



PROVITA

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Letter from the President

Hello Everyone:

The last few months have been somber as we grieve the deaths of three influential prolife leaders: Joseph Koterski, S.J., Ph.D., Ray Dennehy Ph.D., and Joseph Scheidler. Both Fr. Koterski and Dr. Dennehy were recipients of our *Rupert & Timothy Smith Award for Distinguished Contributions to Pro-Life Scholarship*, Fr. Koterski in 2016 and Dr. Dennehy in 2013. Mr. Scheidler along with his wife was the founder of the Pro-Life Action League. It is especially poignant that this issue of *ProVita* includes a transcript of Fr. Koterski’s reflections on the significant prolife contributions of both Mr. Scheidler and Dr. Dennehy. Fr. Koterski offered these reflections orally during our Open Mike

session at our June 2021 conference. In any case, you will find my own reflections on our dear friend, Fr. Koterski below.

Our conference next year will be hosted by Notre Dame’s McGrath Institute on the second weekend in June (Notre Dame’s alumni weekend is the first weekend of June). Overall, the focus of the conference will be not only analyzing the cultural, spiritual, political, psychology, anthropological, and legal roots of abortion, euthanasia, and assisted suicide but also prolife solutions, education, policies, and leadership with the overall conference title being “Attacks on Human Life: Recent Crises and the Long View.” It is my expectation that by the time June 2022 arrives, we will be able to meet in person without wearing masks. If I’m wrong, we will hold our conference by zoom.

I’m pleased to announce that our 2022 recipient for the Smith Award will be O. Carter Snead. He has recently published a book called *What It Means to Be Human: The Case for the Body in Public Bioethics*. Stay tuned for additional information in the next *ProVita*.

I’m also pleased and very grateful to Dr. Margaret Hughes for becoming our new Secretary and continuing as our *ProVita* Editor. Dues and other inquiries can be sent to her at **Margaret Hughes**, Ph.D. University Faculty for Life, Thomas Aquinas College, 231 Main Street, Northfield, MA 01360. The search for a new editor for our peer-reviewed *Journal of Life and Learning* is underway and hopefully will be concluded soon.

Within this issue, Prof. Richard Myers offers a keen analysis of the abortion case that gives the U.S. Supreme Court the ability to overturn *Roe v Wade* during this term. He also alerts us to cases that could end protection against abortions based on Down

Syndrome and that could require Governors to heed prolife legislation.

Also within this issue, Chris Kaczor dissects the latest arguments against the personhood of fetuses and frames helpful counter-arguments.

Thank you for all that you do for life. Hope to see you face to face next June.

Sincerely,

Mary

R. Mary Hayden Lemmons, Ph.D., President of UFFL, Associate Professor of Philosophy, University of St. Thomas, St. Paul, MN

In Memoriam

Remembrance of Joseph Koterski, S.J. (November 28, 1953--August 9, 2021).

Ph.D. M.A. Philosophy in 1982, 1980 (St. Louis University); Masters of Divinity & License, Sacred Theology (Weston School of Theology, MA); H.A.B. Classics in 1976 (Xavier University, Ohio). Ordained a Jesuit in 1992.

Father Koterski will be sorely missed by all of us. He has been a UFFL member since 1991, our *Life and Learning* editor since 1992, a member of the Board of Directors since 1993; Treasurer 1997-2006; a member of the Advisory Board for our Long Island Chapter since 2001 and Secretary since 2006. Decades of service made him a pillar of our organization.

Who can forget his gentleness, his wise counsel, his helpfulness, his laughing good cheer at our fellowship receptions, and his prayerful Masses so beautifully sung at our conventions? Personally, I'm convinced that those Masses offered for our organization and all our members regardless of their creed helped fuel our ability to fight the culture of death through our classes, our conversations, and our scholarship: there can be no victory without God and prayer.

Father Koterski was a true scholar, so deserving of UFFL's 2016 *Rupert & Timothy Smith Award for Distinguished Contributions to Pro-Life Scholarship*. Fr. Koterski has been our *Life and*

Learning editor, written or edited eight books, 110 articles, 60 encyclopedia entries, 121 book reviews, 3 book translations, 53 published homilies and spiritual reflections, and 3 audio/video courses for the *Teaching Company* (Aristotle's Ethics; Natural Law Ethics, and Biblical Wisdom Literature). He was a member of [Fordham University's](#) philosophy department for twenty nine years, where he lived in a freshman dorm and directed at least twenty four doctoral students. He was brilliant yet humble; generous with his time yet prolific—as shown by [this video by Jesuits in Conversation](#).

In addition to teaching at Fordham University, Fr. Koterski frequently offered classes in seminaries and religious houses across the New York area. He had a special concern for women religious, and served the Missionaries of Charity and the Sisters of Life with particular care, as [Kathryn Jean Lopez relates in America Magazine](#).

At his funeral, he was described as tireless in ministry, a practitioner of heroic virtue, a man who loved life and built his life on the sacrifice of the Mass; on books with a special love of those by Shakespeare, Dante, Aristotle and Aquinas; and on the unique friendship with God and all His children made possible through his priesthood. Fordham University's obituary reports that when questioned, in 2015, by [Sean Salai, S.J. from America Magazine](#), about "what he wanted people to take away from his life and work," he said: "A greater love for God, a greater desire for union with Jesus Christ, a greater respect for the teachings of the church and a greater ability to reason in a sound way as a grateful response to God's gift to us of the power of reasoning."

We, at the University Faculty of Life, can add that the decades he spent on scholarly writing and publishing, editing our journal, and serving as Secretary reveal a generous and brilliant heart intent on advancing the cause of life through reasoned argument. As such, he exemplifies the best of UFFL and reminds us to love life and its Author by joyfully dedicating our own academic lives to its service.

R. Mary Lemmons

Remembrance of Joseph Scheidler (September 7, 1927 – January 18, 2021)

We need to remember in prayer our leaders, and two of great significance died this year, very different people. Let me speak first of Joseph Scheidler and then of Ray Dennehy.

I never met Joseph Scheidler. He was certainly decisive; he passed away in the year 2021, born 1927. He was someone who left a career in public relations to become a full-time pro-life activist. He had very decisive brand of on the street direct action and it met with great resistance. And so, he and his wife, **Ann**, decided to found what was called the Pro-Life Action League in 1980. A columnist Patrick Buchanan called him “The Green Beret of the pro-life movement.” He wrote a book on that subject which many of us have read called *Closed: 99 Ways to Stop Abortion* first published in 1985, updated since.

He was also the subject of lawsuits ... because he was so very effective. He fought them and fought them and fought them in the courts and was eventually sustained twice in the Supreme Court and they were made to pay his own court costs. He was a very important leader for the direct action movement. Here is a link to the [Obituary](#) in the *Chicago Tribune*.

Remembrance of Raymond Dennehy (August 31, 1934 – April 19, 2021)

Secondly, I would like to mention a friend of mine, someone whom I really cherish as a friend, Ray Dennehy, who spent his life fighting for life. April 19, 2021, he died at age 86. For some fifty years, he was a philosophy professor, a debater, a writer, a crusader, and he regularly debated on college campuses. He fought an unrelenting battle against abortion, euthanasia, assisted suicide; and so, he was also met with extreme opposition by Planned Parenthood, the Hemlock Society, the American Civil Liberties Union, the National Organization for Women.

He had a strong sense of the need for reasoned argument on this. So, I say that though he was in the same movement, he was quite different from the direct action people. He wanted to do it in the classroom and in the debate hall. And what he did in particular there in San Francisco, he taught at

the University of San Francisco for so long, is that he would engage in debate. He would frequently receive invitations to debate abortion on the stage and just speak to young people. Very interestingly-- as a sign of the real importance of that use of real strong argumentation in the public forum--for 50 semesters running, the University of California Berkely offered him the stage. He was very, very well-known for this. Even to the end of his life, he spent his days writing books, had a strong sense of the importance of the angels, and wrote about them. [These books include *A Philosopher Reflects on the Rosary* (2021); *A Theory of Political Liberty* (2019); *Christian Married Love* (2018); *Jacques Maritain's Philosophy of Action* (2017); *Soldier Boy: The War Between Michael and Lucifer* (2008); and *Anti-Abortionist At Large: How to Argue Abortion Intelligently and Live to Tell About It* (2006). Dennehy won our 2013 Smith Award for *Distinguished Scholarship*. He also founded *United for Life in Santa Clara* and *United for Life in San Francisco*.]

He had four children and twelve grandchildren. Maybe I'll finish with a quotation from him: “I think at times we don't even see the plan that God has for us. For me, it's been to fight for life.” And he said that he would do this as a mission that he would carry out “until I reached room temperature.” He had a great wit.

So please join me in praying for just a minute. Eternal rest grant to them, Oh Lord, and let your perpetual light shine upon them. May their souls find light for eternity with God. Amen.

Fr. Joseph Koterski, SJ (†)

Member News & Publications

In which we highlight the activities of our organization, members, and chapters, including publications, talks, and consultations.

*Note: all names in **bold** are members of UFFL.*

- **Helen Alvaré, J.D.** (Law, George Mason University) edited, with Jeffrey Hammond, *Christianity and the Laws of Conscience: An*

Introduction. New York: Cambridge University Press, 2021.

- **Prof. Alvaré** also published “Church Autonomy after Our Lady of Guadalupe School: Too Broad? Or as Broad as it Needs to Be?” in *Texas Review of Law and Politics*, 25 (2021).
- **Gerard V. Bradley, J.D.** (Law, University of Notre Dame) published “Moral Truth and Constitutional Conservatism” in the *Louisiana Law Review*, 81.4 (Summer 2021).
- **Peter J. Colosi, Ph.D.** (Philosophy, Salve Regina University) wrote, “[Let’s Make Rhode Island a State Where the Vulnerable are Loved](#)” a guest editorial appearing in *The Rhode Island Catholic*, May 20, 2021.
- **Colosi** also co-presented “Personalism and Suffering” (with Margarita Mooney) and “The Embodied Person” (with Michael Matheson Miller) at the Dietrich von Hildebrand Legacy Project’s Eleventh Annual Summer Seminar: The Personalist Vision, July 5 – 9, 2021 (On Zoom).
- **Colosi** also presented “Foundational Bioethical Principles and How to Apply Them” and “Metaphysics of the Human Person and Medical Ethics” at the 9th Annual Catholic Medical Association Medical Student & Resident Boot Camp, University of St. Mary of the Lake (Mundelein Seminary), Mundelein, Illinois, June, 13 – 20, 2021.
- **Colosi** was also one of the 107 signers of the “[Statement in Support of Revising the Uniform Determination of Death Act and in Opposition to a Proposed Revision](#)” by D. Alan Shewmon, published in *The Journal of Medicine and Philosophy*, May 2021. The Statement is free open access online until November, 2021.
- **John M. Grondelski, Ph.D.** (Theology, Independent Scholar) reviewed **Christopher Kaczor’s** book, *Disputes in Bioethics: Abortion, Euthanasia, and Other*

Controversies for Human Life Review, 47.3 (Summer 2021): 82-84.

- **Scott Hahn, Ph.D.** (Theology, Franciscan University of Steubenville) published, with Benjamin Wiker, *The Decline and Fall of Sacred Scripture: How the Bible Became a Secular Book*. Steubenville, OH: Emmaus Road Publishing, 2021.
- **Christopher Kaczor, Ph.D.** (Philosophy, Loyola Marymount University) contributed “Does a Human Being Gain the Right to Live after He or She is Born?” to *Bioethics: An Anthology*, edited by Udo Schüklenk and Peter Singer. Hoboken, NJ: Wiley Blackwell, 2021.
- **Jeff Koloze, Ph.D.** (English, DeVry University) published “Fiction of the New Killers: Girls, Teenagers, and Other Misguided Feminists in Contemporary Young Adult Fiction on Abortion, Infanticide, and Euthanasia” on *lifeissues.net*.
- **Kevin Miller, Ph.D.** (Theology, Franciscan University of Steubenville) has joined the Advisory Board for the Marquette University College of Nursing Institute for Natural Family Planning, and the Board of Directors of the Marquette [NFP] Method Professionals Association.
- **Melissa Moschella, Ph.D.** (Philosophy, Catholic University of America) wrote “Dignitas Personae, HEK 293, and the Covid Vaccines” for *The National Catholic Bioethics Quarterly*, 21.1 (Spring 2021).
- **Paul Vitz, Ph.D.** (Psychology, New York University) edited *The Complementarity of Women and Men: Philosophy, Theology, Psychology, and Art*. Washington, DC: Catholic University of America Press, 2021.

Upcoming scholarly opportunities

- The Linacre Quarterly is [accepting papers](#) for a special issue, ART and Medicine: Explaining The Moral Dimensions of Assisted Reproduction, to be published in November 2022. Contact [Peter Colosi](#) with any questions.
- The [2021 Educational Conference of the Catholic Medical Association](#), whose theme will be “The Joy of Medicine,” will take place in Orlando, FL from October 7 – 9, 2021.
- The [Society of Catholic Social Scientists](#) will also host a [Conference on Parental Rights](#) at Franciscan University of Steubenville from October 15 – 16, 2021.
- The [Society of Catholic Social Scientists](#) will host its [29th annual national conference](#) at Franciscan University of Steubenville from October 29 – 30, 2021.

On Campus

- An extensive list of available jobs and internships for college students and recent graduates is available at the [Students for Life](#) website.

Legal Realities

Richard S. Myers, J.D. (*Professor of Law at Ave Maria School of Law, UFFL Vice-President*) provides a brief overview of significant legal developments since the last issue of *ProVita*.

The most important legal news in recent months was the United States Supreme Court's May 17, 2021 decision to review [Dobbs v. Jackson Women's Health Organization](#). Dobbs involves the constitutionality of Mississippi's Gestational Age

Act, which bans most abortions after 15 weeks. The Mississippi statute is clearly unconstitutional under the Supreme Court's leading abortion cases. Under *Roe v. Wade* and *Planned Parenthood v. Casey*, states may not prohibit abortions prior to viability.

The Court's decision to review the question presented by Dobbs--whether all pre-viability prohibitions on elective abortions are unconstitutional--is of enormous significance. Dobbs will give the Court an opportunity to significantly revise its approach to the constitutionality of abortion prohibitions and perhaps to finally overrule *Roe v. Wade* and *Planned Parenthood v. Casey*. Dobbs will likely be argued in the Fall of 2021 and a decision is expected by the late spring or early summer of 2022.

It is not clear what approach the Court will take in evaluating the continuing validity of *Roe* and *Casey*. It appeared that the Supreme Court was going to overrule *Roe v. Wade* in 1992 in *Planned Parenthood v. Casey*. But that's obviously not what happened. In *Casey*, the Court surprised many observers by upholding the essence of *Roe v. Wade*. *Casey* did modify *Roe* to some degree. The Court set forth the undue burden approach. That approach gives states somewhat more freedom to regulate abortion but states cannot prohibit abortions prior to viability. And even after viability, states could not prohibit abortion if the abortion were thought necessary to preserve the life or health of the mother.

Since *Casey*, states have been increasingly aggressive in trying to restrict abortion. Some states, such as Georgia and Arkansas, have essentially outlawed all abortions. Those laws have been enjoined by the courts. Mississippi's statute was also predictably enjoined by the federal courts.

The Mississippi law at issue in Dobbs was enacted in 2018. The law states:

“Except in a medical emergency or in the case of a severe fetal abnormality, a person shall not intentionally or knowingly perform, induce, or attempt to perform or induce an abortion” when “the probable gestational age of the unborn human being has been determined to be greater than fifteen (15) weeks.” The law was enjoined by a federal district court judge in the Southern District of

Mississippi. In December 2019, the 5th Circuit affirmed over the reluctant concurring opinion of Judge Ho. Judge Ho considered himself bound by Supreme Court precedent. He did note “that [n]othing in the text or original understanding of the Constitution establishes a right to an abortion.” He went on to critique the district court opinion because, as Judge Ho explained, that opinion “displays an alarming disrespect for the millions of Americans who believe that babies deserve legal protection during pregnancy as well as before birth, and that abortion is the immoral, tragic, and violent taking of innocent human life.”

Mississippi's request for review was filed on June 15, 2020 before Justice Ginsburg died in September 2020. That request was pending for nearly a year, which led to speculation that the Court was not going to review the case.

The Court's decision to hear the Dobbs case and changes in the composition of the Supreme Court have led to speculation the Court may well finally overrule Roe and Casey. [Michael Paulsen](#) and [Robert George](#) offer helpful commentary. [Mississippi's brief on the merits](#), which was filed on July 22, 2021, specifically urges the court to overrule Roe v. Wade and Planned Parenthood v. Casey.

The Court is divided on the issue of abortion. In *Whole Woman's Health v. Hellerstedt* (2016), the Court (by a 5-3 vote) invalidated two provisions on Texas law, one that required that doctors who performed abortions to have admitting privileges at local hospitals and one that required abortion clinics to meet the state's requirements for surgical centers. In *June Medical Services v. Russo* (2020), the Court (by a 5-4 vote) invalidated Louisiana's admitting privileges law. Chief Justice Roberts, who had dissented in *Whole Woman's Health*, joined with the Court's liberal Justices. Chief Justice Roberts provided the crucial fifth vote to invalidate the Louisiana law. Chief Justice Roberts noted that he had “joined the dissent in *Whole Woman's Health* and [that he] continue[s] to believe that the case was wrongly decided.” Nevertheless, the Chief Justice stated: “*Stare decisis* instructs us to treat like cases alike. The result in this case is controlled by our decision four years ago invalidating a nearly

identical Texas law. The Louisiana law burdens one seeking previability abortions to the same extent as the Texas law, according to factual findings that are not clearly erroneous. For that reason, I concur in the judgment of the Court that the Louisiana law is unconstitutional.”

Since the June Medical decision, Amy Coney Barrett, who most observers view as more likely to uphold state laws prohibiting abortion, has replaced Justice Ginsburg, who was the Court's most committed supporter of the right to abortion. It seems a majority of the Court believes that Roe and Casey were wrongly decided. That is, however, roughly the same situation we faced in 1992. At that time, the Court surprised most observers by reaffirming *Roe v. Wade*.

The most common prediction for the outcome in Dobbs is that the Court will uphold the constitutionality of the Mississippi statute without formally overruling Roe and Casey. But that result would represent significant progress in the fight to protect the unborn.

Another important legal development involves the constitutionality of laws banning abortions due to a diagnosis that the unborn child has Down Syndrome. The federal courts are divided on the issue. The Seventh Circuit invalidated Indiana's law in 2018. In 2019, the Supreme Court denied cert on the issue of the constitutionality of Indiana's Sex Selective and Disability Abortion Ban. Justice Thomas concurred. His separate opinion, which has been much discussed, explored the issues presented by laws that “promote a State's compelling interest in preventing abortion from becoming a tool of modern-day eugenics.”

More recently, the Eighth Circuit has invalidated laws from [Arkansas](#) and [Missouri](#) banning Down syndrome abortions. Both states have sought Supreme Court review, although after Missouri asked the US Supreme Court to hear the case [the entire Eighth Circuit, on its own motion, decided to rehear the Missouri case](#). In contrast, the en banc Sixth Circuit [upheld the constitutionality of Ohio's ban on Down syndrome abortions](#). The vote was 9-7.

It seems likely that the United States Supreme Court will not rule on the pending requests for review from the states of Arkansas and Missouri until it has decided the Dobbs case.

Another important case that is pending before the United States Supreme Court is [Cameron v. EMW Women's Surgical Center, P.S.C.](#) Cameron, which will be argued on October 12, 2021, raises the following issue: Whether a state attorney general vested with the power to defend state law should be permitted to intervene after a federal court of appeals invalidates a state statute when no other state actor will defend the law.

In Cameron, the state of Kentucky initially defended the constitutionality of a Kentucky law banning dismemberment abortions. After a federal court of appeals invalidated the law, the Governor of Kentucky abandoned his defense of the law. Daniel Cameron, Kentucky's Attorney General, then tried to intervene in the suit to defend the law but the federal court of appeals rejected that request. The United States Supreme Court agreed to hear the intervention issue; the Court did not agree to review the constitutional issue. Although the constitutionality of the ban on dismemberment abortions is not at stake in Cameron, the case is important. It is quite common for a state's governor and its attorney general to be elected separately, and that creates the risk of disagreement about whether to defend the constitutionality of a statute passed by the state's legislature. A favorable ruling in Cameron will help to ensure that pro-life laws passed by a state legislature will be vigorously defended in court, even when the law is not supported by the state's governor.

A Scholar's Analysis

Christopher Kaczor, Ph.D. (Professor of Philosophy at Loyola Marymount University at Los Angeles, Consultor to the United States Conference of Catholic Bishops) engages recent scholarship on life issues. A version of this essay appeared in the *National Catholic Bioethics Quarterly*.

In her essay, "Pregnant people, inseminators and tissues of human origin: how ectogenesis challenges the concept of abortion," Evie Kendal offer her take important life issues. She writes,

Viability is already a problematic method of assigning rights to the foetus, as the survival of an infant born prematurely depends heavily on the location in which the birth takes place and whether access to sophisticated neonatal incubation technology is available. ...

Viability is not an intrinsic trait of a foetus once it reaches a certain point in development, but is rather the result of a complex interplay of situational factors, of which advanced technology represents just one.¹

Contra *Roe*, Kendal does not think that viability is the compelling point for moral status, rather

Foetuses lack the fundamental characteristics required to establish full moral status or personhood (Callahan and Knight 1992). It is typically understood that fetuses have no desires, interests, conscious awareness, or rationality, and are devoid of moral responsibility or agency.²

Such assertions do not go far in establishing the desired conclusion that prenatal human beings are "definitely" not persons. What is asserted without justification can be rejected by saying: foetuses have the fundamental characteristics required to establish full moral status or personhood (George and Tollefsen 2008). It is typically understood that fetuses are individual human beings and that having desires, interests, conscious awareness, or rationality is not a necessary condition for individual human beings to have personhood, as cases of adults who are severely mental handicapped indicate.

Kendal continues, "In addition to lacking moral personhood, fetuses typically lack legal personhood; since they cannot be (legally) wronged in the way an autonomous human being can be, any

¹ Evie Kendal, "Pregnant People, Inseminators and Tissues of Human Origin: How Ectogenesis Challenges the Concept of Abortion." *Monash Bioethics Review* 38.2 (2020): 197-204 at 198.

² Kendal, "Pregnant People, Inseminators and Tissues of Human Origin" p.200, internal citations committed.

maternal-foetal conflict must logically be resolved in favour of the party possessing legal personhood.”³ This claim is also not in accordance with the truth. Aside from abortion, the law recognizes that prenatal human beings can be wronged. As Gerald Bradley points out, “the unborn *are* recognized as persons with a right not to be killed in 38 American states, as well as in federal law. These statutes—commonly described as ‘feticide prohibitions’—accord the unborn the same right to life as others, except when they are targeted in legal abortion.”⁴ In the murder of pregnant Laci Peterson, her husband was charged and convicted of double murder in California.

U.S. law is inconsistent. Intentionally killing the prenatal human being is illegal save in the case of abortion. By contrast, Kendal’s understanding of the prenatal human beings involves a consistent denial of all rights to prenatal human beings, “I argue that foetuses are most accurately classified as tissues of human origin that are dependent on a pregnant woman’s body for life, possessing varying statistical probabilities of becoming persons that take into account increasing gestational age and the presence of any abnormalities. Despite this potential, such tissues do not possess rights or interests while they remain in the womb, and thus cannot be said to have a right to be transferred into an artificial womb, even if this might promote its survival.”⁵ A prenatal human being can be described as tissues of human origin, but you and I can also be described as tissues of human origin. The dependency of the individual on a pregnant woman’s body for life could be another way of talking about viability, for at viability there is no longer necessarily dependence on the pregnant woman’s body. For reasons already discussed above as well as reasons I’ve talked about in *The Ethics of Abortion*, viability is irrelevant for moral status.⁶ On the other hand, dependency could be understood as existing in utero regardless of viability. In this case, the prenatal human being has

no rights until born. But then the question is, why should birth be the magic moment transforming mere “tissues of human origin” into persons with inherent dignity and human rights? My answer is that birth is not ethically decisive for the status of the young human being.⁷ In any case, Kendal’s case that the prenatal human being is not a person is based on unjustified (and I think unjustifiable) assertions.

Human persons have a mother and a father, but “tissues of human origin” have neither, so Kendal endorses the use of a new term, “inseminator” in order “to refer to the male genetic progenitor of a developing foetus (Raymond 1994, p. 63). This term highlights a relationship with the pregnant woman, rather than the foetus she is carrying, and may be more appropriate than ‘partner’ in cases where the relevant parties are not together.”⁸ Is “inseminator” the best word to describe the person in question? Inseminator suggests a connection with artificial insemination involving a sperm donor. But sperm donors voluntarily give sperm to women who want to be pregnant. Women seeking abortions do not want to be pregnant. Of course, there are overlap of cases in which women started off wanting to be pregnant using sperm donation, but later changed their minds. “Inseminator” is a euphemism useful for concealing the reality revealed by our ordinary language. Pregnant women have been asked for millennia, “Who is the father?” Note the present tense. They are not asked, “Who will the father be?” In every pregnancy, there *is* a father because there *is* a son or daughter. Defenders of abortion try at all turns to obscure this reality.

A notable exception to this obfuscation is the work of David Boonin. In his book, *A Defense of Abortion*, Boonin writes,

On the desk in my office where most of this book was written and revised, there are several pictures of my son, Eli. ... In the top drawer of my desk, I keep another picture of Eli. This picture was taken on September 7, 1993, 24 weeks before he was born. The sonogram image is murky, but it reveals clearly enough a small head tilted backward slightly, and an

³ Kendal, “Pregnant People, Inseminators and Tissues of Human Origin” p.200.

⁴ Gerard V. Bradley, “The Future of Pro-Life Legislation and Litigation” October 18, 2016 <https://www.thepublicdiscourse.com/2016/10/18069/>

⁵ Kendal, “Pregnant People, Inseminators and Tissues of Human Origin” p.201.

⁶ On the irrelevance of viability for the rights of prenatal human beings, see Christopher Kaczor, *The Ethics of Abortion: Women’s Rights, Human Life, and the Question of Justice*. Second Edition (New York: Routledge, 2015) pg.70-73.

⁷ On the irrelevance of birth for the rights of prenatal human beings, see Kaczor, *The Ethics of Abortion*, pg.41-58.

⁸ Kendal, “Pregnant People, Inseminators and Tissues of Human Origin” p.201.

arm raised up and bent, with the hand pointing back toward the face and the thumb extended out toward the mouth. There is no doubt in my mind that this picture, too, shows the same little boy at a very early stage in his physical development. And there is no question that the position I defend in this book entails that it would have been morally permissible to end his life at this point.⁹

The picture was of his son Eli, not of mere “tissues of human origin.” Aside from abortion, everyone recognizes this. Does anyone post pictures of biopsies on social media? But how many people post ultrasound photos of their son or daughter? Without evasion into euphemism, Boonin is honest enough to face the fact that abortion would have ended the life of his own son Eli.

According to Kendal,

I further argue that the provision of life-sustaining gestational processes gives the pregnant woman the ability to bestow meaning onto the existence of the foetus, e.g. to bring it into relationship with others. As such, the pregnant woman gets to decide whether the life she carries should be treated as a future family member, or whether it represents a collection of cells to be removed from her body. At least until the point of independent viability, the foetus cannot be considered a separate being, and thus its identity is justifiably dependent on the intended choices of the pregnant woman. This claim is not intended to imply such choices are made without reference to social and cultural influences, but rather that the ultimate decision rests with the pregnant woman.¹⁰

Here to “bestow meaning onto the existence of the foetus” is to bring it into relationship with others. If Kendall’s argument is correct, the woman bestows meaning on the fetus making him or her either a clump of cells or a potential family member, so what was the human fetus prior to the bestowal of meaning? What happens if neither choice is made as

⁹ David Boonin, *A Defense of Abortion* (New York: Cambridge University Press, 2002)

¹⁰ Kendal, “Pregnant People, Inseminators and Tissues of Human Origin” p.201.

in the case of cryptic pregnancy?¹¹ Why is the prenatal human being only a “potential” family member? In terms of biology, such a view is false. The prenatal human being is a mammal, and all mammals have a biological father and mother, two grandmothers, and two grandfathers, as well as any siblings and aunts and uncles they may have.

The idea is that pregnant woman “bestows” meaning is also problematic for other reasons. Pregnant woman do sometimes change their mind about whether they want to be pregnant. So, are we to understand that the potential family member turns into a clump of cells and then turns back into a potential family member (gaining and losing human rights each time) as often as a mind is changed? The personhood of an individual cannot be gained and lost in this way.

Moreover, the claim that “At least until the point of independent viability, the foetus cannot be considered a separate being” is demonstrably false. The prenatal human being may have one blood type and the mother another blood type. The prenatal human being may be one race and the mother a different race. The prenatal human being may be male but the pregnant woman is never male. The prenatal human being can die and the mother can live, and vice versa. All available scientific evidence points to the reality that there are *two* individual human beings involved as indicated by the existence of two separate hearts and two separate brains in two distinct bodies. Just as the human embryo in a glass petri dish is not simply a part of the glass petri dish, so too the human fetus in his or her mother is not simply part of the mother. A prenatal human being is an individual human being in his or her own right. To deny this reality is to deny the clarity of contemporary science and to retreat into the fog of euphemism.¹²

¹¹ Ellen Hunt, “Cryptic Pregnancies: ‘I Didn’t Know I Was Having a Baby until I Saw Its Head’.” *The Guardian* March 31, 2019
<https://www.theguardian.com/lifeandstyle/2019/mar/31/cryptic-pregnancies-i-didnt-know-i-was-having-a-baby-until-i-saw-its-head>

Reminders

- **Lifetime membership** UFFL offers Lifetime Membership. Five hundred dollars will enable you to support our mission more easily throughout your golden years. More details are posted on our [website](#).
- **2021 Dues Reminder** Be sure to pay your dues. Annual dues are \$40. On-line payment is possible through PayPal and our website, as well as by mailing them to **Dr. Margaret Hughes**, University Faculty for Life, Thomas Aquinas College, 231 Main Street, Northfield, MA 01360. Dues are important for receiving the print copies of our peer reviewed *Life and Learning*.
- **Keep your email address updated** Updates can be made either by contacting **Dr. Margaret Hughes** at provita.editor@gmail.com. Updated email addresses enable one to receive our *ProVita* electronic newsletter as well as important messages about UFFL.
- **Social Media** UFFL is on Facebook and LinkedIn. On Facebook, you can “like” the “University Faculty for Life” page. Our blog can be found at www.uffl.org/blog/. There is also an active “University Faculty for Life” subgroup of the “Pro-life Professionals” group on LinkedIn.

Please begin to think about items for next issue, which will come out in the fall. We need:

- Notices of member’s publications, presentations and other activities,
- Calls for papers and notices of upcoming conferences.
- Citations of relevant significant research in any discipline, whether from a pro-life perspective, neutral, or the opposing perspective.
- Useful online and print resources.
- Reviews of promising prolife publications.

Please submit all contributions for the Fall 2021 issue by November 15th. Any contributions should be sent to provita.editor@gmail.com.

Masthead

Publisher	University Faculty for Life
Editor	Margaret I. Hughes, Ph.D.
Columnists	Richard Myers, J.D.; Christopher Kaczor, Ph.D.
Web Support	Stephen Feher of the Ridgefield Group

Pro Vita is the quarterly online newsletter of the [University Faculty for Life](#). Its purpose is to promote research, dialogue and publication by faculty who respect the value of human life from inception to natural death, especially focusing on abortion, euthanasia, and infanticide. More information about UFFL can be found on our web site at uffl.org. Editorial correspondence can be sent to the editor at provita.editor@gmail.com.

Web Resources for Research and Education

Life and Learning
The Journal of the University Faculty for Life

UFFL Blog

Member web pages and blogs

Please forward any other member’s web pages to provita.editor@gmail.com.

Beckwith, Francis	Lemmons, Rose Mary Hayden
Bachiochi, Erika	Smith, Janet E.
Colosi, Peter	Irving, Diane

Online Resources

Bad Cripple Blog: A Resource for Pro-lifers	A blog written by William Peace, Ph.D., who advocates for the rights of the disabled.
Before Roe v. Wade: Voices that Shaped the Abortion Debate Before the Supreme Court’s Ruling (2d edition, 2012)	“In this ground-breaking book, Linda Greenhouse, a Pulitzer Prize-winning journalist who covered the Supreme Court for 30 years for The New York Times, and Reva Siegel, a renowned professor at Yale Law School, collect documents illustrating cultural, political, and legal forces that helped shape the Supreme Court’s decision and the meanings it would come to have over time.”
Culture of Life Foundation	Complex moral issues made simple
Global Health and Human Rights Database	“The Global Health and Human Rights Database is a free online database of law from around the world relating to health and human rights. Developed by Lawyers Collective and the O’Neill Institute for National and Global Health Law at Georgetown University, in collaboration with a worldwide network of civil society partners, the database offers an interactive, searchable, and fully indexed website of case law, national constitutions and international instruments.”
Human Life International Truth and Charity	“The <i>Truth and Charity Forum</i> is an online publication of Human Life International (HLI), dedicated exclusively to the sacredness and gift of all human life, the mission and vocation of the family, and the right to live in accord with our Catholic faith.”
Life Issues	Updated daily with articles to provide “clear thinking about crucial issues.”
Mirror of Justice	A blog dedicated to the development of Catholic legal theory.
National Museum of Health and Medicine, Human Developmental Anatomy Collection, Stage 1a	From the Carnegie Stages of Human Embryonic Development.
Social Science Research Network (SSRN)	SSRN (the Social Science Research Network). “Our vision was (and still is) to enable scholars to share and distribute their research worldwide, long before their papers work their way through the multi-year journal refereeing and publication process.”
USCCB Human Life and Dignity web page	United States Conference of Catholic Bishops

Witherspoon Institute Public Discourse	Public Discourse is an online publication of the Witherspoon Institute that seeks to enhance the public understanding of the moral foundations of free societies by making the scholarship of the fellows and affiliated scholars of the Institute available and accessible to a general audience.
World Expert Consortium for Abortion Research and Education	International research collaboration, Scientific information dissemination, Professional education, Consultation, Expert testimony, Program evaluation, Grant writing
Journals and Online Publications	
Charlotte Lozier Institute (Susan B. Anthony List)	The education and research arm of the Susan B. Anthony List
Ethika Politika	Ethika Politika is a publication of the Center for Morality in Public Life. Its purpose is to put the search for wisdom at the service of good practical decisions, and to engage contemporary ethical and cultural issues from an elevated yet common sense perspective.
Human Life Review	
Linacre Quarterly	Journal of the Catholic Medical Association.
Post-Abortion Review	“Documents abortion's injustice and harm to women”
Organizations	
Americans United for Life	
Bioethics defense fund	Bioethics Defense Fund (BDF) is a public-interest law firm whose mission is to advocate for the human right to life via litigation, legislation and public education. BDF provides legal expertise and public education on the issues of healthcare rights of conscience, abortion and its impact on women, human cloning/destructive human embryo research, and end of life issues including physician-assisted suicide and healthcare rationing.
Catholic Medical Association	
Center for Bioethics and Human Dignity	“The Center for Bioethics & Human Dignity explores the nexus of biomedicine, biotechnology, and our common humanity. Within a Judeo-Christian Hippocratic framework, we anticipate, interpret, and engage the pressing bioethical issues of our day. As a center of rigorous research, theological and conceptual analysis, charitable critique, and thoughtful engagement, we bring clarity to the complex issues of our day.”

Feminists for Life	
Healing the Culture	Promotes the Life Principles of UFFL co-founder Robert J. Spitzer, SJ.
The International Center on Law, Life, Faith and Family (ICOLF)	“The International Center on Law, Life, Faith and Family (ICOLF) was established with a view to producing, compiling and providing a broad range of resources and materials for a number of interested parties working on “Law, life, faith and family” issues on the national, regional and international levels.”
National Catholic Bioethics Center	Publishes the <i>National Catholic Bioethics Quarterly</i>
Prolife Center at the University of St. Thomas	Founded and headed by UFFL member Teresa Collett to defend the sanctity of human life by training law students and lawyers, by assisting government officials in drafting, passing and defending prolife laws, and developing the necessary legal scholarship necessary to create a culture of life.
Society of Catholic Social Scientists	
Women Deserve Better	
News	
Bioedge	LifeNews.com
National Right to Life News	LifeSiteNews