



PROVITA

The University Faculty for Life Newsletter

Vol. 11, No. 2

Summer/Fall 2023

Table of Contents

Letter from the President	1
In Memoriam	1
Member News & Publications.....	2
Scholarly Opportunities.....	3
Legal Realities	3
A Scholar's Analysis	4
Reminders.....	5
Masthead	6
Web Resources for Research and Education	6

member. To Dr. Barbara Freres, we extend special thanks for her six years of serving as our conference program coordinator.

This issue of ProVita has two excellent articles. Prof. Richard Myers takes us through the complexities of the Post-Roe legal scene, while Dr. Christopher Kazor evaluates whether abortion can be considered self-defense.

Thanks for all that you do for life,

Mary
R. Mary Hayden Lemmons, Ph.D.
UFFL President

Letter from the President

Hello Everybody,

I'm pleased to announce our upcoming conference on June 7-8, 2024 will be held at the University of St. Thomas in St. Paul, Minnesota. The overall theme will be *Bio-technology at the Beginning and End of Life*. The deadline for priority consideration of abstracts is January 22, 2024. The Call for Proposals will be forthcoming.

I am also pleased to announce that we have three new board members: Dr. Dave Deavel, Theology at the University of St. Thomas in Houston, Texas; Dr. Cathy Deavel, Philosophy at the University of St. Thomas in St. Paul, Minnesota; and Prof. Stephen Gilles, Quinnipiac University School of Law. Many thanks to Dr. Kathleen Schmainda for serving as a wise and generous Board

In Memoriam

Gary Edward Crum (November 6, 1944 – April 21, 2023)

Dr. Gary Crum, a founding board member of the University Faculty for Life, died on April 21, 2023. He held an undergraduate degree from the College of William and Mary, three Master's degrees from the University of Kentucky, Columbia University, and George Washington University, and a Ph.D. in Medical Entomology from the University of Kentucky.

Dr. Crum was an associate professor at George Washington University. He also taught at the University of Virginia's College at Wise, VA, where he co-founded the Healthy Appalachia Institute and directed the Graduate Medical Education Consortium, which recruited new

physicians to increase medical care in the rural Virginia mountains.

In addition, Dr. Crum served in many local, state, and federal health agencies, including as as Health Commissioner for Jackson County, Ohio, Chief of Staff of the Ohio Department of Health, and as the head of the four-county urban health department in the Kentucky suburbs of Cincinnati.

Dr. Crum was deeply involved in Pro-life activities throughout his life. In addition to his important role as a member of the University Faculty for Life, Dr. Crum served as the legislative vice-president for the South Carolina Citizens for Life, the founding president of Public Health Workers for Life and Southern Baptists for Life, president of the Castello Institute of Stafford, and an administrative consultant for Alternatives for Abortion International.

Dr. Crum is predeceased by his wife of 37 years, Millicent, and is survived by two step-children, Kim James of Florida, and Robert Startup (wife Jodi) of Ohio and his step-grandson and ward, Freddie Startup (wife Tiffany) of Ohio.

The University Faculty for Life is deeply grateful for Dr. Crum's life of service to the Pro-life cause, and especially for his role in founding our organization.

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 M. Alvaré, J.D.** (Law, George Mason Law) contributed to “Symposium: Where do we go from Dobbs?” in *Human Life Review*, 49.2 (Spring 2023).
- **Gerard V. Bradley, J.D.** (Law, University of Notre Dame Law School) also contributed to

“Symposium: Where do we go from Dobbs?” in *Human Life Review*, 49.2 (Spring 2023).

- **Prof. Bradley** also published “Life After Dobbs” in *First Things*, (August 2023).
- **Fr. John Conley, S.J., Ph.D.** (Philosophy, Loyola University, Maryland) reviewed *What Happened to Civility: The Promise and Failure of Montaigne's Modern Project* by Ann Hartle for *American Catholic Philosophical Quarterly*, 97.3 (Summer 2023).
- **John Crosby, Ph.D.** (Philosophy, Franciscan University of Steubenville) reviewed *Two Greatest Ideas: How Our Grasp of the Universe and of Our Minds Changed Everything* by Linda Zagzebski for *American Catholic Philosophical Quarterly*, 97.3 (Summer 2023).
- **Richard Fehring, Ph.D., R.N.** (Nursing, Marquette University) published, with Mary Schneider and Thomas Bouchard, “Effectiveness of a Postpartum Breastfeeding Protocol for Avoiding Pregnancy” in *The Linacre Quarterly*, 90.2 (May 2023).
- **Margaret Hughes, Ph.D.** (Philosophy, Thomas Aquinas College NE) gave a keynote address, “The Healing Hope of Music,” at the annual colloquium of the Church Music Association of America in Detroit, June 2023.
- **R. Mary Hayden Lemmons, Ph.D.** (Philosophy, University of St. Thomas-MN) presented “The Indispensability of Personalist Natural Law According to Aquinas and Wojtyła,” at the ACPA satellite joint session of the Society for Thomistic Personalism and the St. John Paul II Institute of the University of St. Thomas—TX. November 2023.
- She also presented “Body Nihilism or Body Reverence: Reflections on Alice von Hildebrand” at the Colloquium on Alice von Hildebrand on Nov. 3, 2023 at the University of St. Thomas, MN.
- **Paul Vitz, Ph.D.** (Psychology, New York University) published, with William Williams,

“The Medical, Sociological, Psychological, Religious, and Spiritual Aspects of Masturbation and a Potential Approach to Therapy Based on Catholic Teaching and Virtues Psychology” in *The Linacre Quarterly*, Online First (Sept. 8, 2023).

Scholarly Opportunities

- The [Society of Catholic Social Scientists](#) will hold its annual conference at Franciscan University of Steubenville in Steubenville, OH, October 27 – 28, 2023.
- The [diNicola Center for Ethics and Culture](#) will host its annual conference at the University of Notre Dame, November 2 – 4, 2023. The conference theme is “Dust of the Earth: On Persons.”

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 legal regulation of abortion has grown increasingly complex since the United States Supreme Court decision in *Dobbs v. Jackson Women’s Health Organization*. During the Roe/Casey era, the law with regard to abortion was deeply flawed but rather easy to summarize. States had some limited ability to regulate the process of abortion but almost no ability to prohibit abortions at any time during pregnancy.

The 2022 decision in *Dobbs* changed everything. *Dobbs* made it clear the US Constitution doesn’t protect a fundamental right to abortion. *Dobbs*, though, did not settle the debate about abortion. States largely have been left to deal with the issue through state law. This has led to disparate results across the country. For example, some states (such as New York and California) have aggressively protected access to abortion. Other states (such as

Texas, Georgia, and Indiana) have protected the unborn. This has led to the saving of thousands of lives, which would not have been possible during the Roe/Casey era.

This complex, fractured situation has been made manifest in the last few months.

For example, the [Maine legislature recently passed legislation that essentially legalizes abortion at any point during pregnancy](#), and [Maine’s Governor signed the legislation](#).

In contrast, other states have gone in a pro-life direction. For example, South Carolina and Indiana are among the states that have sought to limit abortion significantly. In May 2023, South Carolina enacted a heartbeat law that prohibits most abortions after the detection of a fetal heartbeat. On August 23, 2023, [the South Carolina Supreme Court ruled that the law did not violate the state constitutional right to privacy](#).

On June 30, 2023, the [Indiana Supreme Court upheld the constitutionality of a 2022 Indiana law that prohibits abortion with limited exceptions](#). The Court found that Indiana law protects a right to abortion to save the life of the mother but that in other situations the state has the power to prohibit abortions.

Iowa has also moved to protect the unborn. Iowa law largely prohibits abortion after a fetal heartbeat is detectable. In June 2023, a 3-3 decision from the [Iowa Supreme Court invalidated a heartbeat law that pre-dated Dobbs](#). In response, Iowa’s Governor (Kim Reynolds) called a special session of the legislature to pass a new law that the Supreme Court had invited. The legislature passed and [the Governor recently signed a bill prohibiting abortion after a fetal heartbeat has been detected](#). Unfortunately, a state court judge has enjoined enforcement of the law while a constitutional challenge to the law moves forward. There is every reason to believe, however, that the Iowa Supreme Court will uphold the new version of the law.

In another important development, on August 16, 2023, the United States Court of Appeals for the Fifth Circuit issued a noteworthy ruling in a case

challenging the FDA’s approval of mifepristone. [The appellate court upheld important parts of the trial court’s order that found that the FDA’s approval of mifepristone was unlawful.](#) The lower court’s ruling is, however, on hold pending Supreme Court review.

There has been less recent activity with regard to assisted suicide. The courts have largely left this issue to the legislative branch. There has been increasing legalization of assisted suicide in the last 25 years. There is, however, still significant opposition to the legalization of assisted suicide. For example, in April 2023, [the Connecticut legislature rejected a bill that would legalize assisted suicide.](#) This was the eleventh straight year that an assisted suicide bill has been defeated in Connecticut.

In contrast, the Nevada legislature legalized assisted suicide. But fortunately, [the Nevada Governor vetoed the legislation](#) in early June 2023.

These developments underscore the need for the pro-life movement to continue to promote the cause of life on a myriad of legal and cultural fronts.

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. This essay was first published by [Word on Fire](#).

A recent [Los Angeles Times piece by Holly Todd](#) asked, “What if abortion were self-defense?” Todd argues, “In the U.S., pregnant people die of pregnancy related causes at a higher rate than police die in the line of duty. Pregnancy in the U.S. is dangerous.” The essay continues,

Anti-abortion advocates argue that an embryo should be accorded all the rights of a born human. Even if one accepts this

argument, given the deadly risks, does a pregnant person not have a right to self-defense against someone threatening their safety? US culture has long accepted self-defense as a valid reason to use deadly force. Imagine if a person seeking an abortion were treated like a cop who had killed someone.

Todd imagines a police officer who kills a person and says, “I feared for my safety.” People respond to the police officer, “It’s OK. You did what you had to do. You were just defending yourself. Your life matters.”

Yes, every life matters. But this is precisely why killing in self-defense is *only* justified in *strictly* defined circumstances. Killing in self-defense must be a last resort against a violent aggressor.

Although it is true that every year police are killed in the line of duty, it is false that every killing by police is justified as self-defense. In [many cases](#), it is dead wrong to say, “It’s OK. You did what you had to do. You were just defending yourself.”

Indeed, every killing by a police officer ought to be carefully investigated to determine whether the killing was *actually* justified because of a true threat and as a last resort. It is absolutely awful that some police officers are killed in the line of duty, but this terrible reality does not mean we can assume that every killing by a police officer is justified as self-defense.

Similarly, it is absolutely awful that some women die from pregnancy-related complications. But this terrible reality does not mean that we can assume that every abortion is justified as self-defense to save her life. In fact, life threatening complications from pregnancy are *extremely* rare. In her terrific essay “[Refuting ‘Abortion as Self-Defense’](#),” Rachel Crawford notes, “In the United States in 2016, a pregnant woman had a 0.017% chance of dying because of a pregnancy-related complication.” As medicine advances, we can hope such cases become even more rare.

Yet in these extremely rare cases where the mother's life is at risk, *all* pro-life advocates do accept that indirect abortions—the term used in Catholic theology for a medical procedure which is intended for the beneficial medical effect but also results in fetal death as a foreseen but unintended secondary effect—to save the life of the mother are morally justified. (That being said, this line of action is not morally required. The mother may choose to risk her own life in the hope of saving her child, as in the case of St. Gianna Molla.) For example, if a pregnant woman has cancer of the uterus that threatens her life, it is justified to remove the cancerous uterus, even if as a side-effect the prenatal human being dies. In this case, the prenatal human being is not intentionally killed as a means or as an end. The foreseen side-effect of the death of the unborn is accepted and justified in order to save the life of the mother. But such cases, thankfully, are very, very rare. Indeed, modern technology is making such cases even more rare. All pro-life advocates accept that a medical procedure that results in the foreseen but unintended death of the unborn is justified to save the life of the mother.

Similar distinctions are made in law. Mary E. Harned, JD, and Ingrid Skop, MD, FACOG, point this out in their essay “[Pro-Life Laws Protect Mom and Baby: Pregnant Women’s Lives are Protected in All States.](#)” All pro-life laws in the United States allow these indirect abortions to save the life of the mother.

It is a commonly held intuition that a woman may use lethal violence not just to save her life but also to stop a rapist's intimate use of her body without her consent. So, some [defenders of abortion](#) argue that the fetal human being is an [invading threat](#) that justifies lethal [self-defense via abortion](#).

But the differences between a violent rapist and an unborn human being are many and obvious. Even a defender of abortion like Jeff McMahan recognizes,

In the paradigm case of self-defensive action, the individual who poses the initial threat (1) poses the threat through his present action, (2) intends the threat he

poses, (3) acts in a way that is morally unjustified, and, because (4) he is a morally responsible agent and (5) there is no excuse that exculpates him, (6) he is morally culpable for posing the threat. The fetus, by contrast, cannot be characterized in any of these ways. The fetus has no intentions, does not act, and indeed is not an agent at all. It is not morally responsible for the threat it poses and therefore cannot be culpable.

Unlike an adult rapist, human beings at the beginning of life are entirely free of nefarious intentions to harm.

Indeed, a newborn baby is the paradigm case of an innocent human being, and a human being prior to birth is even more vulnerable, helpless, and defenseless than a newborn. At least newborns can cry and scream, which may draw others to their defense. So the use of violence against an adult rapist is very different indeed from abortion of an innocent human being prior to birth.

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](#).
- ***2023 Dues Reminder*** Many thanks to all those who have already paid the 2023 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 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 spring. 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 Winter 2024 issue by January 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
Koloze, Jeff	
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.

<p>The International Center on Law, Life, Faith and Family (ICOLF)</p>	<p>“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.”</p>
<p>National Catholic Bioethics Center</p>	<p>Publishes the <i>National Catholic Bioethics Quarterly</i></p>
<p>Prolife Center at the University of St. Thomas</p>	<p>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.</p>
<p>Society of Catholic Social Scientists</p>	
<p>Women Deserve Better</p>	
<p>News</p>	
<p>Bioedge</p>	<p>LifeNews.com</p>
<p>National Right to Life News</p>	<p>LifeSiteNews</p>