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Gambling With Abortion: America's Seared Conscience (Part 2)

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The pictures gripped the conscience, not only of the pro-life movement, but of many others as well. Keri Folmar, a congressional lawyer who was to write the first version of the Partial-Birth Abortion Ban, provided first-person testimony of the impact of the description and the drawings. "To think that a human being would actually hold a little baby in his or her hand, and then kill it—that's what got me," she said. "If you're holding that child in your hand, and knowingly killing the child, you can't argue anymore that it's not really a human being. You just can't do it."

The partial-birth abortion procedure—so proudly described by Martin Haskell—blew the lid off the abortion rights movement. "For two decades the people who frame legal-abortion campaigns in this country have been working assiduously to keep the door to that procedure room shut," Gorney reports, "redirecting the national attention to the action beforehand, and afterward, the choice to seek an abortion, the decision to have an abortion, the values inherent in a society that gives women the liberty to make this momentous decision without interference from the state. They had worried for years that if the general public were forced into a mangled-fetus-versus-women's autonomy tradeoff, the mangled fetus would win."

When the partial-birth issue hit the floor of Congress, organizations like NARAL were left grasping for an adequate response. As political leaders began to describe the procedure whereby "the child's brains are sucked out," abortion rights advocates tried to argue that the procedure was both rare and medically necessary. As Gorney acknowledges, the abortion advocates simply lied. Though they had claimed that the procedure was "extremely rare" and was used no more than five hundred times per year, the reality is that thousands are performed on an annual basis.

At one point in the early years of the controversy, a lobbyist for abortion organizations just invented low numbers and fed these to the press. Ron Fitzsimmons later admitted that he "lied through my teeth."

By overwhelming margins, Congress passed Partial-Birth Abortion Ban Acts, only to have the legislation vetoed by President Bill Clinton in 1996 and 1997. As a matter of fact, efforts to outlaw the procedure were not successful until last year, when President George W. Bush signed the Partial-Birth Abortion Ban Act of 2003 into law.

The abortion rights industry immediately went to court in order to nullify the legislation. Significantly, simultaneous cases were heard in California, New York, and Nebraska.

Gorney's article takes the reader inside the San Francisco courtroom, where an abortion doctor named Maureen Paul, "lead author of a recent medical textbook on abortion," was being questioned by a lawyer from Planned Parenthood. The doctor testified that she used the procedure in order to kill and evacuate a late-term fetus. As she explained, "sometimes the fetus comes out in pieces, and I make instrument passes until the entire fetus is evacuated, and sometimes the whole fetus will come down into the [birth canal], at least as far as the head." In other cases, when the head is too large to pass through the canal, the doctor explained: "There are two things you can do. You can disarticulate at the neck . . . Or what I prefer to do is to just reach in with my forceps, and collapse the skull, and bring the fetus out intact."

Disarticulate? This word is nothing less than a sinister euphemism used to disguise the dismemberment of a human fetus.

The courts in California, Nebraska, and New York were eventually to rule that the Partial-Birth Abortion Ban Act of 2003 is an unconstitutional abridgement of a woman's right to an abortion—in other words, a violation of the 1973 U.S. Supreme Court decision, *Roe v. Wade*. In the New York case, the judge actually described the procedure as "gruesome, brutal, barbaric, and uncivilized." Nevertheless, he found this evil procedure to be protected by the *Roe v. Wade* decision.

The Partial-Birth Abortion Ban Act of 2003 now heads to the U.S. Court of Appeals. The Bush administration has pledged to put on a full-court defense of the legislation. Eventually, however, the question will reach the U.S. Supreme Court, making the composition of that Court today's most significant factor in the abortion controversy.

Cynthia Gorney's article is painful to read, and her detailed analysis is difficult to bear. At the same time, the awful reality of partial-birth abortion points to the deeply immoral and horrific nature of abortion in any form, by any procedure, at any stage.

How can Americans continue to live such apparently untroubled lives as the reality of this procedure is now widely known? How can we go on with "business as usual" in this nation, knowing that millions of unborn human beings have been "disarticulated" in the womb even as thousands of abortions are performed each day?

Even as journalists, political analysts, and commentators are scurrying to explain the 2004 presidential election and the emergence of "values voters" onto the political stage, we have still failed to force the nation to see the horror of the holocaust taking place in American wombs, performed by American doctors, under watchful American eyes.

Before we grow too optimistic about the outcome of the battles that lie ahead, let's at least be honest with ourselves. We live in a nation with a disarticulated conscience.

