



Protecting Unborn Life in a Politicized Climate

The *Dobbs v. Jackson* decision by the U.S. Supreme Court in late June, overruling the 1973 *Roe v. Wade* decision and its progeny, marks an historic success for the movement to protect preborn human life, in which *the Catholic Church played an outsized role*. In ending the pretense of a constitutional right to abortion, the Court got out of the business of setting abortion policy for 50 states and returned the issue to legislatures and the people.

The Catholic Church since its early days has stood united in its opposition to abortion. The six Supreme Court justices who voted to uphold the Mississippi law in *Dobbs* were all Catholic or (in Justice Gorsuch's case) raised Catholic, and at least five of them received some Catholic schooling. American Catholics, and eventually evangelical Christians, formed the core of the resistance to *Roe's* invention of a constitutional right to abortion.

The Catholic Church is the largest anti-abortion institution in the U.S. and the world. Its perennial pro-life activism, educational efforts and lobbying for the last 49 years have borne fruit. Although the *Dobbs* decision was based on constitutionalist legal principles (including the long history of state laws against abortion) and not on Catholic doctrine, the backdrop of Christian activism against abortion surely influenced the Court's decision to end a single Court-imposed pro-abortion rule for the whole United States.

The *Dobbs* decision was the happy outcome of long perseverance by countless anti-abortion activists (including churches, pro-life organizations, and individuals such as the founders of the Cardinal Mindszenty Foundation) as well as constitutionalist lawyers and judges. In addition, the decision was enabled by considerable discipline and luck in the torturous process of filling Supreme Court vacancies over a 30-year period, culminating in the confirmation of three constitutionalist justices during the single four-year term of President Trump.

Shockingly, some pro-abortion extremists have reacted to the *Dobbs* decision by torching or vandalizing pro-life crisis pregnancy centers and churches. *More than 100 attacks*

against pro-life groups occurred from May through July this year. These attacks were organized by radical left-wing and anarchist groups that deftly used Twitter to promote violence.¹

The attacks on pregnancy centers belie the claim of pro-abortion extremists that they are defending "choice." Pregnant women who seek counseling and protection in these centers have made a choice, or are seriously considering one, to give birth to their babies. Pro-abortion extremists apparently consider giving birth the wrong choice and wish, through criminal behavior or legal harassment, to deprive pregnant women of support for that choice. Other protesters have engaged in campaigns of harassment against Supreme Court justices.

Political Reactions

The abortion issue will now be decided through democratic procedures, although legal challenges to legislation should be expected. In a process that began years before *Dobbs*, red states have enacted legislation that heavily restricts or bans abortion. In red and purple states, skirmishing continues over statutory definitions, exceptions and time limits. Meanwhile, blue states have passed laws to allow late-term abortion.

Democracy in action may result in more liberal abortion laws than would be approved by red-state legislatures. On August 2 Kansas voters, whose supreme court had previously invented a right to abortion in the state constitution, rejected a constitutional amendment to counter the court decision. Other red states' voters could follow suit by voting to overrule legislative curbs on abortion.

The days of Democrats such as Bill Clinton proclaiming that abortion should be made "safe, legal, and rare" are over. Instead, some publicly congratulate themselves on having had abortions or declare that killing babies is good for saving the planet, controlling population, and freeing women from the financial cost and emotional burdens of raising children. President Biden weighed in by signing a legally questionable executive order on August 3 directing his Department of Health and Human Services to consider using Medicaid dollars to pay

expenses for pregnant women to travel to another state for an abortion. Congress is considering a bill to “codify *Roe*” in federal law.

Pro-abortion activists correctly see the Catholic Church as the enemy of abortion. For this reason, Catholic churches have been vandalized or harassed, and conservative Supreme Court justices who are Catholic have been denounced for their religion.

The Church’s Anti-Abortion History

Catholic writers from the first-century author of the *Didache* to Pope (now St.) John Paul II have denounced abortion.² Early Christian leaders condemned both abortion and infanticide, which were widely tolerated in the pagan world. The *Didache*, which means “Teaching” in Greek and includes the earliest Christian catechism, clearly opposes abortion, commanding, “You shall not murder. You shall not commit adultery. You shall not seduce boys. You shall not commit fornication. You shall not steal. You shall not practice magic. You shall not use potions. *You shall not procure [an] abortion, nor destroy a newborn child*” (*Didache* 2:1-2, ca. A.D. 70, emphasis added).

The influential early Church father Tertullian declared, “In our case, a murder being once for all forbidden, we may not destroy even the fetus in the women, while as yet the human being derives blood from the other part of the body for its sustenance. To hinder a birth is merely a speedier man-killing; nor does it matter whether you take away a life that is born, or destroy one that is coming to birth” (Apology 9:8, A.D. 197).

A Church canon proclaimed at the Council of Ancyra in A.D. 314 explained the Church’s opposition to abortion as follows: “Concerning women who commit fornication, and destroy that which they have conceived, or who are employed in making drugs for abortion, a former decree excluded them [from communion] until the hour of their death.” In an expression of leniency, the Council decided that these women should only have to do penance for ten years (Canon 21, A.D. 314).

Many other early Church writings condemn abortion in absolute terms. Pope John Paul II drew upon these writings in his powerful encyclical *Evangelium Vitae* (“The Gospel of Life”), issued in 1995. Pope John Paul II opened the encyclical with these words: “The Gospel of life is at the heart of Jesus’ message.”³ He continued, “Whatever is opposed to life itself, such as any type of murder, genocide, *abortion*, euthanasia, or willful self-destruction, whatever violates the integrity of the human person, such as mutilation, torments inflicted on body or mind, attempts to coerce the will itself; whatever insults human dignity . . . all these things and others like them are infamies indeed. They poison human society, and they do more harm to those who practice them than to those who suffer from

the injury. Moreover, they are a supreme dishonor to the Creator” (emphasis added).

Pope John Paul II went on to express his understanding of the full consequences of abortion within a society: “The end result of this is tragic: not only is the fact of the destruction of so many human lives still to be born or in their final stage extremely grave and disturbing, but no less grave and disturbing is the fact that conscience itself, darkened as it were by such widespread conditioning, is finding it increasingly difficult to distinguish between good and evil in what concerns the basic value of human life.”

Catholic doctrine has never wavered from condemning abortion, and the Church hierarchy has remained remarkably united on this issue to the present day.

Many pro-abortion activists and progressive elites see abortion as an easy solution to what they regard as coming apocalyptic climate change and resulting social problems. Predictions that the world is coming to an end within the next decade or two because of cataclysmic climate change lead naturally to fervor for limiting population growth. These pro-abortion activists see abortion as a means of population control, bodily autonomy, and “freeing” women from motherhood to pursue careers. Rank and file activists never ask themselves why global elites since the end of World War II have called for global population control. They ignore the history of contraceptive and abortion programs targeting minority communities.

As some major American corporations offer to pay female employees’ travel and medical expenses for abortions, do pro-abortion activists, many of them openly anti-capitalist, actually believe that these corporations are offering such benefits out of the goodness of their hearts? To the contrary, these corporations appear to have made a calculated financial decision that paying for abortions is cheaper than family leave, maternal and newborn health care, and sick days for female employees who carry their babies to birth.

A Campaign of Intimidation

The moral blindness of pro-abortion activists extends to their campaign of intimidation. First, an as-yet-unnamed Supreme Court employee, in a brazen breach of the duty of confidentiality to the Court, leaked a draft of the *Dobbs* majority opinion in May. It may be inferred that the leaker’s purpose was to gin up outrage about the content of the opinion, in the hope of intimidating the justices in the majority. Such outrage duly poured forth as activists descended on the homes of selected justices to march and shout with loudspeakers, denouncing these justices as religious bigots.

Next, Democratic partisans encouraged these protests while warning that the *Dobbs* decision spells the end of

democracy—even though the decision merely returns the abortion issue to the states. President Biden told reporters while on a bike ride in Rehoboth Beach, Delaware, that protests against the *Dobbs* decision should continue. "Keep protesting," Biden said. "Keep making your point. It's critically important." He added, "Fundamentally, the only way to change this is to have a national law that reinstates *Roe v. Wade*."⁴

Biden's call to continue protesting came after a California man was arrested in June on the way to assassinate Justice Kavanaugh in his family residence.⁵ This horrifying plan was thwarted when the would-be assassin called the police to report himself. In early July, angry protesters caused Justice Kavanaugh's security detail to escort him out the back door of Morton's Steakhouse in Washington, DC where he was eating dinner. These protesters' actions were applauded by the left, including the hosts of the daytime talk show "The View." Transportation Secretary Pete Buttigieg went onto Sunday talk shows to defend the Morton Steakhouse protesters as having the right to free speech.⁶

Politicized Justice

It is illegal to intimidate judges. The threat of violence is real. Agitators have doxxed Supreme Court justices and their families, who eventually received additional federally funded security. Yet the highly politicized Justice Department has refused to make a priority of enforcing the law to protect the Supreme Court justices, churches or pregnancy centers.

The Department of Justice (DOJ) under the Biden administration is the most politicized department since the Harding administration in the early 1920s. Under Harding, the DOJ was corrupted by bribery; today it is corrupted by left-wing ideology.

The politicization of Biden's DOJ under Attorney General Merrick Garland was evident when he told Congress in May 2021 that white supremacists pose "the most dangerous threat to our democracy." Garland testified that "In my career as judge and in law enforcement, I have not seen a more dangerous threat to democracy than the invasion of the Capitol" on January 6, 2021. He absurdly equated the January 6 riot (where no one was killed by protesters) with the 1995 bombing of a federal building in Oklahoma City (killing 168 and injuring at last 680 people) and the Unabomber's series of bombs that killed 3 and injured 23 from 1978 to 1995. Under Garland's guidance, the DOJ established a special unit to track and investigate the white supremacist threat.

In further evidence of the DOJ's politicization, Garland directed the DOJ to sue Georgia, Texas and Arizona over their election laws, and to sue Texas over the unusual Texas law restricting abortion.⁷ He denounced the *Dobbs* decision as a renunciation of "an essential component of women's liberty

for half a century—a right that has safeguarded women's ability to participate fully and equally in society."⁸

In October 2021, Garland directed the FBI and U.S. attorneys' offices to hold meetings with federal, state and local law enforcement leaders to combat what he called a "disturbing trend" of harassment and threats against school officials. This order was in response to a letter sent to his department by the National School Boards Association requesting use of the Patriot Act to quell these protesters.

Under questioning by Congress, Garland denied that he was accusing parent protesters of being domestic terrorists, and he testified that he did not see the Patriot Act as a means to suppress parental protesters. He refused, however, to rescind his memo directing the FBI to investigate parent protests. For Garland, it seems, parents protesting school indoctrination of their children should be investigated by the FBI, but protesters harassing Supreme Court justices at their homes or in restaurants, or publicizing where a justice's children go to school, do not warrant investigation.

Under Garland, the FBI arrested with great fanfare and show of force former President Trump's advisers Peter Navarro, John Eastland and others for refusing subpoenas from the House Special Committee investigation into the January 6, 2021 Capitol riot. Meanwhile, the pro-abortion activist group *Jane's Revenge* attacked more than 50 pro-life pregnancy centers and churches as of mid-June without a visible response by federal law enforcement.⁹ Senator Tom Cotton (R-AR) called for Garland to resign because of his inaction. The U.S. Conference of Catholic Bishops has urged the DOJ and public officials to denounce the alarming rate of vandalism and destruction against Catholic churches and pro-life pregnancy centers.¹⁰

Belated White House Response

After two churches were set on fire and a third was vandalized in Bethesda, Maryland in one July weekend, the White House finally reacted. The deputy press secretary told Fox News on July 14, "The president is deeply concerned about these reports and condemns arsons and other vandalism of houses of worship in the strongest possible terms." The attacks "are despicable, endanger lives and have the appalling aim of provoking fear. They are also unlawful." Those three attacks targeted Catholic, Methodist and Baptist churches.

Arson and vandalism against churches and crisis pregnancy centers express deep hostility to traditional Christianity among the pro-abortion left. Without protection, churches and pro-life pregnancy centers will continue to be vandalized and the potential for physical violence will escalate. Catholics and other Christians are braced for these acts to continue.

Arsonists and vandals aren't the only threats to crisis pregnancy centers, which not only help women in poverty choose life, but also assist women after babies are born. Senator Elizabeth Warren (D-MA) wants to "shut them down all around the country" on the grounds that they purportedly spread "disinformation" about abortion. She has introduced a bill in the Senate to impose exorbitant fines for "misleading statements related to the provision of abortion services," as specified in future regulations by the Federal Trade Commission.¹¹

Projecting an Optimistic Future

Catholics and Protestants who labored for a half-century to overturn *Roe* deserve to celebrate the hugely consequential legal victory of the *Dobbs* decision, but dare not rest on their laurels. The next struggle to protect unborn babies will take place in the states and in the national political arena. It will be complicated by the rapid rise of the use of abortion pills, which now account for more than half of U.S. abortions and are available by mail. (See *Mindszenty Report*, February 2022 for details.)

Rev. Enrique Salvo, Rector of St. Patrick's Cathedral in New York City, gave an eloquent homily after the *Dobbs* decision, exhorting his flock, "When you choose the opposite of life, you choose the opposite of love. And we must always choose love." This sentiment was echoed by Margaret H. Hartshorn, chair of the board of Heartbeat International, a network of anti-abortion pregnancy centers: "I believe God will use this [*Dobbs*] to help us to build a greater culture of life, that in 50 years no woman will ever consider abortion."¹²

Such a culture is devoutly to be wished. It would respect life and uphold the dignity of the individual, including unborn children, as a guiding principle for a healthy society.

¹ <https://www.breitbart.com/politics/2022/07/24/summer-of-rage-part-i-militant-pro-abortion-radicals-flourish-in-madison-wisconsin-violence-memed-on-twitter/>.

² All quotations from the early Church are from <https://www.catholic.com/tract/abortion>. See also "Respect for Unborn Human Life: The Church's Constant Teaching," a fact sheet of the U.S. Council of Catholic Bishops Committee on Pro-Life Activities, <https://www.usccb.org/issues-and-action/human-life-and-dignity/abortion/respect-for-unborn-human-life>.

³ https://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_25031995_evangelium-vitae.html.

⁴ <https://www.axios.com/2022/07/10/biden-encourages-abortion-rights-activists-keep-protesting>.

⁵ <https://abcnews.go.com/Politics/calif-man-indicted-attempting-assassinate-brett-kavanaugh-arrest/story?id=85423002>.

⁶ <https://www.thewrap.com/the-view-brett-kavanaugh-mortons-protestors/>; <https://www.yahoo.com/entertainment/buttigieg-defends-anti-kavanaugh-protesters-223806670.htm>.

⁷ <https://www.nationalreview.com/2022/03/merrick-garland-has-turned-the-department-of-justice-into-a-left-wing-blog/>.

⁸ <https://www.democraticunderground.com/100216839689>.

⁹ <https://www.foxnews.com/politics/cotton-garland-resign-doj-inaction-janes-revenge-50-attacks-pro-life-groups>.

¹⁰ <https://newstinger.com/catholic-bishops-urge-politicians-to-address-alarming-rate-of-vandalism-against-churches-pregnancy-centers/>.

¹¹ John McCormack, "Elizabeth Warren Escalates Her War on Pregnancy Resource Centers," [nationalreview.com](https://www.nationalreview.com), July 15, 2022.

¹² <https://www.nytimes.com/2022/06/25/us/conservative-christians-roe-wade-abortion.html>; <https://www.ncronline.org/news/people/court-overturns-roe-v-wade-catholics-react-joy-anger-trepidation>.

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The Mindszenty Report is published monthly by

Cardinal Mindszenty Foundation

7800 Bonhomme Ave.

St. Louis, MO 63105

Phone 314-727-6279 Fax 314-727-5897

Subscription rate: \$25 per year

Outside the U.S.A. \$35

We accept credit card payments.

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Contributions to the Cardinal Mindszenty Foundation are tax-deductible to the extent allowed by law.

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