Life support: Abortion politics

by Eric Osborne in the June 26, 2007 issue

If Americans needed a reminder of how divisive the issue of abortion is, they got one in the recent debate between Republican presidential candidates. When Rudolf Giuliani endorsed the option of choosing abortion but also observed that it would be "OK" if the Supreme Court overturned *Roe v. Wade*, his effort to find middle ground on this contentious issue was widely seen as a clumsy attempt to ride the fence.

For over two decades, pro-life and pro-choice forces have been so well funded, so well organized, and so firmly entrenched in the political battlefield that they have created a stalemate. While the political rhetoric of the battle remains heated, especially on the campaign trail, little has happened in Congress or the courts to alter the fundamental political realities defined by the 1973 *Roe v. Wade* ruling that outlined the right to an abortion.

But flying below the radar, pro-life Democrats have been advocating a "third way" for years. The National Right to Life Committee identifies about one of every five Democratic representatives as pro-life. With Democrats in control of Congress, they could potentially steer a new kind of pro-life legislation through Congress.

Kristen Day heads Democrats for Life (DFL), an organization started in 2002 to represent the interests of pro-life Democrats. On the day we met, Day wore a "Save Darfur" bracelet, expressed her opposition to the death penalty and spoke at length of the need to help the poor and downtrodden. A Catholic, she calls herself pro-life "in the larger sense of the word." Day says that she used to feel shut out by the national Democratic Party (she recalls how a worker at the Democratic National Committee kept losing her phone number), but today, she says, "the tension is much less than it was four years ago. Today I can be proud to be a pro-life Democrat."

The centerpiece of DFL's activity is the 95-10 Initiative. Unveiled in the spring of 2006, 95-10 seeks to reduce the number of abortions by 95 percent over the next 10 years. (There were 1.3 million abortions in the United States in 2003; a 95 percent reduction would cut that number to 65,000.) Primarily, 95-10 calls for social and

health programs that would support women bearing children and encourage them not to elect abortions. The proposal includes funding for day care centers on university campuses, for infant health and nutrition programs, and for medical insurance for pregnant women to give low-income women the opportunity to consider having and keeping a child. In addition, the initiative calls for a public information campaign about Down Syndrome to educate parents who receive a diagnosis, an increase in the adoption tax credit, and sonograms at public health centers to improve prenatal care for low-income women. Day terms the initiative “pro-life to the core” and says that it offers tangible ways, supported by research, to reduce the number of abortions.

Since 95-10 does not advocate criminalization of abortion and includes social programs for the poor, Day believes even pro-choice Democrats should be able to support it. However, 95-10 does not address one key issue that pro-choice Democrats believe is essential to reducing abortions: contraceptives and contraception education.

Former member of Congress and 9-11 commissioner Tim Roemer is excited by the prospects of 95-10, arguing that the initiative represents a “seismic paradigm shift on this issue that has been gridlocked for 30 years.” Roemer stresses that DFL’s approach is philosophically consistent for Democrats: “We are consistently helping the most vulnerable in society.” Yet Roemer also insists that the proposal should appeal to pro-life Republicans.

In politics, however, the devil is in the details. Burns Strider, former policy director for the House Democratic Caucus (currently working on religious outreach for Hillary Clinton’s presidential campaign), doubts that proposals like 95-10 will go very far. He thinks that Republicans won’t allow a Democratic initiative on abortion to go forward for fear of losing an important wedge issue with voters. It would take a lot of “intestinal fortitude” for a Republican to embrace something like 95-10, Strider said. “It’s pro-choice.”

The same initiative that Day calls “pro-life to the core” Strider calls “pro-choice.” That two individuals can look at the same proposal and classify it in different camps speaks to 95-10’s centrism. Might it be possible to take the outline of 95-10 and craft legislation that pro-lifers and pro-choicers could support? Last year I sat down with some of the principal actors to find out.

My first question was whether religious pro-life groups could indeed support legislation put forward by Democrats. The answer was a qualified yes. Religious leaders all stressed their nonpartisanship and that they would work with whomever might advance their cause. Representatives of the U.S. Conference of Catholic Bishops, the Ethics and Religious Liberty Commission of the Southern Baptist Convention (ERLC) and the National Association of Evangelicals (NAE) all expressed general support for the principles and proposals of the 95-10 initiative. All spoke of the need to “affirm life” and were generally supportive of the “pro-pregnancy” approach—efforts to help women carry a child to term and take care of the child after birth. Richard Doerflinger of the Catholic bishops conference specifically noted how these measures fit with Christian social-justice teaching and advocacy for the poor.

Doerflinger made it clear, however, that the Catholic Church could not countenance government support for contraception. Richard Land of the ERLC said he could support contraception for married couples but was hesitant to see contraception taught in schools or contraceptives provided to unmarried people. On this point, the least insistent of the religious pro-life representatives was Richard Cizik of the NAE, who said he was sympathetic to abstinence-only sex education but, unlike the others, was not “committed to it.” All three were wary of emergency contraception (popularly called the morning-after pill).

Such resistance to contraception was not at all present among the pro-choice religious leaders. Both Eleanora Ivory of the Washington office of the Presbyterian Church (U.S.A.) and Frances Kissling of Catholics for a Free Choice spoke at length about the merits of contraception. Yet they said they appreciated the pro-pregnancy approach, especially because of what it would do for poor women. Said Kissling, “On its merits, having nothing to do with abortion, we should be for it.”

Both Kristen Day and Richard Land suggested that opposition to proposals like 95-10 is most likely to come from secular pro-choice groups. My interviews, however, did not bear this out. Though the pro-choice leaders I spoke with emphasized that contraception programs are their primary legislative goal, they all expressed support for the pro-pregnancy approach.

Stephanie Foster, vice president of government affairs for Planned Parenthood, declared that being pro-choice includes empowering women to choose to keep a child: “We want to support people in all types of decisions they make.”

Every pro-choice leader I spoke to expressed support for elements of the 95-10 approach. Many seemed to feel their movement had been unfairly caricatured. Foster stated that most Planned Parenthood clinics do not provide abortions, adding: “It’s important to us that people have knowledge of the full range of what we do.” Donna Crane, chief lobbyist for the National Abortion Rights Action League, emphasized that her group is not pro-abortion and would be “fully supportive” of pro-pregnancy legislation.

But each person in the secular pro-choice world I spoke with stressed that prevention, not support for already pregnant women, is the real way to reduce the abortion rate, and that contraception is the best means of prevention. On the matter of how to prevent pregnancies, the pro-life and pro-choice movements could not differ more.

While both sides seem wary of each other and very real disagreements remain, common ground does exist. As William Smith, vice president for public policy at the Sexuality Information and Education Council of the United States, put it, “Common ground exists . . . if those . . . engaged are concerned about the common good.”

Can lawmakers seize this common ground? At the federal level, DFL’s efforts have coalesced around the Pregnant Women Support Act, sponsored by Representative Lincoln Davis (D., Tenn.). Davis stressed his willingness to work across the aisle and explained that when he votes he tries to follow his conscience, not his party: “When I vote, I fear repercussions inwardly. How do I live with myself? I don’t fear political repercussions.”

This fearlessness helped him win election in a Republican-leaning district in 2002 and cement his position over the following years. Davis combines social conservatism with economic liberalism, holding to what he considers a pro-family approach. When asked what it feels like to be a pro-life Democrat, Davis said he feels “cleansed, pure of heart.”

The Pregnant Women Support Act closely mirrors the 95-10 initiative. It provides information, funding and support so that pregnant women won’t have to choose an abortion for economic reasons. The bill has garnered the support of Representative Chris Smith (R., N.J.), chair of the bipartisan pro-life caucus in the House. Everyone I spoke with seemed to think highly of Smith. Doerflinger, of the Catholic bishops conference, said he admired Smith’s principles: “He is someone who cares more

about life than his own career." Even pro-choice leaders seemed to esteem Smith for his integrity. His staffers said their boss's support is a "pro-life seal of approval" for other House members. Davis's bill is cosponsored by more than 20 Democrats and enjoys the support of key Republicans. If the Democratic leadership were to advance the bill, it would almost certainly pass.

Other bills in Congress also address the issue of pregnancy and abortion. The Prevention First Act, sponsored by Senate Majority Leader Harry Reid of Nevada, has been proposed in various forms for years. The bill assumes that the primary reason that women elect abortions is because of unwanted pregnancies, and that preventing unwanted pregnancies is the most significant way to reduce the abortion rate. The bill increases funds for contraception and for comprehensive sex education. This is not an approach that most pro-life groups (especially the Catholic Church) will support.

The Reducing the Need for Abortion and Supporting Parents Act, introduced by Representative Tim Ryan (D., Ohio), includes many elements of Davis's bill, but it adds on increased funding for contraception and for teaching about contraceptives. Again, the contraception provisions make the measure anathema to many pro-lifers.

Jennifer Moore, the staff member who wrote Ryan's bill, informed me that Ryan, a devout Catholic, included contraception programs in the bill because they are "effective." His approach probably has wide public support, judging from research by the Democratic-leaning think tank Third Way. Pushing Ryan's bill, and thereby forcing Republican opponents of contraception to go on record against it, might be a shrewd political move by the Democrats.

Nevertheless, because of the potential bipartisan support, the Pregnant Women Support Act is the bill that has the best chance to pass. It offers the Democratic leadership a golden opportunity to pass the first significant abortion legislation since *Roe v*. *Wade* to get support from all sides of the political, ideological and theological spectrum. Here is legislation that pro-life and pro-choice leaders claim to agree on. It is a bill proposed by Democrats yet supported by key Republicans that promises to reduce the number of abortions. By finding common ground, Congress could begin to move this country beyond a 30-year stalemate.

Eric Osborn researched this article while attending the National Capital Semester for Seminarians.