their own interests, clashes are inevitable. If the interests are important, war is possible. Nation-states also subordinate economic policy to the national interest. They sometimes adopt policies to protect their nation's products and workers from hostile foreign competition. They use separate currencies. All of this is bad for business in the eyes of Economic Man. He wants to remove decisions from the nation-state and put it in the hands of the free market, corporations, and international banks. Multinational corporations want to hire Third World laborers for the lowest wages and sell their products for the highest prices, without having to worry about tariffs, punitive taxes, or onerous labor and environmental standards. International banks want to loan money to

whomever they want, for whatever interest rate the market will bear, without having to deal in several different currencies, and without the meddling of national governments trying to protect the value of their own currencies through credit controls. For all practical purposes the global economy already functions outside the control of the nation-state. But from the perspective of the Economic Man, removing the nation-state would make their system more efficient.

The egalitarians share this hatred of the nation-state. To them the organic culture identity and its representative the nation-state are responsible for inequality, injustice, exclusion, poverty, and war. All people are the same and therefore should be governed by one system. If the egalitarians are to create a truly human society, one that will forever eliminate social injustices, the organic culture identity and nation-state must go.

Therefore, capitalist Economic Man and the socialist egalitarians join forces to crush organic cultures. **As the representative of the organic culture, the conservative stands outside the parameters of the Establishments' regime of truth.** Those who believe in the exclusive claims of their own culture, their own people, their own nation, their own religion are **not** welcome in the American Establishment.

Mass-man in America believes the bread and circuses lifestyles are his by natural right. The formula "life, liberty, and the pursuit of happiness," now includes contraception, abortion, and pornography. The state is now the handmaiden of his sexual lifestyle, it is his pimp, pornographer, and abortionist.

Although culture defines its controls somewhat differently, all organic cultures place controls and taboos on sexuality. Rulemaking is what separates us from the animals. The Marxist free love doctrine of uninhibited sexuality is seen nowhere in organic societies. As creatures of symbol, humans treat the connection between a man and woman as sacred. It is a spiritual congress, a sharing of that which is most personal. As something personal, sex is not something that humans share with just anyone. And once something personal is shared, it is jealously guarded. Sex and the miracle of childbirth that comes from sex are therefore treated by all organic cultures as sacred, something to be handled with the utmost care and dignity. The marriage contract is the result of approaching these things with dignity. As religion is most important to man, the gods are almost always called upon to sanctify marriage. In other words, sex is not just sex in the Bohemian free love sense. Free love doctrine and Bohemianism are conditions of decadence. Humans are not animals who mate when they get the urge. You may argue over the reasonableness of a particular taboo, but only a fool or a Marxist castigates all sexual taboos.

Like virtually every other Marxist lie, free love is an attack on organic culture. Sex, they believe, is completely relative and no different than any other human activity.

Some people have sex with others of the same sex; some people prefer sex with multiple partners; some have sex with their sisters; some have sex with donkeys; some are into sex with shoes; and, yes, some people even have sex with members of the opposite sex. **But all sex is equal.** Sexual taboos and sexual morality are based in superstition, say the egalitarian. No type of sex is better than any other. This is the rationale of the free love doctrine. Over the past forty years the Left has pushed a "sexually liberated" lifestyle. But this is not because they are the champions of individual liberty. Free love is about equality. There is inequality in a society where sex within marriage is called "good" and sex with fifteen men in a bathhouse is called "bad." In egalitarian utopia no type of sex can be morally elevated above any other. Free love is about overthrowing bourgeois sexual morality; it is about destroying the moral claims of marriage, monogamy, and family.

Part of the free love lie is the assertion that sex is separate from procreation. Having never watched the *Discovery Channel*, egalitarians argue that sex is about personal self-satisfaction, like basket weaving or Yoga. Procreation is a different thing entirely, something only incidental to sex, like having your arm popped out of joint while doing Yoga. But the purpose of sex is not procreation anymore than the purpose of Yoga is to pop your arm out of joint. Since sex is about self-satisfaction, then it's only logical to use contraception and abortion in order to prevent "accidents." Similarly, when doing Yoga it's only logical to wear ace bandages on your joints. And if your arm should pop out of joint, it's only logical to employ a doctor to pop it back in.

This is an obtuse argument. Leaving aside the symbolic importance of marriage and sexual morality, on a strictly biological level sex goes with procreation like eating goes with nutrition. Although there may be other things associated with sex—pleasure, connubial affection—it is about procreation. Similarly, although other things are associated with eating—pleasure—it is about nourishing the body. The pleasure of sex is God's way of enticing us to procreate, just as the pleasures of taste are God's way of enticing us to nourish our bodies. You may argue over the wisdom of having sex or eating **solely** for pleasure, but you are a fool if you insist that the primary natural purposes of sex and eating are things other than procreation and nutrition.

Trying to radically separate sex from procreation is similar to separating eating from nutrition. A couple of thousands years ago Roman epicures used to do just that. For sheer pleasure they would stuff themselves with sweet meats and wine. And when they were about to pop, they would waddle to the vomitorium and disgorge themselves. A little peppermint and water and they would return to the feast. This was a conscious attempt to separate eating from nutrition. The epicures wanted the pleasures of eating fatty, unhealthy foods without the responsibilities of properly nourishing their bodies.

Just like the Roman epicure, mass-man today wants the pleasures without the responsibilities. Organic culture sought to pull man out of the muck of animality, mass-man wants to dive back in. He wants a responsibility-free sexual environment and he believes the state is obligated to give it to him. Hugh Hefner's so-called "Playboy Philosophy," which is nothing more than free love doctrine, suits the new vulgarian just fine. According to Hefner, Christianity has distorted human sexuality for two thousand years. You should be able to sleep with anyone you want, anytime you want, with no unwanted consequences, says Hefner. It is no accident that Hefner's Playboy Foundation is one of the biggest contributors to Planned Parenthood.

Medical science has built mass-man a sexual vomitorium. He can now stuff his gullet full at the sex feast and disgorge the unwanted consequences through contraception and abortion. Unlike the egalitarian, abortion serves no ideological purpose for mass-man. It is strictly utilitarian. Jim wants to hook-up with that hottie in the club, and if she gets pregnant, he might shell out a few Benjamins for an abortion. Or, Cathy's working on her law degree and decides to let her hair down with the cutie in her Criminal Procedures class. They're too drunk to use a condom. Now, she's pregnant. Not wanting to derail her high-powered career by raising a love-child, Cathy schedules a confidential backdoor appointment at the local "women's clinic." Or, Bill has been living with Susie for a year and getting his milk for free. It's good milk, but Bill has no intention of buying the cow. Perhaps Susie misses her pill schedule. Who knows? Anyway, Susie is pregnant. Since Bill will not marry her, Susie, decides to get rid of the "problem." Or, he's a businessman, a deacon in his church, and a well-respected member of the community. His sweet sixteen-year-old angel has been knocked-up by that little heathen from the wrong side of the tracks. There is no way his darling is going to marry that loser; Mr. Deacon can't send her upstate to care for a "sick" aunt; and no child of his is going to raise a bastard—the embarrassment would just kill him. So Mr. Plastic Deacon schedules an abortion in a city 200 miles away.

In the Amazon jungle or in rural India the native and the peasant use infanticide to rid themselves of extra mouths to feed, tabooed children, or unwanted females. Their motives are utilitarian: "Here is child I don't want; he will bring me no material benefit. I'll be rid of him," they say. Mass-man also uses abortion for utilitarian reasons. But there are differences. Life is rough on the Amazonian native and the Indian peasant. Adding another mouth at their table is often quite a burden. But mass-man has no such excuse. He has more than enough resources to care for a child. He simply doesn't want the bother. Like Thomson's jetsetter woman, mass-man obtains an abortion because he doesn't want to be inconvenienced. He gorges himself on sex, and when full, he disgorges himself through abortion.

As long as mass-man has enough distance from the act of abortion, he scarcely considers the morality of his actions.

Distance is key. "Out of sight, out of mind," is the saying. Abortion is tolerated in America today because the killing takes place out of view. There would be a different take on the issue if abortion mills performed their services out in the parking lot in full view of passersby. As it is, abortionists ply their trade behind closed doors. The victim is dispatched inside the womb, or is sucked out with a vacuum aspirator. The death throes of the child are unseen.

A Yale Professor named Millgram conducted an experiment in the 1960s that attempted to measure a normal person's tolerance for inflicting pain on other human beings. Participants were told that the purpose of the experiment was to measure the effects of physical punishment on learning. A subject was asked questions, and a participant was told to press a button administering an electronic shock every time the subject answered incorrectly. Unbeknownst to the participants, the electronic shocks were fake and the subjects being asked the questions were actors. Millgram was an anti-war leftist and the real purpose of his experiment was to measure a person's willingness to inflict pain on another person when ordered to do so. When a participant was reluctant to push the button, Millgram told him that the "test required" him to continue. Of the participants, two-thirds continued to administer the shocks when ordered to do so; one-third refused. Distance from the subject was also measured. When the subject was face-to-face with the participant, 70 percent refused to push the button. But when the subject was removed out of sight and put in another room, only 35 percent refused to give the "shock."

Millgram confirmed what common sense has known for ages—inflicting pain on others up close is harder than doing it at a distance. Bomber pilots walk away from missions that have killed thousands of people with little psychological impact. But soldiers who have had to dispatch an enemy at close range experience a whole different thing. As noted earlier, infanticide in India is widely practiced. But the parents almost never do the deed themselves. They hire midwives to kill their kids. Larger villages usually have a women practiced in the evil art of infanticide. The usual method is to stuff the child into a jar filled with water and close the lid. But if no one can be found to kill their kid, the parents will leave her in the jungle to die of exposure. In all cases, distance from the deed makes killing so much easier.

It's the same with abortion in our "modern" world. The killing is hired out and kept at a distance. Medical science has perfected the practice of child murder. The scene of the crime is sterile and clean; the procedure is quick and efficient. And attached to the outside of the killing center is the euphemistic sign, "Women's Health Clinic." This wipes away any guilt associated with murdering a child and convinces the murderer that they are really at a place for nurturing and healing. But it's only a psychological trick, and as long as there is enough distance from the deed, the trick works. But deep down they know what goes on in there, just as the Indian peasant knows what will happen to his baby girl when he hands her over to the midwife-

killer. People lie to themselves. They use illusions to scare away reality.

The debate over whether to show pictures of aborted children is yet another case of distance. Many so-called “pro-lifers” oppose showing the images, saying it hurts the cause and alienates potential supporters. They protest too much. What they are really trying to do is put distance between their plastic, hollow “pro-life” stance, which exists only in the abstract, and the actual practice of abortion, as displayed in the horrible pictures. The pictures prove them hypocrites and they don’t like that. Their pusillanimous activism resembles a protest against zoning laws or a liquor-by-the-drink referendum, rather than an effort to bring down a system of mass murder.

After Army Rangers rescued the Allied prisoners of war from Cabanatuan in the Philippines, pictures of the starved prisoners were broadcast worldwide. The pictures showed the brutality of the Imperial Japanese Army and were used to justify the allied cause. Some people, however, were chagrined by the images. After the war they still refuse to show the pictures. Who are these people? Japanese. They don’t want to believe that the system they supported did such things. Having supported that government, they bear some of the blame for its actions. Similarly, the “moderate pro-lifer” bears some of the blame for the abortions happening right down his street, hidden in that clean professional building with the euphemistic sign. The pictures reveal him for a hypocrite and a coward. He feels so much better about himself if he doesn’t have to look at what he is doing nothing to prevent.

For mass-man abortion-on-demand is a wonderful triumph over responsibility. It is another delicious “choice” on his menu of “freedoms.” Abortion is an integral part of his bread and circuses lifestyle. As long as the deed is kept at a distance, his conscience is clear. The egalitarians worked so hard to legalize abortion in order to liberate women from the clutches of maternity. But mass-man couldn’t care less about liberating anyone, except himself. He simply wants to enjoy the pleasures of sex without having to worry about caring for an unwanted child. To the egalitarian the abortion mill is a triumph of equality; to mass-man it is a vomitorium.

In the abortion debate both egalitarians and conservatives tend to forget that mass-man, with his shallow utilitarian motives, is the quiet power behind legalized abortion. They fool themselves into believing that most people are walking around with a well thought-out agenda, when, in fact, most people are barely walking upright. Conservatives are just as blind to this fact as their egalitarian adversaries. More often than not mass-man will conceal his approval of abortion. He actually prefers the “don’t ask, don’t tell” approach. Publicly, she’ll say she believes abortion is “immoral”; privately she wants the option of dumping that little impediment to her career. Publicly he considers himself a moral kind of guy, but he too wants the option of driving his wife, girlfriend, mistress,

or daughter to get rid of that little problem. Abortion is now as American as apple pie. Go take a poll of abortion sentiment in South Dakota, and you’ll find the state overwhelmingly “pro-life.” Then put a law before them that outlaws abortion and they will vote it down. Mass-man is a coward and a hypocrite and his “moral” sentiments blow back and forth with the wind. He is, however, the great genius behind the American system, so God forgive me for my undemocratic blasphemy.

1. Ortega y Gasset, *The Revolt of the Masses*, (New York: W.W. Norton and Company, 4th ed.1932, 1993) p. 13
2. *Ibid.* pp. 14-15
3. *Ibid.* p. 15
4. *Ibid.* p. 63
5. Johann Wolfgang von Goethe, in *Revolt of the Masses*, p. 63
6. Gasset, *Revolt of the Masses*, p. 64
7. *Ibid.* p. 49
8. Jean-Jacques Rousseau, “The Social Contract,” in *The European Philosophers From Descartes To Nietzsche*, p. 321 (New York: the Modern Library, 3 ed. 2002)
9. Charles Maurice de Talleyrand, quoted in *Revolt of the Masses*, p. 127
10. Gasset, *The Revolt of the Masses*, p. 127
11. *Ibid.* p. 128
12. *Ibid.* p. 128-129
13. *Ibid.* p. 71
14. *Ibid.* p. 71
15. *Ibid.* p. 71
16. *Ibid.* pp.72-73
17. *Ibid.* p. 120
18. *Ibid.* p. 120
19. *Ibid.* p. 57-58
20. President Bill Clinton, (Speech Nov. 17, 2000) in Zbigniew Brzezinski, *Second Chance*, (New York: Perseus Books, 2007) p. 83
21. Robert Heilbroner and Aaron Singer, *The Economic Transformation of America Since 1865*, (Orlando: Harcourt Brace, 1994) pp. 232-233
22. John Lukacs, *At the End of the Age*, (Yale University Press, 2002) p. 66

The Media

I've explored the arguments for and against abortion as conservatives and egalitarians battle one another for control of the American system. And I've discussed the importance of mass-man in the political equation today. Because mass-man’s opinion is now the basis of political power, what both conservatives and egalitarians are really fighting for is the power to “pump” their opinions into the masses. The herd is sound sensitive: He who has the loudest voice controls the masses. In the battle for the big bullhorn, conservatives have suffered abject defeat. Over the past seventy years conservative opinion has been pushed out of the mainstream and into the pamphlet, book, small radio and cable television program. Here, the programming, for the most part, is second rate, and amounts to preaching to an ever shrinking choir. On the

other side, egalitarians now control the most powerful means of shaping public opinion in the history of the world— Hollywood films, television, and pop-music. With these Medias they are creating the world in their image and slowly extirpating the conservative opposition.

As competent students of human nature, the egalitarians know that mass-man is not necessarily searching for an agenda. He doesn't want to be preached to. He doesn't toss and turn in his bed at night wondering about the "truth." You won't find him in the philosophy or religion section of your local library reading Kant or Aquinas. What mass-man wants is entertainment, he wants his circuses. This is why the popular culture is so effective as a tool of indoctrination. Even though the bulk of films today contain a definite message, it is always sandwiched between the staple of entertainment. If a film, song, or show doesn't entertain him, mass-man will not sit long enough to have an opinion pumped into him. While conservatives continue to preach to their shrinking choirs, the masters of the media continue to swallow the bulk of each new generation through entertainment.

Don't misunderstand me; the pop-culture industry is primarily about entertainment. When a film is made, a song is written, or a television show is piloted, the first question asked is will it keep the audience in their seats. However, for those who want to deliver a message, the pop culture Medias are second to none. As idealists, egalitarians naturally gravitate toward those mediums— universities, law, government, media— that offer them the best chance to spread their beliefs. The pop-culture is a natural fit, and is the best example of the Establishment synthesis between Economic Man epicureanism and egalitarian idealism. The power of the mediums themselves account for their success in pumping opinions into mass-man.

There has never been anything quite like the pop-culture in history. The motion picture has created a new type of man, one that lives in a virtual universe, wherein he filters reality through the fantasy world of television and films. Several "social scientists" have written about this phenomenon. The French lefty Jean Baudrillard, for instance, says the average westerner today lives in a "hyper reality created by the media." What Baudrillard means is that when a person spends six hours every day watching the stories of television and movies these images become more real to him than his real life. He starts to interpret reality by reference to the stories and themes he sees on television and in the movies. You often hear this when watching news coverage of some event. The reporter asks an eye witness to the event what has happened, and the person responds, "Well, it was like something on TV. All of a sudden..." The average American today is so saturated with the pop culture he has no conception of the world outside the one issued to him through his television set.

This phenomenon is also clearly seen when discussing the issues of the day with mass-man. Although he

watches television and movies for entertainment, mass-man also gets his opinions on politics through the pop culture. But he is unaware that he is being indoctrinated with certain opinions because he has no other opinions to compare them with. And since he has had no other opinions articulated for him, mass-man tends to assume that there are no other opinions except those expressed in the movies he watches. Thus the purveyors of pop-culture hold tremendous power. They can change public opinion, and eventually change the social and political and cultural trajectories of the western world.

During the Middle Ages the Church realized that sermons put the average peasant to sleep. But if the gospel was dramatized for him through statuary and plays, the basic message got through. Compare the Gothic statuary and the passion plays to Schindler's List or One Flew Over the Cuckoo's Nest. No play, statute, sermon, lecture or political speech can compare to the power of film. The movies a man has seen, the television shows he has watched, the pop-musicians he has idolized will influence his opinions far more than any politician, or preacher, or parent.

Think seriously on the issue, and you will see that Steven Spielberg will, in the long term, have more influence on the culture than George W. Bush. For the opinions that most Americans will have about George W. Bush and his policies will be shaped by the Steven Spielberges of the world. Similarly, the average person's opinions of Richard Nixon today were determined by the masters in the media. For almost seven years Nixon was president of the most powerful nation on Earth, but he was no match for the Washington Post, The New York Times, Bob Woodward and the producers of All The President's Men. Nixon's legacy belongs to them. They decided what Americans believe about Richard Nixon. It is the same with any other public figure.

Question the man in the street about his "opinions," and you will discover that all were pumped into him by movies, television, and pop-music. Mass-man is living a virtual existence, as if he were one of the characters in the movies he spends so much of his time watching. And the amount of time the average man spends in front of the television increases every year. Supplement his time in front of the television with the Internet, and you have a programmed myrmidon. (Notice, the popular sites on the internet offer the same mindless stupidity as television— wrestling, pornography, vapid Hollywood gossip sites.)

The pop-culture now sets the long term agenda for the entire Western world. Very few Americans voluntarily spend six hours every day reading, studying—listening to preachers, to politicians, to teachers. The institutions of society take their cue from the pop-culture. The pop-culture shapes the opinions of mass-man. The politician relies upon popular support for his power, so he enacts laws that are consistent with the opinions of his constituents. No political party can stand in defiance of popular opinion for too long.

The war in Iraq is an excellent example of how the leftist media dominates the American system. As I wrote in "Pyrrhic Victories: The Problems With American Policy in Iraq," the masters of the media did not give George W. Bush the go ahead to invade Iraq. Representing the Economic Man half of the American Establishment, Bush and his neo-conservative advisors were betting everything on quickly pacifying the Iraqis after a month long war, without having to get "consensus," which is a code word for the approval of the media. In other words, they were taking the country out for a spin without their daddy's permission, hoping that they could get it back in the garage before he came home. But their plan failed and an insurrection developed— they got pulled over by the cops who then called their daddy. With their control of the media, the egalitarians have gradually turned the American people against the war. They are now punishing Bush and his neo-cons for joyriding with their country. Although after 9-11 Bush had temporary possession of popular support, the herd belongs to the masters of the media. Politicians have short term power, the media have long term power. The current relationship between politicians in the Western world and the media is almost exactly analogous to the relationship between the kings of Europe and the Church during the Gothic period. The kings held power in a climate of opinion controlled by the Church.

People mistake the lag time between the creation of an opinion and its eventual enactment into law for actual political opposition in our society. The lag time is caused partly by the checks and balances in the United States system of government, and partly because most voters in any election are over forty-five years of age. Put simply, the opinions being pumped into teenagers by the media today will have to wait another twenty years or so before they are fully enacted into law. Right now we are living under laws shaped by the opinions of the last of the W.W.II generation and the baby boom generation. After the W.W.II generation passes on, public opinion will be balanced between the baby boomers and generation Xers. The recent election of Barack Obama is evidence that a major generational shift is underway.

Leftist egalitarians absolutely dominate the big media. They also control mainstream academia. Between Hollywood and academia, opinion as issued to the masses is almost exclusively egalitarian. The pop-culture plays the key role in shaping mass-man's opinions. It pumps the opinions into him, and if he goes on to college, his leftist professors will articulate these opinions and give them context. The pop-culture gives him his religious experience, so to speak ; the university professor will then give him his theology.

Conservatives, on the other hand, control only a few second-rate cable channels and several talk radio programs. The rest is print media, some churches, and a handful of high-dollar private colleges. And all these conservative media defer to the larger leftist agenda. The Left sets the agenda of the nation, and the Right tries to

slow it down. That is the basic formula of American politics.

Every time I hear some media pundit dismiss the pop-culture's influence on the average American, I have to contain my laughter. Hollywood not only influences mass-man's opinions, it is his chief influence. Emotion has always been stronger than reason in history. Any perceptive teacher, preacher, priest, or filmmaker knows this: If you want to influence a man's beliefs, you must touch him emotionally, not intellectually. A good sermon elicits an emotional response. The core of any faith, for example, is religious feeling. Doctrine comes later, or not at all. The Great Awakenings of colonial America are examples of the American religious experience. The legacy of the Great Awakenings is still seen today in the traditional "aisle walk" and the annual "revival." Most Christians saved by this experience barely have a grasp of Christian theology, very few have read their Bible all the way through, and even fewer have heard of John Wesley, John Calvin, or the Great Awakenings. In their minds, the emotional experience of salvation during their "aisle walk" is what makes them a Christian. So it is with many other facets of life— it is an emotional experience.

Every "good" movie must have an emotional impact on the audience. If it's a cause film, it must be organized as a simple morality tale. It must have heroes and villains. It doesn't matter if the writer or director distorts historical fact. The audience is not going to go down to the library after the show to see if what it just saw is factual. What is important is whether the story causes the audience to love the hero and hate the villain. A movie hits its mark when the audience cries, laughs, cheers, gets angry, squirms with fear, or fumes with hate.

As a medium the motion picture is second to none in producing an emotional experience. Statues, paintings, and pictures are plastic and motionless. One's imagination must transform the printed word. And plays are obvious caricatures. But with high quality actors, the best special effects, and good editing, the motion picture creates an alternate reality that is accessible to even the most unimaginative person. The motion picture is by far the most powerful of the pop-culture media. Hollywood movies give mass-man his religious feeling, his core world view. Television shows generally have smaller budgets, they have less time to shoot, and on the whole, the actors are not the best quality. And although very influential on teenagers, pop-music lacks the visual power of film. Humans are primarily visual creatures. Pop-music tends to wear off as mass-man ages. Therefore, as a shaper of opinions, the filmmaker has replaced the father, mother, teacher, preacher, aisle walk, passion play, statue, book, or newspaper.

In Hollywood, the parameters of Establishment thought are strictly observed. The audience is treated to either the hedonistic values of Economic Man, or it gets a left-

wing morality tale. Usually there is a mix of the two— the synthesis. A movie that purports to be “serious” will be heavily freighted with leftist social-political commentary. A film that is targeted at mouth-breathers will stick closer to mindless sex and violence. Hollywood has absolutely no room for conservative opinion. Because mass-man gets his core opinions from Hollywood, he comes to believe that there are only two ideas in the world— Economic Man and egalitarian idealism.

A popular Hollywood theme has the movie's hero struggling with his inclinations toward Economic Man, but then after a moral crisis, he gets a social conscience and adopts the requirements of egalitarian values. These are the two acceptable poles of behavior : It's permissible to be a money-grubbing vulgarian ; however, if you want to be a “good man,” you must get a “social conscience” and further some left-wing cause. In Wall Street, Charlie Sheen's struggling stockbroker wants to become an Economic Man like Wall Street tycoon Gordon Gecko. But in order to reach that pinnacle, he must engage in insider trading and sell out his father's union to Gecko's schemes. But his social conscience won't let him, so he turns state's evidence on Gecko and saves his father's blue collar buddies from the unemployment line. Or, our hero is Richard Gere's ruthless corporate raider in Pretty Woman, the quintessential Economic Man. Under the influence of Julia Roberts' happy hooker, he finds love and a social conscience, deciding to save companies and workers instead of liquidating them for cash. Or the hero is Bruce Willis' hard bitten morally ambivalent professional soldier in Tears of the Sun. Called upon to rescue only westerners in a war torn African country, he ends up defying the racist orders of his bourgeois superiors and decides to rescue the African natives too. Or he's Leonardo DiCaprio's Afrikaans mercenary out to make a buck off the “Kafirs” in Blood Diamond. Instead of exploiting the poor natives, he ends up helping an African save his family. Sometimes neither Economic Man nor egalitarian idealism comes out on top. The two ideas meet together in a tempestuous love affair. In The Way We Were Barbara Streisand's idealistic young communist falls in love with Robert Redford's hedonistic rich boy, Hubble. Streisand's character is high-minded and uncompromising and cannot stand Hubble's indifference to the “serious” issues of the day, such as supporting Stalin's Russia. But in between their frequent breakups, they find love and memories.

Films with heavy ideological content have an exclusively leftist message. Hollywood shows its bias in the films it chooses to award Oscars to. Many of these films are not crowd pleasers, they don't pull down the big bucks. They are seminars for the smarter set. Despite its claims to explore the grey areas in life, Hollywood's cause films are black and white morality tales. Pick any left-wing cause and there are a bevy of films designed to deliver the “proper” opinion.

The muckraker theme is a perennial favorite. By exposing the evils of unfettered capitalism, Hollywood hopes to promote socialist regulation of industry. China Syndrome

shows an evil capitalist power plant covering up malfunctions to save money. Hanoi Jane Fonda's muckraker journalist uncovers the truth, thereby saving California from destruction. A blue collar gal in Silkwood attempts to expose an evil corporation for making faulty uranium fuel rods. But before she can tell the world, the Man runs her off the road and into a tree. In Erin Brochovich, a buxom Julia Roberts plays an amateur lawyer. She uncovers the illegal dumping of toxic chromium 6 into a local water supply, winning a huge judgment against the evil Pacific Gas and Electric Company.

Then there are the many criminal justice cause films. In Cool Hand Luke an easygoing loser is caught in the clutches of Georgia's evil chain gang system. Al Pacino's young liberal lawyer enlightens us about a criminal justice built on lies and money and backroom deals (In Justice for All). Paul Newman plays an alcoholic ambulance chaser in The Verdict. He's trying to win a settlement after a corrupt, rich, evil Catholic Hospital turns his poor client into a vegetable. Sean Penn's lovable rapist-murderer on Louisiana's death row is redeemed by a left-wing nun in Dead Man Walking. And minorities and the poor are always shafted by the racist-classist justice system. Denzel Washington's Ruben “Hurricane” Carter is a beautiful black boxer who is set up by a racist cop, and sentenced to life in prison for a crime he didn't commit in The Hurricane. Then some Canadian do-gooders uncover the truth and set the “Hurricane” free.

Sexism is another social evil Hollywood is keen on teaching us about. Jennifer Jason Leigh's Bastard Out of Carolina informs us that most southern white men are evil and molest their daughters. Rather than live with lying, cheating, evil rednecks, Thelma and Louise drive off a cliff. According to director Ridley Scott, all male military outfits are sexist and un-American. (Scott is British). Having shot a BB gun, Scott knows best how to organize elite combat units. In his G.I. Jane, Demi Moore's character breaks through the testosterone barrier of the Navy Seals. After finally accepting her as a member of the team, Mr. Navy Seal sheds his sexist attitude and opines “The problem is with us.” Yes, Dear Brutus. The fault isn't that women are unqualified to serve as Navy Seals, the fault is in our own outdated, sexist attitudes. And in Mona Lisa Smile, Julia Roberts' bohemian art teacher tries to teach her students at an all female college that there is more to life than the drudgery of marriage and babies.

Unless the egalitarians designate the enemy, war is generally bad, patriotism is usually a lie, and military figures are generally fascist nut bars. Catch 22 shows us the absurdity of war. Stanley Kubrick warns us in Dr. Strangelove that civilization is just one push of a button away from oblivion. And the people who control the buttons are George S. Patton style lunatic generals, who believe the commies are “trying to sap our masculine juices.” In his Full Metal Jacket Kubrick penetrates the façade of patriotism to reveal the United States Marine Corp as just a glorified school for murderers. Robert Altman's M*A*S*H is a commentary on the mindless

brutality of war, as seen through the drunken haze of two irreverent military surgeons. Jon Voight plays a disabled Vietnam veteran in the highly acclaimed Coming Home. Asked to speak on behalf of the R.O.T.C. at the local high school, Voight's wheelchair bound war hero tells the youngsters that the war is "not worth it." A sweet hippie tune plays in the background. A battle-hardened Marine in full dress uniform starts to cry. That's Oscar material folks! Tom Cruise sports a bad hair weave to tell us pretty much the same thing in Born on the Fourth of July.

America's foreign policy ought to be a clearing house for liberal causes. Using the wealth and power of the United States for any other purpose is evil. Too often the Economic Man uses the government as an instrument for exploiting the poor on behalf of greedy corporations. In Syriana George Clooney's CIA agent is assigned to assassinate an Arab Nelson Mandela because he threatens to take power in an oil rich country and raise the price of crude. Syriana teaches us why the Middle East is filled with corrupt authoritarian regimes: It is because ugly Americans need low priced gas to fill their huge Humvees. In order to accomplish this, the CIA installs corrupt rulers who agree to sell us cheap oil, while shafting their own people out of the proceeds. The West could have peaceful, stable governments in the Persian Gulf, but we would have to pay \$10 a gallon for our gas. Not wanting to pay that much, the US government would rather have Sadaam Hussein in Iraq and the Ayatollahs in Iran. We'll accept the risk of having an Iranian built nuclear weapon detonated in downtown New York City in order to get our cheap gas. For cheap gas we'll tolerate the corrupt oil princes of Saudi Arabia, who fund Madrassas around the Muslim world that teach young men to fly planes into our buildings. Sure we lose a few buildings and a war every now and then, but it's all worth it. We have to support a massive fleet in the Persian Gulf, and we have to fight wars in Iraq and Afghanistan, but the cheap gas is worth it.

Name the leftwing cause and there is a film to promote it. Writer John Grisham is a master at concocting half-baked liberal tales for his comrades in Hollywood. One of his latest is Runaway Jury, a gun control film. Evil gun manufacturers are sued after selling a Saturday night special to a mental case, who then goes on a shooting rampage. They hire Gene Hackman's crooked jury consultant to avoid an adverse jury award. But John Cusack's closeted anti-gun crusader manages to infiltrate the jury and convinces them to shut down the dealers of death. The plight of male hookers and the homeless is shown in Midnight Cowboy. Steven Soderbergh tells us all we need to know about the Drug War in Traffic. Do you want to know why drugs are so available in the inner city black ghetto? The projects are overrun with crack dealers because mobs of rich white kids from the suburbs keep beating down their doors to buy drugs. Says Soderbergh through his vapid character, "If people came to your door to buy drugs every day, you wouldn't go to law school. You'd become a drug dealer too." How perceptive.

America is a nation founded on the extermination of Indians. Steven Spielberg's Into the West makes the point that Western Civilization is inherently evil and Manifest Destiny is a nice-sounding name for the extermination of the American Indian. The latest installment on the white-man-killed-all-the-Indians theme is Bury My Heart at Wounded Knee.

But there are a few good white men. Not many, just a few. One is Kevin Costner's Captain Dunbar in Dances with Wolves. Disillusioned by his Civil War experience, Captain Dunbar wants to commit suicide. The white man's world sickens him. He dreams of going back to nature. Such a life can't be found among the evil whites though, so he volunteers for an assignment at a remote fort on the unsettled western plains. There, he hopes to discover a life worth living among the Lakota Indians. He's not disappointed. Far from being the cruel savages of legend, Dunbar finds that the Lakota are a peaceful, loving, clean people, much more elevated than his warlike, hateful, filthy white cousins. Paradise doesn't last long. Charging him with desertion, the evil US Calvary arrests Dunbar and tries to take him back for trial. In a reversal of the cavalry-coming-to-the-rescue theme, Dunbar's Lakota friends intervene and kill the entire cavalry detachment, with Dunbar tomahawking his share of evil rednecks.

No matter how remote the issue or historical event, virtually every negative thing that has happened in the world is the fault of the West. Who is responsible for the genocide in Rwanda? Was it the Hutus? No, the Belgians are to blame, says Hotel Rwanda. A hundred years before the Hutus massacred the Tutsis the Belgians controlled Rwanda. Two classes were created out of the native subjects, one for important work (Tutsi tribe) and the other for menial work (Hutu tribe). When the Belgians pulled out in the 1950s the Tutsis and Hutus started contending for power. This culminated in the genocide in the 1990s. Therefore, the evil white Belgians are responsible. Who was responsible for the murder of 2 million Cambodians in the late 1970s? Was it Pol Pot and his Khmer Rouge? No, it was Richard Nixon and the evil Hawks in the Pentagon. In The Killing Fields, the New York Times reporter teaches us how to do Marxist historiography. It was Nixon's decision to bomb the NVA sanctuaries in Cambodia (1970) that caused the genocide. Peasants were killed in the raids. This "radicalized" them and caused them to join the Khmer Rouge and overthrow their government. Still remembering Nixon's bombings, they decided to shoot and club to death 2 million of their own people. Thus the evil Americans were responsible.

In fact, the West is to blame for every civil war, coup, famine, disease, or genocide in Africa and Asia. For it was Western Imperialism that created all the conditions that foster these things.

Looking at the problems of America's inner cities, one is tempted to blame them on the endemic culture of the ghetto that has decimated the black family and perpetuated an environment of crime and violence. That's the logical answer, but the wrong one. America has

covered its tracks, but it's easy to see after watching *Crash*, *Do the Right Thing*, and *Boyz in the Hood* that all these problems are at best the legacy of slavery and segregation, and at worst a deliberate policy of genocide designed to kill off the black man.

Without exception, the good guy in every Hollywood political drama is a liberal Democrat, and the bad guy is a conservative Republican. The *Manchurian Candidate* enlightens us that rightwing conservatives are the real enemies of America. The son of a prominent Joe McCarthy-style senator, Raymond Shaw is taken prisoner during the Korean War and brainwashed to become an assassin. The war over, Shaw's father is nominated for Vice President. The plan is for Raymond to kill the President elect and install his father in the White House. Come to find out, Shaw's mother is a KGB agent. The McCarthyism is just a cover for a Soviet plot. The only ones that can save the day are an ACLU supporting liberal Senator and Frank Sinatra. The thinly disguised message is that Soviet Bolsheviks and American McCarthyite conservatives represent the same kind of totalitarianism, and both are threats to American freedom.

It's the same with political comedy. In Rob Reiner's *The American President*, Michael Douglas' lovely liberal Commander-in-Chief is searching for a new love interest after the death of his first wife. He finds his new honey in Sidney Wade, a leftwing lobbyist for some environmental organization. Sydney wants the President's help on a tree hugger bill, but his legislative priority is a crime bill, with a key provision banning assault weapons and handguns. Politics being about compromise, the President is forced to negotiate with the odious NRA-loving conservative Senator Rumson. Rumson gets some political leverage after one of his evil flunkies finds an old picture of Sydney burning an American flag during a protest. The President is reluctantly forced to drop the gun-banning provisions, and Sydney's tree hugger bill falls by the wayside. But liberalism and love conquer all, including evil conservatives. After wrestling with his egalitarian conscience, the President decides that he will not compromise America's future with the likes of Rumson. So he calls a press conference. With liberal sermon music playing in the background, he lectures America that he "can't solve the crime problem without going after assault weapons and handguns." Since a reactionary Congress will not help solve the problem, he will issue executive orders: "Guns are a threat to national security," he says, "so I'm coming to get your gun." Hallelujah Brother! The *West Wing* television series, starring Martin Sheen, covers Clintonesque President Bartlett as he battles reactionary Republicans. Geena Davis' *Commander in Chief* is even more blatant in its leftist advocacy. As the first female president, she threatens to declare war on a Central African country in order to stop female genital mutilation. Now that's what I call appropriate use of the President's war powers.

Truly progressive filmmakers make movies that celebrate the real heroes in history. These films are made to earn insider status in Tinsel town. Warren Beatty's *Reds* follows

the tempestuous love affair of journalists John Reed and Louise Bryant. Members of Eugene Debs' Socialist Party, both meet in the free love atmosphere of Greenwich Village just prior to the First World War. It's a heady time for young communists. Until the outbreak of the war, global revolution is expected any day. But the war splits the international movement and the Dictatorship of the Proletariat is put on hold. Then in 1917 revolution breaks out in Russia. Reed and Bryant rush to cover the events, arriving just in time to witness Kerensky's collapse and Lenin's seizure of power in the October Revolution. Their collaborative work becomes a bestseller of progressive literature, *Ten Days that Shook the World*. In the early days after the Revolution, the evil capitalist powers try to strangle the new socialist republic. Reed is trapped in Russia, and soon after dies of disease, becoming the only American to be buried in the Kremlin. Tim Robbins' recent film *Catch A Fire* chronicles the heroic adventures of a young communist terrorist as he battles the South African government in the early 1980s. Robbins dedicates the film to his friend, Joe Slovo. Slovo was a longtime communist and leader of Umkhonto (MK), which was the terrorist wing of Nelson Mandela's African National Congress and was responsible for numerous murders and bombings. *The Motorcycle Diaries* portrays a young Che Guevara as he acquires a social conscience on a bike trip through South America. Inspired by his trip, Guevara becomes a full time revolutionary, helping Fidel Castro come to power in Cuba in the 1950s.

Most of these films are a little too hip for the average mass-man. They are targeted at the elite, your graduate of Columbia or Harvard, who is going on to become a professor, or an editor at *Rolling Stone*, or an ACLU lawyer. The typical cause film will steer clear of an overtly communist message. They deliver the same message in a more subtle package.

These types of cause films dominate the Oscar list every year. In fact, the primary purpose of the Oscars is to focus on the opinions the Hollywood leftist Establishment wants the masses to adopt. The cause film is an ideological seminar aimed at the educated class in America. The hope is that after being inspired by a cause film they will filter its opinion down to the mouth-breathers. The Oscars are Hollywood's opportunity to rededicate itself. To stay profitable, the Hollywood film Czars are forced to market mindless sex and violence for most of the year. The typical "summer blockbuster"—*Terminator*, *Batman*, *Lethal Weapon*, *Die Harder*— is Hollywood's bread and butter. But unlike the Roman arena, Hollywood is not just about bread and circuses, it's about indoctrinating the masses with egalitarian opinions. This is shown clearly at each Oscar's ceremony. The Oscars are Hollywood's revival time, the season for filmmakers to come to the crimson altar and rededicate themselves to the egalitarian gods.

This year's list of Oscar nominated films is no exception. Clint Eastwood's *Letters from Iwo Jima* is the Second World War seen through the eyes of a noble Japanese general, who is tasked with defending the island against racist United States Marines. *Pan's Labyrinth* is an

extremely hip film about a little girl living in a small country town in Spain just after the civil war (1936-1939). Franco's conservatives are victorious over the communists and her mother's fiancé is a Franco officer engaged in mopping up the last pockets of communist terrorists in the area. The little girl lives in an imaginary world, where the forces of evil are trying to wipe out the children of light. Thus the girl's imaginary world is a metaphor for the real events unfolding around her, as her sadistic fascist father-in-law battles the last heroic defenders of Marxism in Spain. *Babel*, starring the empty headed Brad Pitt, is the typical warm and fuzzy film that tries to make the pinko point about the universal human experience. From the dusty Third Worlder to the American suburbanite, we are all the same. The barriers of language, religion, nation are all artificial. *Blood Diamond* makes Westerners feel guilty for causing Africans to cut one another's limbs off with machetes in order to supply New York socialites with shiny rocks.

Last but not least was Al Gore's *An Inconvenient Truth*, his magnum opus about global warming. The world is going under the ocean because of greedy SUV-driving Americans sucking up the world's energy and spewing it out into the atmosphere as "greenhouse gases." Unless socialists like Al Gore are given appropriate regulatory power over private property and industry, we're all doomed. The red carpet treatment given to Al Gore's film is the best evidence available as to Hollywood's leftist agenda. *An Inconvenient Truth* is a pure propaganda film with no pretensions about entertaining the viewer at all. Despite considerable disagreement about the extent of so-called global warming, Hollywood is not neutral. And unless you adopt Al Gore's truth, you are contributing to the demise of the planet. No one cometh to enlightenment except through Al Gore and Leftist Hollywood. Gore's film was the centerpiece of the awards ceremony. Singer Melissa Etheridge was called upon to perform the film's theme song. Then the Stiff One himself came out and delivered a short sermon about what we all need to do to slow global warming. It was a leftist love fest with lesbian theme music.

Let's imagine an alternative. What if Dick Cheney had made a film about the Iraq invasion, *An Inconvenient Dictator*. And the film was about why the invasion was justified, and why we needed to support the war effort. Can you imagine Hollywood awarding his film an Oscar and inviting him to give a speech about it? Can you imagine Toby Keith performing his song about putting boots in Arab butts? Or what about this: Pat Buchanan makes a film about the horrors of abortion, *An Inconvenient Pregnancy*. Do you think Hollywood would showcase his film? Or how about Tom Tancredo making a film about illegal immigration, *An Inconvenient Border Problem*? These suggestions sound absurd because we have come to accept that Hollywood is a bastion of Leftist propaganda; other views need not apply.

But if you ask Hollywood about its monolithic bias, they'll say the views expressed in those cause films are "controversial," "anti-establishment." For instance, the corpulent Michael Moore makes a film every year, and always advertises as if it were made in a basement somewhere, just one step ahead of jack-booted CIA agents. That's right, fascists are out to censor Michael Moore. His *Bowling for Columbine* is a liberal gun control screed. *Fahrenheit 9/11* is a film about how the Bush administration and the Saudi royal family conspired to use the 9/11 attacks to take away our civil liberties and invade Iraq. Moore's latest film *Sicko* is a cause film about how greedy capitalist HMOs and right wing politicians conspire to keep America's proletariat from getting decent health care. The progressive Castro regime actually provides Cubans better health care than evil capitalist America, says Moore. Rumors are now afloat on the Internet that the Bush Administration will confiscate Moore's latest film. And pigs will fly.

The "controversial," "anti-establishment" labels are selling points. Labeling a film as such is meant to appeal to the part of us that likes to think of ourselves as rebels. This is especially true of the young. One of the greatest tricks the Establishment has pulled on our young people is to convince them that their agenda is the rebel's agenda. It is exactly the reverse. Michael Moore, Al Gore, and Hollywood are the Establishment. The only permissible opposition is from the inertia and indifference of the Economic Man half of the Establishment. Hollywood's cause films set the agenda for the future, they are the marching orders issued to the mindless myrmidons pounding bongos on America's college campuses. The Hollywood Establishment will not permit any principled conservative arguments against their agenda. There has never been a cause film designed to support gun rights. There has never been a cause film that argues directly against the global warming agenda. Nor has there been a film that argues against universal health care. No filmmaker will ever argue that George W. Bush was right to invade Iraq. And as we will see shortly, Hollywood has never made, nor will it ever make a film with a decidedly pro-life, or anti-homosexuality message.

Fed a steady diet of these cause films, the "rebels" at Berkley and Harvard and Columbia are just like the communist students who tore China apart during the Cultural Revolution in the 1960's. The students thought they were shaking up the "Establishment," when in reality Mao Zedong and his wife were the ones calling the shots all along. Marxists believe that revolution is a constant—every generation must be inspired to burn more, purge more, to push on toward the utopian classless society. Because if they don't the forces of reaction will set in and inequality will reemerge. Revolution, they believe, is a continual tearing down.

In the history of Hollywood, no other cause has used up more celluloid than racial tolerance. Seventy years ago in America, attitudes about race were very different than

today. Whether in the North or in the South, the majority of both whites and blacks were opposed to integration on a social level. In the North, whites and blacks lived in separate neighborhoods by choice. In the South, the races were segregated by law. And the idea of racial intermarriage was taboo. Nowadays, attitudes about race are exactly the reverse. At least in public, no one, especially someone who is white, will oppose racial integration. And unless they are black, very few people can get away with opposing racial intermarriage. Why the radical change in attitudes? Did Americans change their minds about race? Or, were there minds changed for them?

After the Civil War whites and blacks lived in separate worlds. But by the early decades of the twentieth century there were several forces at work changing America's racial landscape. Economic forces were making formal segregation difficult. Starting with the First World War millions of blacks left the rural South and moved north to cities such as Chicago, Detroit, and New York. There, they gained in wealth and power, making their formal exclusion from the economy problematic. Even in the mostly rural South, economic segregation was a problem. As well as losing potential black customers, large chain stores lost the support of Northern liberals when they put up "Whites Only" signs.

And of course, legal segregation was under assault starting in the 1930s. Under pressure from his wife and the leftist part of his coalition, Roosevelt integrated many of his New Deal programs. Truman integrated the military in 1948. Interstate public transportation was integrated in 1947. Shortly after, Brown vs. the Board of Education declared segregated public schools unconstitutional. The Civil Rights Act came in 1964, and the Voting Rights Act in 1965. Legal segregation was dead by 1970.

But all of these changes affected only the surface of society. The changes in the law were coming from the top down. The new economic realities brought whites and blacks together during business hours, but at night, each returned to their separate worlds. Attitudes were still segregationist, despite the changed legal and economic landscape. As Martin Luther King remarked "We can change the laws, but that will not change people's hearts."

This is where the pop-culture stepped in. All segregationist sentiment was banished from music, television, and film. Racial integration and tolerance were promoted. From the 1950s forward, no other cause in the history of opinion-shaping has been worked like racial tolerance in America. Everyone over forty is familiar with Atticus Finch in To Kill A Mockingbird (1962). Finch is a lawyer in a small southern town who is asked to defend a black man accused of rape in the 1930s. On his way to proving his client innocent, Finch teaches his children that only ignorant people judge a man by the color of his skin. The Defiant Ones follows the trials and tribulations of two escaped convicts, one white and the other black. Handcuffed together, the pair is forced to help one another. It's no easy matter, as both argue and tear at

each other. Eventually, they find a young white widow who agrees to remove their cuffs. As both plan to split up, she gives the black convict directions that will lead him into a swamp, hoping that the man hunters will follow him, while her and her new beau make a break for it. Forced to choose, the white convict (Tony Curtis) drops the racist hag and rescues his black friend from quicksand. Guess Who's Coming to Dinner tackles the taboo of interracial marriage. A young nubile white woman brings her black fiancé (Sidney Poitier) home to meet the folks. Shenanigans and wackiness ensues. Finished wrestling with his own outdated racist attitudes, the father (Spencer Tracy) embraces his new son-in-law and delivers a sermon to the home audience about the evils of racial intolerance. In yet another Sidney Potier-to-the-rescue film, he plays Virgil Tibbs in In The Heat of the Night. A black detective from the North, Tibbs is accused of murder while passing through a small Mississippi town. Cleared of the murder charges, Tibbs offers to help catch the real killer using his big city know-how. But the racist redneck Police Chief Gillespie (Rod Steiger) is having none of it. Gillespie finally sheds his racist hostility and comes to respect the spunky Negro detective.

These films of the 50s and 60s set the pattern for many more films with the same racial tolerance theme: Roots, Remember the Titans, Mississippi Burning, Lords of Discipline. And there are scores of other films with racial tolerance woven into a larger plot: The Great Santini, Forrest Gump, Monster's Ball. The latest installment on the racial tolerance theme is The Great Debaters. Virtually every dramatic or comedy series that has been on television since the 1960s has dealt with racial tolerance in the required way. Practically all of these films were awarded Oscars. Segregationist sentiment, unless it is black (Malcom X), is always portrayed as evil. There has **never** been a white segregationist film made in Hollywood. Collectively, these films laid the foundation for contemporary opinions about race in America.

Hollywood's efforts paid off. In less than thirty years segregationist opinion was driven into the shadows. The polemic was aimed at the white majority. As the excluders, white Americans were the bad guys. White racial exclusion was portrayed as the greatest evil on the planet. Stereotyped images of whites oppressing blacks, and other minorities, were shown over and over and over again. The redneck racist sheriffs, the blond-haired blue-eyed Nazi, the brain-dead Bubba nightrider are stock characters in Hollywood's cupboard. The result is that today it is unthinkable for whites to express anything but unqualified support for civil rights and integration. Even interracial marriage, once a great taboo, is accepted by all.

To measure the extent of the change, just contrast the opinions of public officials in the past with those held by public officials today. When the Great Emancipator Abraham Lincoln was running for an Illinois senate seat in 1858, the best weapon his opponent, Stephen Douglas, used against him was to accuse him of wanting social equality between the races. Lincoln responded that he

was opposed to slavery, but was not in favor of integration: "I am not now, nor have I ever been in favor of bringing about in any way the social and political equality of the white and black races..."¹ At the turn of the last century, Teddy Roosevelt was quoted as saying, "As individuals, I believe some blacks to be my equal. But as a race, blacks are inferior." When Woodrow Wilson took presidential office, he was disturbed that Washington D.C. was too lax on racial matters. A Virginian, Wilson thought the races should be strictly separated. So he instituted a bunch of segregationist measures in the capital. When asked his opinion about integrating the military in 1941, Chief of Staff George C. Marshall said, "The army is not a sociological laboratory."² Needless to say, if any white public official today was even rumored to have expressed such opinions on race, he wouldn't be able to hold down a job as a dog catcher in Pork Bend, Indiana.

White public figures today live in constant fear of expressing a "racist" sentiment. A seemingly innocuous comment or joke can destroy an entire career. Trent Lott, for instance, never recovered from his Strom Thurmond comment. Jimmie the Greek disappeared into obscurity after his remarks about black athletes. George Allen lost the governors race in Virginia because of his off-the-cuff joke about a "Maccaca." Even left-leaning shock-jock Don Imus was called before the tolerance Inquisition for his "nappy-headed" comment. Every year America is treated to the spectacle of some white public figure being forced to shoulder a block of white guilt and crawl before the likes of Al Sharpton, begging for forgiveness. These are the fruits of Hollywood's racial tolerance campaign. Hollywood has induced a level of fear and self-loathing in whites for real and imagined injustices done to racial minorities in the past. Hollywood's racial tolerance campaign is the best example of public opinion manufacturing in history. As a case of mass psychology manipulation, it is second to none. Fifty years ago it was hard to find a public figure in the South who was not a supporter of segregation. Today, you can't find a segregationist anywhere.

The point I'm making is not that civil rights or integration were bad ideas. What I am saying is that America's radical change of opinion on race in the past seventy years was not the result of natural change. Economic change doesn't cause the Governor of Virginia to cringe in terror on the Larry King Live Show, begging America for forgiveness for telling a joke. These attitudes were engineered, imposed, and are now enforced by maintaining a climate of moral terror, which prevents anyone from expressing an unorthodox opinion on race.

As a social conservative, you are probably saying to yourself, "Conservative support for segregation seventy years ago was wrong. Our grandfathers were bigots. If Hollywood changed America's opinions on race, that was a good thing. What is the problem?" The problem is, you are next. The problem is, your grandchildren will be saying the same kind of things about you. Thirty years ago Hollywood managed to engineer segregation out of the

American psyche. Over the next thirty years Hollywood intends to engineer Christian social conservatism out of the American psyche. First, the media wants to make it unacceptable for anyone to claim that Christians have an exclusive monopoly on the truth and salvation. Second, Hollywood wants to normalize homosexuality across the board. Third, our masters in the media want to end all opposition to abortion-on-demand. Eventually, they want to make these causes as unpopular as segregationism. No public figure would dare champion the cause of segregation today. Hollywood is confident that in thirty years no public figure will champion social conservative causes either.

In a recent interview about his latest book The God Delusion, Richard Dawkins said the book's purpose is "to demolish the intellectual and moral pretensions of Christianity." Conservative Christians are "hell bent on ruining the scientific education of thousands of innocent, well-meaning, eager minds," said Dawkins. Because Christianity's fundamental viewpoint "debauches the scientific enterprise," it cannot be tolerated in today's world.³ Spoken like a true Marxist. Now, if you were to look on the coffee table of Steven Spielberg, Alan Ball, David Geffen, or Ang Lee you would probably find a copy of The God Delusion. Such Hollywood moguls take their intellectual marching orders from pinko academics like Dawkins. They then translate them into simple morality tales and spoon feed them to mass-man. In the minds of Hollywood's elite, the social conservatives of today are just as bad as those segregationists of old. They see no difference between the Pat Buchannans of today and the George Wallaces of the past. To them religious exclusion is just as bad as racial exclusion. They believe those who oppose gay marriage today are just like those who opposed interracial marriage in the past. They believe those who are against abortion today are the same people, wearing different clothes, who were against integration fifty years ago. And they will not rest until all of these beliefs are driven completely underground.

Hollywood was successful in promoting their notion of racial tolerance partly because they had a monopoly over the big bullhorn and could exclude all other opinions on the issue of race. Argument confuses mass-man. He wants his opinions pureed and spoon fed to him. There are good guys and bad guys, he just needs his keeper to point out which is which. Villains can't have perspectives. In yesterday's racial polemics, on one side was the ignorant tobacco-chewing southern racist sheriff, and on the other was the victimized numinous Negro and the enlightened do-gooder white liberal. In today's polemic, on one side is the evil scheming Catholic priest and the Southern Baptist Bible-thumping bigot, and on the other is the good open-minded liberal and his non-Christian ally. Those are the parameters for the polemic. Hollywood will not tolerate anyone who confuses that message.

First, Christianity's claim to hold the keys to the kingdom, which is the essence of Christian teachings, is banned

from the mass media. Instead, the pop-culture attacks Christianity as the greatest evil. In the *Last Temptation of Christ*, Jesus is not the Son of God. He is a mentally disturbed social activist, who lusts after prostitutes. The Church is not Christ's representative on Earth. *The DaVinci Code* tells us the Church is a conspiracy of the rich to keep the poor under control, using myth and superstition. The Virgin Birth, the Resurrection, the Incarnation—all are lies. Christ is a Gandhi-style social activist who marries Mary Magdalene, and later moves to France, where he sires the Merovingian Royal blood line. The Church knows this, but has conspired for 2000 years to conceal the truth. And anyone who threatens to reveal the truth is dispatched by pistol-packing monks. The *Stigmata* has the Church using miracles to support its false power. Burt Lancaster's *Elmer Gantry* is a smooth-talking huckster, who preaches for women and cold hard cash. In *The Handmaiden's Tale*, Pat Robertson style fundamentalists use the AIDS epidemic to take over the country, locking up lesbians and all manner of heathens in concentration camps. A high school girl is abused by an overly religious mother and develops destructive telekinetic powers in *Carrie*. *Primal Fear* has Edward Norton's alter boy taking revenge on an Archbishop for using him as a sex toy in pornographic videos. Mandy Moore plays a born again bigot in *Saved*. *Inherit the Wind* is a leftist tale about the Scopes trial. Big city atheist lawyer Drummond (Spencer Tracy) comes to the rescue after a small Tennessee town charges a progressive science teacher with the crime of teaching evolution. Christianity, says Drummond, is a "Golden chalice of hope, founded on intolerance, bigotry and hate."

There are a few good Christians. However, the only good Christian in Hollywood is a socialist Christian. Jeremy Irons' Jesuits erect a socialist utopia for the natives in South America (*The Mission*). But paradise is lost when evil white fascists invade to steal their land. Susan Sarandon plays a leftist nun who ministers to Sean Penn's rapist-murder in *Dead Man Walking*.

I can think of only two films that have portrayed traditional Christian themes favorably: *The Apostle* and *The Passion of the Christ*. Both, however, were independent films, receiving no support from the major studios, or the Hollywood Establishment. And the controversy surrounding the release of Mel Gibson's *Passion* is the best evidence available of Hollywood's extreme hatred for Christianity.

Gibson upset Hollywood's monolithic message on Christianity. When constructing a polemic, you must stay on message. Hollywood has built a polemic that says Christians are bad, unless they espouse egalitarian values. The commissars in Tinsletown have been writing a different gospel for years. And since most Americans have never read the real gospel, they have by and large accepted Hollywood's version. By returning to the original gospel, Gibson confused Hollywood's polemic.

Hollywood's gospel goes like this: Christ is not born of a virgin. He is not divine. Jesus is simply a political activist,

an ancient day version of Martin Luther King. His message is non-exclusive, pacifist, and aimed at correcting the social injustices committed by the fascist Roman Empire. The "Sermon on the Mount" is basically a teach-in about the conditions of the proletariat in Palestine. Noticing the threat of this upstart revolutionary, the right winger Pilate seeks to bring him down. So he coerces the reluctant Jewish chief priests to deliver Jesus up for crucifixion. Jesus is, therefore, a martyr for social justice brought down by the Man like Nelson Mandela and Martin Luther King. Later on fascist churchmen corrupt Jesus' revolutionary movement, says Hollywood. They built the myth of traditional Christianity in order to keep the poor people ignorant and subservient to kings and priests. The Virgin Birth, Christ's Divinity, the Miracles, Heaven and Hell—all are myths. The entire New Testament is nothing but anti-Semitic propaganda. Christ is really Che Guevara in sandals, and don't you forget it.

Query most "Christians" today and you will probably get some version of this Marxist fairy tale. Actually, Hollywood's gospel is an application of the old Marxist adage, "If you can't shoot them all, then join them and twist their beliefs to your liking." Old-style scientific socialism had no room for God or the after life. This alienated people. The Fabian method was far more effective. Egalitarians joined the churches and have slowly transformed them from the inside, turning Christianity into Marxism with only a thin veneer of religious symbolism.

The part of the gospel story that the Establishment has worked hardest to change is the crucifixion. Every Easter the masses are treated to a host of television programs devoted to distorting the facts of the Bible. CNN's "Who Killed Jesus" is typical. It's a familiar routine. The program invites a bevy of leftist academics, who happen to wear liturgical collars. These "Jesus Experts" have long credentials behind their names from the best universities. All of them know the Bible well; but all of them deliberately distort what it says. Like a bunch of political hacks on the campaign trail they deliver the party line: Who killed Jesus? "The Romans did it, and the Jewish chief priests were reluctant co-conspirators," they repeat over and over again like Chatty Kathy dolls.

What are these "Jesus experts" trying to accomplish? Well, as the new caretakers of American's soul, they believe the Bible is in need of a serious rewrite. They believe that the New Testament, as written, is largely 1st century anti-Semitic propaganda. Over the centuries, so the story goes, bigoted Gentile churchmen have used the gospels to incite hatred for Jews by blaming them for Christ's death. This Christian propaganda helped create a climate of anti-Semitism in Europe for over a thousand years, which resulted in numerous pogroms and persecutions. Ultimately, this generalized anti-Semitism led to the Nazi persecutions in the twentieth century. That the Nazis were hostile to Christianity is irrelevant, they say. The Nazis got away with persecuting the Jews because most Germans were raised on anti-Semitic Christian beliefs. This is the argument put forth clearly in *Hitler's Willing Executioners*, by Daniel Jonah Goldhagen.

They hold Christianity itself responsible for the Holocaust. And if Christianity is allowed to exist in today's tolerant society, it must be reengineered, starting with a rewrite of the crucifixion story itself.

Because most Americans use their Bibles to decorate their coffee tables instead of reading them, this biblical rewrite is relatively easy. For example, Fox News Channel's Neil Cavuto premised a discussion on Gibson's *Passion* by asking his guest, a Catholic priest: "This whole controversy is really a matter of biblical interpretation, right?" Dumbfounded by Cavuto's ignorance, the priest responded, "No, the controversy is about whether a filmmaker can tell the gospel story on the big screen."

That was Gibson's crime—he told the gospel story on the big screen. Just in case you are like poor Neil Cavuto, here is the basic gospel story, the one the Establishment has condemned as anti-Semitic. Jesus is born in Bethlehem to a virgin.⁴ After being baptized by John in the river Jordan, he begins preaching the Kingdom of Heaven message.⁵ It is an exclusive message, there being no other way to Heaven except through Christ.⁶ His Kingdom of Heaven is both an ethic ⁷ and a supernatural place.⁸ His message is not a break with Moses' Law, but rather its fulfillment.⁹ Jesus teaches individuals to believe on Him as God, conform to the kingdom of Heaven ethic, and prepare for the life to come in the next world.¹⁰ He is not a political activist ¹¹; he has no plan to reform the politics of Palestine; he heals Gentile Romans and Jews alike.¹² Christ's concerns are with redeeming individual souls from sin and damnation in preparation for eternal life in the next world. This world, as a whole, is unredeemable and will be replaced by His supernatural kingdom.¹³

The religious authorities—Pharisees, Sadducees, and chief priests—of Jesus' own people (Jews) oppose His ministry from the start.¹⁴ The controversy is over His interpretation of the Laws of Moses, and later over His claim to be equal with God.¹⁵ Early on Jesus sees His persecution and His upcoming crucifixion at the hands of the High Priest as the fulfillment of prophecy.¹⁶

Wanting a showdown with the chief priests, Christ goes to Jerusalem just before the Passover, the holiest time of year for religious Jews. There, He enters the Temple "overturning the tables of the money changers and the seats of those who were selling doves."¹⁷ The next day Jesus returns to the Temple, and with the chief priests looking on, He speaks to the people. Condemning the chief priests for hypocrisy and for corrupting Moses' Law in the pursuit of wealth and power, Jesus challenges the religious establishment. Not only that, He compares them to the Jewish leaders of the past who rejected and killed most of the prophets. And now that God has sent His Son (Jesus), the chief priests and elders reject Him too. For this, says Jesus, the Covenant will be taken from them and offered to others willing to listen and obey God.¹⁸

The chief priests are livid. How dare this upstart enter their Temple and insult them in front of the people. From that moment on "the chief priests and the scribes were seeking a way to arrest him by treachery and put him to death."¹⁹

They find a willing accomplice in one of Christ's disciples, Judas. Judas "went off to the chief priests to hand him over to them." After hearing Judas' plan, the chief priests "were pleased and promised to pay him money."²⁰ Judas leads the Temple guards to arrest Jesus in the Garden of Gethsemane. Captured, Jesus is brought before "all the chief priests and elders and the scribes. . .".²¹ Unable to find a false witness against Him, the high priest asks Jesus, "'Are you the Messiah, the Son of the Blessed One?'" Then Jesus answered 'I am; and you will see the Son of Man seated at the right hand of the power and coming in the clouds of heaven.' At that the high priest tore his garments and said, 'What further need have we of witnesses? You have heard the blasphemy. What do you think?'" They all condemned him as deserving to die."²²

The next morning Jesus is taken before Pilate, the Roman Governor of Judea. There, the chief priests say nothing of religious blasphemy. Instead they accuse Jesus of political sedition, of claiming to be "King of the Jews." As Governor, Pilate is tasked with taxing and keeping peace in Judea, and this means putting down all opposition to Rome's authority. Resistance to Roman rule in Judea is frequent and bloody. The penalty for sedition is death.

But after examining Jesus, Pilate finds that the accusations of the chief priests are false, "For he knew that it was out of envy that the chief priests had handed him over."²³ Obviously, Christ is not a political revolutionary. This is a religious dispute and the chief priests want him to do their dirty work. But Pilate wants no part in it. Pilate's wife tells him to "Have nothing to do with that righteous man."²⁴

Meanwhile, a crowd has gathered outside Pilate's Court. At Passover it is customary for the Governor to release a Jewish prisoner, so Pilate goes out to the people and suggests releasing Jesus. But "The chief priests and the elders persuaded the crowds to ask for Barabbas, but to destroy Jesus."²⁵ Barabbas is an actual revolutionary, who has been jailed for killing Roman soldiers during an insurrection.²⁶ Pilate tries three times to release Jesus, asking the crowd "'What evil has he done?'" But each time, the crowd only shouts louder 'Let him be crucified!' When Pilate saw that he was not succeeding at all but that a riot was breaking out instead, he took water and washed his hands in the sight of the crowd saying 'I am innocent of this man's blood. Look to it yourselves.' And the whole people said in reply 'His blood be upon us and upon our children.'"²⁷ Thus Pilate releases Barabbas and delivers Christ to the will of the chief priests and the mob. Three days after his crucifixion Jesus rises from the grave and ascends into heaven.²⁸

Some of the gospels add more details to the story that are not found in the other gospels. And later, churchmen extrapolated a whole host of doctrines based on Jesus' crucifixion. But all of the synoptic (first three) gospels tell the basic story that I just summarized. That is the gospel story as told for 2,000 years. Besides a few short sentences in the writings of Josephus that mention the crucifixion of Jesus, the four gospels are the only reliable

sources on the life and death of Christ. *The Gospel story is the basis of Christianity. Without the gospels, there is no Christianity.* By decreeing Mel Gibson's *The Passion of the Christ* politically incorrect, the Establishment has decreed Christianity itself to be politically incorrect.

Hollywood has produced films that are incredibly hostile toward Christianity. Almost every year the commissars of Tinsel town cook up another insult to Christians. Liberals will say that the reason Gibson's film was controversial was because it presented a religious opinion in a diverse society. Religious opinions ought to stay out of the public square, they say. This is, of course, a lie. Hollywood has no problem producing films that offer hostile opinions about Christianity. They just won't allow favorable opinions about Christianity. It is perfectly acceptable for a filmmaker to portray Christ as a demented pervert (*Last Temptation of Christ*). Hollywood has no qualms in showing a Catholic monk committing murders at the behest of a Catholic Bishop (*The DaVinci Code*). There is no problem with ridiculing born again Christians (*Saved*). But when Mel Gibson wanted to present the basic gospel story on the big screen, he was run out of Hollywood on a rail.

Second is Hollywood's campaign to promote tolerance of homosexuality. Starting soon after Bill Clinton's failed attempt to allow gays to serve openly in the military, Hollywood launched an aggressive campaign to normalize homosexuality. Ellen DeGeneres made a famous exit from the closet. Other celebrities followed her: Rosie O'Donnel, K.D. Lang, Elton John, Melisa Etheridge. From the mid 1990's on the pop-culture decreed all things homosexual to be hip. The main theme of the *Howard Stern Radio Show* was to think up new and more perverted ways that lesbians could titillate young male listeners. Joe Francis started building his media empire on reality porn, featuring college age girls engaged in lesbian foreplay (*Girls Gone Wild*). Now, practically every film targeted at brain dead young males has the obligatory lesbianism: *American Pie*, *Starsky and Hutch*, *The Girl Next Door*.

Comedy is often used as a vehicle to soften serious subjects. Norman Lear used it effectively in his *All in the Family*, to make light of the social conflicts of the 60s and 70s. The series pitted Rob Reiner's liberal hippie against Carrol O'Conner's World War II generation racist hardhat. The same tactics are now used in movies like *The Bird Cage*, which is the *Guess Who's Coming to Dinner* for the 1990s. In this film, wackiness ensues after the son of a homosexual night club owner gets engaged to the daughter of a prominent social conservative senator. The right wing senator and his wife want to meet the new in-laws, so they schedule a visit. Embarrassed by his limp-wristed father's partner, the son asks them to "pass" for straight during the visit. But the masquerade falls apart. The movie ends, of course, with the wrong-headed homophobic senator coming around to tolerance. The television comedy *Will and Grace* also uses laughter to promote tolerance for homosexuality.

With such a serious subject though, comedy is not enough. The masses must shed some tears and get angry at the Man. Tom Hanks plays a gay man in *Philadelphia*, who contracts AIDS after a one-night-stand in a porno-theater. Using trumped-up charges, his boss fires him, so he sues. In court we probe the depths of homophobic prejudice, as his boss finally comes clean about why he really fired the Opera singing Hanks. Hillary Swank won an academy award for her portrayal of Tina Brandon (*Boys Don't Cry*), a transsexual martyred by evil homophobic rednecks in the wilds of Nebraska. *Queer Like Folk* is a look inside the lives of young, hip, homos, as they engage in loose sex in the big city. It's a sort of *Sex In The City* for those who are light in the loafers.

Then there is *American Beauty*. *Beauty*, which won Best Picture for 1999, is the brainchild of gay writer Alan Ball. Ball is a day before yesterday hippie, whose warped values were picked up during The Summer of Love back in 1967. In the movie, Kevin Spacey's Lester is an ordinary suburbanite who is burnt out on his job and his boring life. His wife hates him; his daughter doesn't respect him. Lester dreams of being a child again—hanging out, listening to music, doing bong hits. Inspired by a vision of having sex with his teenage daughter's friend, Angela, Lester quits his advertising job and signs on down at Burger King, because he wants "as little responsibility as possible." Now he spends his days pumping iron in the garage and smoking high quality grass, purchased from a neighbor kid, Ricky.

Ricky is Ball's hero. Caught smoking pot three years earlier, Ricky gets urine-tested by his Marine Corp Colonel father every month. Naturally, the father is the villain in *Beauty*. He collects Nazi dinnerware, oppresses his mindless wife, and bitches continually about the country "going straight to hell." Why is the country going to hell? Because of "fags."

After the Colonel witnesses Ricky selling Lester a bag of pot, he mistakenly believes his son is one of those "fags," and Lester is paying him for sexual services. So he beats his son silly, and kicks him out of the house. Then he decides to go next door and confront Lester, who is pumping iron in the garage. Noticing the rain-soaked Colonel outside, Lester opens to see what he wants. Instead of pummeling Lester, the Colonel tries to kiss him. But Lester deflects his advances. Here, Ball makes his point: Mr. Homophobic Marine Corp Conservative Colonel is actually concealing homosexual tendencies behind his hostile exterior. Chagrined at being "outed," the Colonel gets his gun and splatters poor Lester's brains on the wall.

American Beauty is an important film because it provides you an unobstructed view into the Hollywood mind. Since the 1960s the drug culture has devastated millions of lives in this country. But there is no lesson in that for Alan Ball, not at all. His film repackages the same rotten message Timothy Leary used to poison an entire generation back in the 1960s: "Tune in, turn on, and drop out." Ambition, maturity, responsibility, family, morality, are bad things. It's better never to grow up. It's better to be a forty-year-old

burger flipper, who hangs out and smokes dope all day. Everything will work out in the end because “all you need is love,” as the Beatles told us. And Ball’s tactic in promoting homosexuality is equally juvenile. It’s a variation on the time-honored kindergarten taunt, “I know you are, but what am I.” He is saying that conservatives who oppose the normalization of homosexuality are actually closeted drag-queens. By day, they cover themselves with the mantle of traditional morality, but at night, they dress up like Ethel Merman and sing show tunes. If, as Ball contends, you are what you hate, then Ball must actually be a closeted conservative militarist, who collects Nazi memorabilia.

The most recent homosexual cause film is *Brokeback Mountain*, which won Best Director, and was the featured cause film for the 2005 Oscars. Trying to break the stereotype of effete homosexuals gyrating to house music in San Francisco, *Brokeback Mountain*’s two homosexual lovers are Middle American sheep ranchers in Wyoming. The story is about true love trying to survive in a bigoted world that condemns such relationships. It’s *Romeo and Juliet* for hillbilly homosexuals. Next, Hollywood will tell the story of two Green Berets, who are forced to hide their canoodling in an atmosphere of “don’t ask, don’t tell.” Bigoted colonels, comedy, cowboys—it’s all camouflaging used to conceal a polemic. These films were made for one purpose: to convince the audience that homosexuality is normal, natural, and anyone who opposes it is an evil bigot.

Third, promoting abortion as an essential human right is another cause at the top of Hollywood’s agenda. Targeted at teenagers, *Fast Times at Ridgemont High* portrays a sex-curious girl sleeping her way around high school, until finally she gets pregnant. After her paramour refuses to go halves with her on an abortion, her sympathetic older brother drives her to the friendly neighborhood abortion mill. The moral of the story: use contraception while you indulge in the expected round of high school sex, drugs, and rock-n-roll, and don’t sleep with boys who won’t foot the bill if you need an abortion. *If These Walls Could Talk* follows the abortion stories of several women in order to show that abortionists perform an essential humanitarian service. The movie *Cider House Rules* has Michael Caine playing a country doctor (Dr. Karch) who runs an orphanage and provides illegal abortions for the local girls in 1940’s Maine. Up in years, Dr. Karch is grooming Homer (played by Tobey McGuire) to take his place. But Homer is not hip on becoming an abortionist, so he runs away up-state to work on an apple farm making cider. There Homer befriends a family of migrant workers who run the cider house. When he’s not teaching Homer the ins -and -outs of making cider, the father is sexually molesting his teen age daughter, Rose. Of course, Rose becomes pregnant. Homer discovers the terrible secret. He wrestles briefly with his conscience, but finally offers to “help.” Performing the abortion on Rose, Homer finds his calling and returns to the orphanage to take his place as the friendly neighborhood abortionist. Accepting his Oscar

for Best Supporting actor (1998), Caine gave a little speech about the noble services that abortionists provide for women. On cue, the Hollywood elite gave him a standing ovation. *Vera Drake* is another polemic about the necessity of abortion-on-demand.

Most of these films show abortion as not necessarily a good thing, but a necessary thing. However one may feel about the morality of abortion, it is an option that women sometimes need. In other words, Hollywood is indoctrinating Americans with the so-called “pro-choice” argument.

On these three issues—traditional Christianity, homosexuality, abortion—you would think that in a “diverse,” “democratic” society, where “all voices are heard,” there would be some diversity of opinion in the pop-culture. Not at all. On these issues that still divide the American people in the political and social arena, there is no division in Hollywood. The message is uniform: traditional Christianity is intolerant, homosexuality is normal, and abortion is an essential human right. Polls show that a good percentage of Americans still believe that there is something immoral about homosexuality. And an overwhelming 72 percent are opposed to gay marriage.²⁹ But in the last 30 years there hasn’t been one Hollywood film that portrays homosexuality as immoral; and Hollywood will never make a film in the future that makes the case against gay marriage. Depending on how the question is asked, some polls say 40 percent of Americans oppose legal abortions; in other polls 60 percent oppose legal abortions.³⁰ But there has never been a Hollywood film that has portrayed the pro-life cause in a favorable way. On the contrary, the worst villains in Hollywood films are traditional Christians who oppose homosexuality and abortions.

Almost every major social change in the past seventy years has been the product of governmental-legal decrees coming from above in conjunction with social engineering through mass media propaganda. Let’s take a look at the results of Hollywood’s latest engineering project. According to a recent poll, Americans between the ages of nineteen and twenty-seven favor liberal causes over conservative causes. By a ratio of 52 to 36, young people say the Democratic Party represents their moral values better than the Republican Party. Asked how they view the two parties, 58 percent had a favorable view of the Democrats, while only 38 percent has anything good to say about the Republicans. Although only 28 percent of all Americans support gay marriage, 44 percent of the young people in the poll favor allowing homosexuals to marry. And an overwhelming 75 percent said abortion should be legal— 38 percent with some restrictions on the practice, 37 percent with no restrictions at all.³¹ When young people went to the polls on November 4, 2008 they expressed these opinions. Sixty-six percent of voters under thirty years old pulled the lever for the Marxist

Barack Obama. Obama wants gays in the military. He supports passage of the Choice Act, which would do away with all state laws limiting access to abortion and provide taxpayer funding for abortions. Obama is by far the most left-leaning elected official in American history, yet he skated into the White House on smooth ice. The youth of America worship the man like a god. And in the hotly contested battle to preserve traditional marriage in California, the majority of young people voted to allow homosexual marriage.

Those men and women who graduate from the “finest” universities in the country, who will go on to dominate the institutions of power in this nation, are almost universally card-carrying liberals. This is because their professors are almost universally card-carrying liberals. These professors articulate the leftist opinions they received from the pop-culture. The quarterly magazine *Academic Questions* recently did a survey of college professors to discover their political leanings. Registered Democrats outnumbered registered Republicans by a margin of 10 to 1. At Columbia University and Yale the ratio is 14 to 1; at Brown it is 30 to 1.32 The loneliest place on this planet for a young person today is the Conservative Club at Brown University.

So what happened? Why are young Americans so liberal? Did they research the issues and arrive at their opinions after some deep thinking? Or were these opinions pumped into them like lubricant? I believe a close look at the typical twenty-something will answer these questions. He spends most of his time playing video games; she spends her time watching talk shows. His hat is backward; her midriff is showing. He has a tribal band tattoo; she has a nose ring. He imitates the mannerisms of inner-city street urchins; she butt dances and has friends-with-benefits. He physically attacks anyone who “dises” (disrespects) him; she tells people to “talk to the hand.” Things he likes are “sweet”; to her they’re “hot.” Despite growing up in a so-called advanced society, he and she adopt this vulgar, degraded image because the pop-culture tells them to. If they don’t adopt this image, they are labeled “dorks.” The “individuality” the pop-culture attaches to this “hip” or “cool” image is part of the package. Their image has been issued to them like a uniform. If one day Hollywood decrees it “cool” to wear dead marsupials around the neck, they’ll be the first in line down at the mall to buy their very own stiff possum, with a Tommy Hilfiger name brand attached. The suggestion that most nineteen to twenty-seven year olds arrive at their political opinions after a process of deep contemplation is laughable. The *Jon Stewart Show* and *Saturday Night Live* offer serious political commentary in their world. They got their opinions from the same place they got their Che Guevara T-shirt and nose ring— from the pop-culture. And if they go to college, they’ll have these opinions articulated for them by leftist professors.

Some conservatives will say that the views of these young adults will change as they mature with age and responsibility. They remember growing up in the 1960’s with long hair, smoking dope, no job, bad-mouthing their

country. But reality later forced them to cut their hair, get a job, and start voting. When they did these things their outlook became more conservative. This is true. That is exactly why communists like Lenin and Mao preached continual revolution. They believed that revolutionary zeal must be continually renewed or it will fade. Mao’s Cultural Revolution was nothing more than a Marxist revival. Revolution is a continual process of advances and retreats. As long as the trend is forward toward the classless society, victory is assured. To use the language of Marxism—with every two steps forward, a revolutionary should expect to take one step backward.

It was the same with the 1960’s generation. The utopian idealism of the sixties had to modify itself in the face of reality. But the core ideals remained with the majority of Baby-boomers. It’s up to the true believers to inspire the next generation. Eventually, they believe, “progress” will triumph over “reaction.”

A good example of what I’m talking about is seen in two recent television programs put out by the *History Channel*: “History of Sex” and “The Hippies.” By contrasting the sexually “liberated” values of other cultures with the “repressed” values of Western Culture, the object of the “History of Sex” is to show how Christianity has twisted our sex lives. This is typical Marxist free love doctrine. “The Hippies” shows us how a noble attempt to create the ideal communist community was ultimately doomed to failure in an evil capitalist society. But despite their failure, the hippies had a positive impact on American culture because they helped to shape our current tolerant opinions of divorce, live-in relationships, having children out of wedlock, abortion and homosexuality. The wonderful hippies helped sew the “alternative lifestyle” into the fabric of American society, says the *History Channel*. In this sense, they are absolutely correct.

The two individuals responsible for the “History of Sex” and “The Hippies” are actor Peter Coyote and the *History Channel’s* resident historian Steve Gillon. Both are ex-hippies, children of the Haight Ashbury District. Back in the late 1960’s they were moonstruck flower children. Time forced them to cut their hair and emerge from the LSD induced fog. But even though reality has moderated their opinions, it has **not** changed them. And the “History of Sex” and “The Hippies” are the product of the opinions they received forty years earlier during the Summer of Love.

It’s the same with the present generation. Early on, they’re given a full dose of the pop-culture’s egalitarian poison, and it will naturally dissipate a little over a life time. Most, however, will never fully purge themselves of the original dose. And the true believers will pass the poison on to the next generation. Only a small percentage will fully repudiate these leftist opinions, because that requires independent thought. The vast majority will only moderate their opinions as they age. The key to the process is control over the big bullhorn, the cultural hypodermic needle. With that control the egalitarians can continue to inject their opinions into each succeeding generation, thus

controlling public opinion and the political process. It doesn't matter that these opinions are at odds with reality. To some extent man's opinions have always been at odds with reality. After 2,500 years of contact with reality, half of Asia is still poisoned with Buddhism. Witness the overwhelming support among young people for Barack Obama. He is the multicultural Marxist Messiah that the media has prepared young children to accept.

Conservatives have been confined to an informational concentration camp. For almost half a century they have been kept away from the big bullhorn. In order to control American Society today, you must control mass-man. And to control mass-man you must control the mass media. Conservatives do not. If your opinion isn't heard in the mass media arena, it is only a matter of time before your opinion isn't heard in the political arena as well. When the egalitarians seized hold of the federal government in 1933 and began to monopolize the mass media, they were a small minority in this country. But through their control of the media, they have increased their numbers dramatically. They have changed public opinion, and have engineered a new American Society. Sinclair Lewis warned his fellow socialists back in 1935 that the Roosevelt regime had shallow roots, and it was possible an American conservative could come along and sweep them into the dust bin of history. Roosevelt recognized this fact. He warned that Chief of Staff Douglas MacArthur was "one of the most dangerous men in the country."³³ Roosevelt was saying that Mac Arthur was dangerous to the new regime's existence. Unfortunately, MacArthur and other conservatives in the 1930's never saw the handwriting on the wall. They didn't realize that the Roosevelt regime signaled a **revolutionary** change in American government. And if the regime was left in power, conservatives such as themselves would eventually be the ones swept into the dust bin of history.

So what will be the results of the Establishment's plan to engineer conservatism out of the mainstream? If unabated, the result will be exactly as Peter Singer predicted. Within thirty years those who believe in the exclusivity of Christianity, who believe homosexuality is immoral, who believe abortion is murder will be viewed by the overwhelming majority of Americans the same way segregationists are viewed today. The handwriting is on the wall and it has been there for over seventy years now. Because our grandfathers were too stupid to read it is water under the bridge. The only question facing the conservative today is are you willing to abate the process. Because if you are not, then you had better start searching for real estate in the mountains of Idaho, right next door to the last 125 segregationists in the Western world, because thirty years from now that is the only place where you will be permitted to talk such heresy.

1. McPherson, *Battle Cry of Freedom*, p. 186
2. David M. Kennedy, *Freedom From Fear*, (New York: Oxford University Press, 1999) p. 771
3. *National Review*, (March 19, 2007) p. 45
4. Matthew 1: 20 (The New American Bible)
5. Matthew 3

6. John 14: 6
7. Matthew 13
8. Matthew 24 and 25
9. Matthew 5: 17-20
10. Matthew 4: 17
11. Matthew 22: 21
12. Mark 7: 29 and Matthew 8: 5-13
13. Mark 13 and Matthew 24
14. Mark 2: 23-28
15. John 8: 58-59
16. Mark 8: 31
17. Mark 11: 15-18
18. Matthew 21, 22, 23 and Mark 12
19. Mark 14: 1
20. Mark 14: 10-11
21. Mark 14: 53
22. Mark 14: 61-63
23. Mark 15: 10
24. Matthew 27: 19
25. Matthew 27: 20
26. Luke 23: 19
27. Matthew 27: 23
28. Matthew 28
29. *New York Times*, *MTV*, *CBS News* (June 26, 2007) Poll of Social Issues
30. *Ibid*
31. *Ibid*.
32. *National Review* (Dec. 19, 2005) p. 104
33. David M. Kennedy, *Freedom from Fear*, (New York: Oxford University Press, 1999), p. 237

Hour of Decision

To understand the significance of the abortion issue, it is important to view it within the big picture. Five hundred years ago the Western Christian culture exploded onto the world scene with a burst of energy unprecedented in history. Ships set out from Europe to explore the world; empires were carved out; colonies were planted; new sciences and technologies revolutionized the human condition; great art, music and architecture were produced. The world we know today is the result of that great eruption. America is a colony of that creative act.

But 250 years ago a spiritual crisis developed within the West called the Enlightenment. Using reason and science as their guides, Enlightenment thinkers set out to reform society. The Enlightenment was a noble effort in its initial classical liberal form. But the ideas of reform ultimately evolved into open warfare against society itself. These radical ideas first expressed themselves during the French Revolution. And later in the mid-nineteenth century these ideas took definite form and organized a great revolution to bring down the entire Western Christian culture and replace it with a socialist utopia. Modern liberal egalitarianism is an heir to this revolutionary tradition. For over a century the revolution has inflicted grievous wounds on the West; the last and most vital wound being the Second World War, which gutted the heart of the West. Not only has this revolutionary force inflicted severe

internal damage on the West, many years ago it went out to the non-Western world and mobilized them against us (anti-colonialism, communism, anti-Westernism). With the secrets of our science and technology now in their possession, the non-Western world has forged powerful weapons to use against us. Weakened from within and threatened from without, the West is on the eve of destruction.

Like Greece and Rome in ancient times the West has been a force of creative energy as well as a force for political stability in the world. If we lose the power to maintain our position, there are no other responsible forces to take our place. And just as happened after the collapse of the Roman Empire, if the West loses its grip, a good portion of the globe will slip into another Dark Age. Petty politics will prevail. Warlords and despots will club each other for more territory, more power, and more resources. Ruthless mega-states like China will take what they want and leave diseases and starvation in their wake. The significant difference between the Vandals and Huns of old and the barbarian powers of today is weaponry. The barbarians of old were armed with swords and spears; the barbarians of today are armed with thermo-nuclear weapons. During the last Dark Age the population of Europe shrunk by over one half. The coming Dark Age will make the last one look like a paradise. We must decide whether we want to leave that world as an inheritance for our children and grandchildren.

Western Europe is probably a lost cause. A pall of death hangs over Europe today. Europeans may have the most advanced technology in the world, but they are a people who are spiritually dead. The cause of this spiritual demise is egalitarianism, which has triumphed completely over the nations of Western Europe as the result of the Second World War. If not for the protection of the U.S. military, Europe would have fell to the barbarians seventy years ago. The land of Charlemagne is now a rest home society, devoted completely to making its patients as comfortable as possible for the long journey into the abyss. Where Wallenstein, Pitt, and Napoleon once strode is now a pack of purple-haired socialist weaklings whining about their social welfare rights. Where once upon a time Michelangelo transformed stone into the greatest art in history, is now a lunatic who uses his own feces to make sculptures. Where Descartes created his *Discourses on Method*, is now the post-modernist (Michel Foucault) who is not even sure whether he exists. Through seventy years of social engineering the conservative element in Europe has been reduced to a small minority, too small to affect the culture as a whole.

Within the next fifty to a hundred years the nations of Western Europe will succumb to the reproductive increases of their alien Muslim populations. After Christian Constantinople fell to the Ottoman Turks in 1453 AD, the great church Hagia Sophia was transformed into a mosque, symbolically ending 1,100 years of Christian civilization in the Near East. In 2100 AD the Muslim calls to prayer will likewise echo from the spires of Notre Dame and Westminster Abbey. It took Islam 800 years of war to

finally breach the double walls of Constantinople. But it will take the Muslims less than 100 years of procreation to take all of Western Europe. Europe is finished, used up, it died of a theory.

America will likely suffer the same fate as Europe. But unlike Western Europe, America still has a sizable conservative opposition. They are the last obstacle in the way of the culture killing egalitarians. The social conservatives of the American Heartland are the last remnant of the Western Culture. When they go, the Western Culture goes. Islam will swallow Europe; and if the American conservatives ultimately go down in defeat, the primitive Mestizo cultures of South America will swallow North America. Abortion is the most important issue of the day, maybe the most important issue in Western history, because it will determine whether this conservative remnant regains control over America or slips into oblivion.

There is no earthly paradise on the other side of an egalitarian triumph. There is no such thing as the classless society, or the dictatorship of the proletariat. If the egalitarians are ultimately victorious over their conservative opponents in America, it is the victory of disease over health. Egalitarianism is a cultural-spiritual disease. Like Buddhism, it is a death wish. It is a revolution to attain the unattainable. Justifying the egalitarians long record of destruction, Earl Browder, leader of the Communist Party United States of America, once said, "You have to break a few eggs to make an omelet." Orson Welles famously asked Browder, "Where's the omelet?" Browder's only answer was to point to Stalin's odious Soviet Union as the model society. There is no omelet. Egalitarianism is built on faulty assumptions about human nature and history. It has sought to make angels out of men and build a perfect society in an imperfect world. Everywhere the egalitarians have triumphed they have left many mass graves (broken eggs), but not one utopia (omelet).

There is no future for Economic Man either. In his book *The End of History* Fukuyama said capitalism and social democracy were the final economic and political forms in history. Mankind has finally discovered utopia in the Chicago suburb, Fukuyama said. What hubris. If egalitarianism is a culture disease, then Economic Man is a grazing scheme for fat cows. To survive, higher cultures must cultivate lions not cows. Economic Man shows clearly that the Establishment has no great ideas. It is spiritually bankrupt. What distinguishes a high culture from a low one are great ideas. Great ideas inspire great men to gather together the generations in order to actualize these ideas. Each recruit adds a stone to the great structure of civilization. Some stones are big others small, some bright others dull, some profound other obtuse — each carries a unique mark and is the individual's contribution to the idea. The Crusades and Gothic, the Reformation and Nationalism, Scholasticism and Cartesianism, counter point and oil painting, exploration and colonialism, industrialism and empire, American independence and Manifest Destiny — these are just

some of the great ideas of our own Western Culture. But the idea of each Economic Man piling up enough wealth to ensconce himself in a lifestyle of ease and comfort is petty. So in a sense Fukuyama is right: Economic Man is the end of history, it is the end of higher history. Economic Man is the death of high culture and great ideas and a return to the static sameness of primitive culture and petty ideas.

Why is abortion more important than other issues?

Because it is the issue that is most likely to produce a showdown between the social conservative remnant in America and the egalitarian Establishment. Here is why: First, the two positions on abortion—pro-abortion and pro-life—are irreconcilable. Egalitarians hold that abortion is a necessary tool women need to free themselves from centuries of patriarchal oppression. Abortion is therefore a core human right to them. On the other side, conservatives believe that abortion is rank murder. There is no room for compromise here. The two sides can't simply "agree to disagree." Such divergent belief systems start from very different foundations and spill over into every corner of society. If the egalitarians are allowed to ultimately prevail, conservatives will be left in the position of recognizing a government that has enshrined mass murder as a sacred right, rendering the moral authority of the government without foundation. If conservatives are allowed to overturn Roe, then the entire egalitarian experiment of the last seventy years is in jeopardy. The egalitarians will not allow this without a fight. And ultimately they will not feel safe in the presence of a large, powerful minority that believes their government is practicing mass murder. The possibility will always be there that these conservatives might act to end this murder, thus jeopardizing the entire liberal regime itself. America cannot contain the pro-abortion and pro-life positions under one constitutional roof. We are in the same position today over abortion as our great grandfathers were in the 1850s over slavery. The country will either be all one thing, or all the other. There is no room for both.

At the very least, conservatives must be rendered into a harmless minority, a sect at the margins of society. The Establishment has set everything in motion to make this a reality. Conservatives have been pushed out of the public schools, the universities, the mass media. The churches are now expected to push conservative opinion on abortion and homosexuality out of the sermon. Self-help guru Joel Osteen is now the model for preachers to follow. And the political parties have been trying for twenty years to push the social conservative movement out of the political process. By nominating John McCain, the Republican Party hopes to finally accomplish this in 2008.

The conservative has no friends in Washington, D.C. The Republican Party is, and has been, the mouthpiece for Economic Man. To keep the liberals from taking too much of their money, Economic Man has sought allies among social conservatives. In return for conservative votes on Election Day, the Republican Party has agreed to have its presidents say "God Bless America" after every speech—

that's it. The Republican Party understands the parameters of acceptable thought. Opposing the egalitarians an economic policies and taxation is one thing, but to challenge them on major social issues would put them at direct variance with the 1933 Regime. That, they will not do.

Second, abortion is important because it gathers in the largest number of actual conservatives. One of the reasons the 1933 Regime was so successful was their use of the Popular Front, a coalition of the Left. The Right has failed because it has split into issue-based factions. In the late 1930's, conservatives split over whether America should intervene in the war in Europe. In the 1950s they split over whether to pursue the communists within the U.S. government. Then they split over civil rights. Today, some conservatives are "internationalist," other are "isolationist." Some are obsessed with the income tax, others couldn't care less. There are "big government" conservatives and "small government" conservatives. On each issue, conservatives were content to allow the Left to dominate the system rather than ally themselves with conservatives who held the other positions. But abortion captures the widest spectrum on the Right, and really is the litmus test of actual conservatism today. Why is abortion a litmus test? Because unlike these other issues above, abortion is identity-based, not issue-based. If you don't believe that abortion is murder, then you don't share the basic Western Christian ethic, which is the essential part of the American culture identity. No matter what you may be calling yourself today—"libertarian conservative," "fiscal conservative"—if you do not oppose abortion on moral grounds, you are not an American conservative.

Third, abortion gives conservatives the moral high ground. For 150 years the egalitarians have posed as the torchbearers for reason and tolerance, fighting against the conservative oppressors of the poor, the downtrodden, the alien. When they were outsiders throwing stones at a conservative establishment, they were able to use the moral pose to great effect. Egalitarians garnered tremendous support from the masses selling themselves as the Tribunes of the people. But after they took power, they showed their true color—blood red. Behind their gaudy catchwords was revealed a mass grave. During the 1790s the Jacobins murdered hundreds of thousands of people in France. The Bolsheviks killed over 20 million in Russia. Mao did better, putting over 30 million Chinese in the pit. Pol Pot slaughtered about 2 million Cambodians in less than three years. And the 1933 Regime has murdered over 50 million unborn children in America. All of these murderous regimes share the same motive—equality.

On the issues of Christian exclusivity, and homosexuality egalitarians throw the usual stones at social conservatives, calling them "intolerant bigots." But when the people are made to stare into the mass grave of abortion, all the familiar catchwords, the moral poses fall apart. Once you pull the camouflaging off the liberal personhood defense of abortion, they are left as naked child murderers before the people. This is what happened

with the Partial Birth Abortion Ban. Since 1973 well over 200,000 children had been murdered using this grisly method. For twenty-five years the liberals did a good job concealing the Partial Birth Abortion pit. When the people were finally shown the procedure, they were horrified and called for a ban. That the Republican politicians betrayed this support by passing a meaningless ban is irrelevant. The popular support was there. All that is needed is courageous leaders to use it properly.

Fourth and last, conservatives will not let abortion go. On every other issue in the past seventy years conservatives have either fragmented into ineffectiveness, or they gave up after a brief skirmish. Egalitarians seized the federal government in 1933, so conservatives retreated into states rights and limited government. When the media was bought up and monopolized into the mouthpiece for the new regime, conservatives went to radio, books, pamphlets, and now second-rate cable shows. They stormed the public schools, so conservatives moved to the suburbs and sent their kids to private schools. And on and on, it has been one long retreat.

Abortion is different. Egalitarianism is an idea at war with life, and it was only a matter of time before the 1933 regime opened up some mass graves. The Jacobins used a guillotine, the Bolsheviks used a small caliber pistol, and the 1933 Regime used a vacuum aspirator. Conservatives finally got a glimpse of the pit. Their worldview says abortion is murder. **Giving up on abortion means giving up their worldview.** Conservatives realized that beyond Roe v Wade there were no more hills to retreat to. So they decided to stake their flag on the hill of abortion. If they relent on abortion, they will be swept into the dustbin of history.

Thus abortion has set the stage for an existential confrontation. It's the same conflict as seventy years ago; it has just come to a head. The larger conflict revolves around this existential question: Is the American nation, as conservatives contend, the creation of the Western European Christian identity, and should its laws reflect the values of this culture identity exclusively, or is the American nation a culturally neutral egalitarian "experiment" based on the concepts of the Enlightenment? Abortion is the issue that places these diametrically opposed worldviews on opposite sides of a huge chasm, a chasm that classical liberal constitutionalism cannot bridge. The fate of the Western Culture depends upon how conservatives ultimately respond to this question.

So what are conservatives to do? To listen to some prominent conservatives, not much. Taking issue with those pro-lifers who see the abortion issue as similar to the slavery issue of the nineteenth century, historian and author Marvin Olasky says that the pro-life movement shouldn't use the abolitionist model. They shouldn't seek a confrontation with the child murderers. And pro-lifers should never look to John Brown's example. Instead, the pro-life movement should use the Containment Strategy that America used during the Cold War to corral the

communist advance. Eventually the abortion regime will collapse like communism. The pro-life message will win over the majority of Americans, just as free market capitalism won over the non-Western world, says Olasky. National Review writer Ramesh Ponnuru believes in the same pipe dream. In his last interview with socialist CNN reporter Christiane Amanpour, Jerry Falwell sounded the same swan song. Falwell believed that the social conservative movement he got rolling in the 1970s had reached its zenith. They helped elect three presidents, several senators, and congressmen. They got a few conservative judges on the big bench. But all they have to show for it is the meaningless Partial Birth Abortion Ban. If abortion is to end, said Falwell, it will take a "long, fifty years incremental approach." Again, pro-lifers should never confront the child murderers; they should "concentrate on the soft-sell."¹

All of these men are intelligent. Being intelligent, they know that the chances for success using their containment approach is about nil. "Let's go quietly into that good night," they are saying. Containment is a strategy based on a position of strength. Social conservatives in America are now in a position of weakness. Last time I checked, abortion-on-demand was legal in every state in the Union, and has been legal for thirty years now. Over 1.5 million unborn children are murdered in this country every year. Where exactly are conservatives containing abortion? They can't even contain abortion in South Dakota. Just what exactly are pro-lifers supposed to contain? Themselves, perhaps? Pro-lifers are the ones being contained. The power of their movement grows weaker every year. Unless an alternative conservative Hollywood is set up in the next ten years, and unless that alternative Hollywood seats as large an audience as the leftist Hollywood, their will be no conservatives left in fifty years to contain anything. They will have contained themselves right out of existence.

The "containment strategy" and the "soft-sell" are poor excuses for an effective strategy. Rather than confront the child murderers directly, our conservative leaders offer pusillanimous strategies for retreat. Nothing demonstrates this more clearly than the charade of the "personhood debate." As a prominent conservative once put it, "Those of us who are pro-life share the same core values as our pro-choice opponents. Both sides agree that it is wrong to kill innocent persons. The only thing we disagree on is whether the fetus is a person. Prolifers believe that the fetus is a person; pro-choicers do not. The purpose of the pro-life movement is to convince our opponents that the fetus is a person." This is the personhood debate. It is a lie and the person who said this knows it to be a lie.

The people who gave us abortion-on-demand invented the personhood debate. Blackmun used it in his Roe decision when he denied that the fetus was a person in the constitutional sense. Planned Parenthood and NOW deny the personhood of the fetus when it suits their purpose. But the people who sustain the pro-abortion lobby in their personhood argument are none other than pro-life social conservative leaders. Why would they do this? Because if

social conservative leaders acknowledged their opponents true position on abortion they would be forced to make decisions that they don't have the courage to make.

Here are the facts: The egalitarians who worked so hard to legalize abortion-on-demand and those who now maintain it believe that the fetus is a person. They don't care. To them abortion is a tool that a woman needs to achieve equality in a sexist society. The life of the unborn child is nothing next to that. Let me again quote Naomi Wolf. Burn her words into your brain: "Abortion should be legal; it is sometimes even necessary. Sometimes the mother must be able to decide that the fetus, in its full humanity, must die."²

Naomi Wolf is one of the leading ideologues on the Left in this country. You may have seen her face on television recently as she made her way around the news and talk show circuit touting her new book, *The End of America*. Nor is Naomi Wolf alone in this opinion. As I've shown clearly in this book, Judith Jarvis Thomson, Catherine MacKinnon, Ruth Bader Ginsburg, Sally Markowitz, and Lawrence Tribe hold the same opinion. All believe that a woman has the sacred right to an abortion even if the child she aborts is a human being. These individuals constitute the intellectual core of the pro-abortion Establishment. They are the doctors of pro-choice theology.

By every standard that pro-life social conservative leaders claim to represent these pro-abortion ideologues are the supporters of mass murder. They are sociopaths and criminals. Can social conservatives "share core values" with people who unabashedly support the mass murder of children? Can they "agree to disagree" with sociopaths? Can they acknowledge criminals as having a legitimate position in any debate? By every standard that these social conservative leaders claim to represent the answer to these questions is: no. But answering these questions honestly opens up a course of action that these leaders don't have the courage to take, so they force the personhood defense of abortion into the mouths of their opponents. They sustain the "pro-choice" position and perpetuate this farcical "personhood debate" to hide their own cowardice.

Just when you think it can't get any worse, something else comes along. A few months ago, televangelist Pat Robertson announced his endorsement of Rudy Giuliani for president in 2008. As I've noted earlier, the Republican Party has been trying to remove the social conservative label from their party for decades. They believe their relationship with social conservatives has hurt their image and hurt their ability to win elections. "We must move to the center," they say. We "must oppose the agents of intolerance and division (Pat Robertson and Jerry Falwell)," said John McCain, during the 2000 South Carolina primary. More than any other candidate the Republican Party has fielded in the past twenty-five years Rudy Giuliani represents this effort to rid the party of an overtly social conservative message. Pat Robertson has anointed himself the leader of social conservatives in America, and has committed himself to making sure that

social conservatives continue to have a voice within the Republican Party. Yet he reverses everything he has claimed to stand for and endorses the pro-abortion Giuliani. "It's over," Robertson is telling social conservatives. "We have tried and failed."

The egalitarians are hell bent on exterminating their entire culture and all of these conservative leaders counsel retreat. I think if you look a little closer you will see that their activism was always conditional. Behind their conservative exterior they are really Economic Men. The comfortable lifestyle that the 1933 Regime gives them is more important than the lives of millions of unborn children. They fawn at the Feet of Mammon and pretend it is to Christ that they are bowing. They love the seats offered to them in the Republican Party, even though they are now in the back row. The Establishment has murdered their children and dragged their religion through the mud, and they won't lift a finger against them. The Establishment has turned their daughters into whores and their sons into ebonics - speaking idiots, and they turn the other cheek. The egalitarians have gutted their culture from top to bottom, and their only real plan of action has been to wait on Jesus to come rapture them.

If timid leaders are not enough to sink American conservatives, debilitating ideas just might do the trick. These ideas cannot be blamed on the Establishment media, for they are self-inflicted. Probably the most damaging idea is millenarianism. Often when individuals or groups are faced with extinction they retreat into a fantasy world. The real world becomes too difficult for them to face, so they invent an alternate reality that is friendlier. Millenarianism is such an invention.

A good example of millenarianism is the Ghost Dance of the American Indian. For centuries the Lakota, Cheyenne, and Arapahoe lived on the Northern Plains. But by the 1880's the westward expansion of European settlement made their lifestyle untenable. Red Cloud, Crazy Horse, and Sitting Bull had fought to halt the advance, but ultimately they succumbed to superior numbers and firepower. On top of that, buffalo hunters equipped with modern rifles had decimated the once vast herds that their lifestyle depended on. Finally, the U.S. government ordered them onto reservations, where they were expected to quit their hunter-gatherer ways and become farmers. Assimilate or die—that was the choice given them.

Their world was coming to an end. Reality was against the Plains Indians, so many retreated into millenarianism. Holy men started to prophesy that all the warriors that had ever died in battle would rise from their graves and join the living warriors in a host. And wearing special shirts (Ghost Shirts) that were impervious to the white man's bullets the mighty host of warriors would defeat the blue soldiers in battle, driving the white man forever from the land. Then the buffalo would miraculously return and the Indians would live happily ever after. So went the Ghost Dance prophecy.

Originating with the Paiute Indians of Nevada, the Ghost Dance spread to reservations across the Great Plains. Ghost Dancers gathered in their sacred shirts and danced and prayed for the return of the warriors and the buffalo. But the warriors and buffalo never came. And at Wounded Knee (1890) the U.S. Cavalry provided a bloody demonstration that the Ghost Shirt was not impervious to the white man's bullets. Thus the Plains Indians were swept into history.

The West also has a long tradition of millenarianism. At every crisis the Ghost Dancers emerge. During the early Gothic Period disease and chaos were rampant. Muslim armies coming up through Spain threatened to wipe out Christendom. Some men like Charles Martel decided to do something about it. He fought and defeated the Muslim armies at the Battle of Tours (732), saving Western Civilization. Other men were certain that the end of the world was near. The Muslim armies, the diseases, the chaos were "signs." In the thousands, some of Europe's best brains retreated into monasteries to await Doomsday.

In 1346 the Black Death descended on Europe, killing almost half of the population. Many people saw the disease as a punishment from God, one of the plagues of Revelations. So they abandoned their families, shaved their heads, donned sackcloth, and went about Europe flagellating themselves with whips—all in preparation for the end of the world. Other people like Guy de Chauliac observed the symptoms of the disease and tracked its spread. They finally figured out that after the initial impact, the folks that were left alive acquired immunity and the plague moved on to fresher populations. And the best way to combat it was to quarantine the sick people and wait for it to leave. The Black Death returned to Europe many years later, but with the knowledge learned from the first plague the disease killed far fewer people. The flagellants, on the other hand, only managed to peel several layers of skin off their backs.

Too many conservatives today spend an inordinate amount of time gazing at the sky. There are ministries, magazines, books, and radio shows devoted entirely to end times prophecy. Every hurricane and war is a sign that the end is near. Every political event, especially having to do with the state of Israel, is seen as somehow fulfilling the book of Revelations. Every contemporary politician is examined closely to see if he is the Anti-Christ. And every ten years or so Hal Lindsey sets another date for the Battle of Armageddon. Half the Protestants in America have already packed their bags expecting to be Raptured at any minute. Meanwhile, the Marxists have devoured our country from stem to stern.

I have no idea when Jesus will return, and neither does Hal Lindsey. But I do know that if conservatives don't act within the next thirty to fifty years the highest probability says they will go the way of the Christians in the Near East 600 years ago—extinction. To meet the challenges we face today I choose the example of Charles Martel rather than those who fled to the monasteries to wait on the end of the world.

So what is the solution? There can be no solution when you refuse to acknowledge the problem. All attempts to persuade you to acknowledge the problem have failed. For seventy years you have participated in a system in which you have no stake. You have voted for politicians who cannot deliver, even if they had wanted to. You have tried to pass laws that will not stick. You have raised protests that are ignored. Rebuffed at every turn, you have opted to slow down the Marxist juggernaut long enough for you to make it through your own life. And as a result, you are leaving your children and grandchildren a country that will resemble a Third World Marxist hellhole in fifty years time.

But there is hope, and his name is Barack Obama. Unlike any president before him, Obama has touched a cord in the American Heartland. You fear and distrust him. Already I hear the sound of culture-identity disjunction. You are saying Obama is a "Nazi," a "Muslim," a "Marxist." Some of you are even suggesting that he is the "Anti-Christ." With overwhelming Marxist majorities in Congress, with a mounting economic crisis, with a possible foreign policy crisis looming over the horizon — your fear and distrust will grow.

Like Oprah Winfrey, I too believe Barack Obama might be the "One." He might be the one who finally forces you to acknowledge that this country is no longer yours. It belongs to the Marxist politicians, the abortionist, the pornographer, the homosexual, the feminist college professor, the activist liberal judge, the ACLU lawyer, the New York Times editor, the atheist Hollywood filmmaker, the left-wing social activist, the bi-sexual movie star, the hip-hop gangsta rapper, the brainwashed masses who gathered for the Inauguration ceremony on Washington Mall, January 20, 2009 to worship at the feet of their Marxist Messiah. And the new owners will not tolerate your presence in their America. They intend to wipe you off the planet and co-opt your children as their own. Educated in their value system, your grandchildren will forget that you had ever existed. That's the future. Only you can change it.

If you were expecting me to resort to prophecy or elaborate conspiracy theories in this book, you were mistaken. It's pretty conventional stuff. Cultural dispossession happens all the time in history. The egalitarians have stolen your country, and if you want it back, you will have to take it back. Our situation is not as hopeless as the one facing the Plains Indians in the 1800s. There is no reason to start Ghost Dancing, yet. This is the hour of decision. You can live according to the standards you claim to represent, or you can die a coward. Abortion is the issue that will finally decide your fate, for if you give in on abortion, you might as well go in search of property in Idaho.

1. CNN, "God's Warriors,"
2. Naomi Wolf, *Our Bodies, Our Souls*