What Pro-lifers Should Take Away from the 2022 Midterms

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Pro-lifers leapt into a victory dance in the wake of the Supreme Court's *Dobbs* decision this past June. But on November 8th, legal euphoria gave way to political reality when the votes started getting counted. It turns out that sending the abortion question back to the states wasn't all it was cracked up to be. In the first test of a post-*Roe* political showdown, the midterm elections showed pro-lifers that:

> The worldview assumptions that make abortion plausible to millions of Americans are deeply entrenched in culture and will not go away anytime soon. We are not losing because ballots are unclear. We are losing because those casting them disagree with us.[1]

And we are learning that some who are casting those ballots are folks we previously thought *were* "us."

Red State Blues

No one was shocked when "blue states" like Vermont, California, and Michigan moved to make further allowances for abortion. And that's exactly what they did:

> Vermont's Proposition 5 made it the first state in the Union to enshrine a fundamental right to an abortion in its state constitution, beating California only by a few hours. The constitution of the state of California, too, will now read that "the state shall not deny or interfere with an individual's reproductive freedom…which includes their fundamental right to choose to have an abortion." But Michigan's … Proposal 3 goes beyond enshrining a right to abortion in the state constitution, though it certainly does that. In addition to establishing rights to all manner of "reproductive freedom," including sterilization, the bill also *does away with parental consent for minors in any such reproductive decisions* (emphasis mine).[2]

These sad and morally horrific moves in blue states are one thing. But what was really disconcerting for pro-lifers was the approval of equally diabolical changes in places that were completely unexpected.

> In the perennially "red state" of Montana, voters rejected Referendum 131, a ballot measure that would have required that "medical care be

> provided to infants who are born alive, including after an attempted abortion."[3]

In Kentucky, a proposed constitutional amendment to protect human life and deny the funding of abortion failed by 6 percentage points.

And then there are the pro-life candidates for whom the politics of abortion is more important than the moral imperative to end it. These are the folks who will proudly proclaim that they are "100% pro-life" during a primary campaign. But once they win their party's nomination, they quietly remove pro-life language from their campaign website or replace it with a less restrictive stance they believe the Spirit of the Age will also find less objectionable.[4]

It ain't easy being red.

All is Not Lost

While these high-profile failures are important, they are not definitive. In fairness, the *Dobbs* victory has changed the game. As Ross Douthat points out in the *New York Times*, the fact …

that abortion is illegal with exceptions in 13 states, while heartbeat laws survived a key political test in Georgia and Ohio, is hardly an abstract or Pyrrhic victory.

My colleagues at The Upshot recently reported on data indicating that these restrictions prevented about 10,000 abortions across the first two months following the *Dobbs* decision. The pro-life scholar Michael New has suggested that the true figure is higher, based in part on abortion and birthrate data from Texas following the passage of its Heartbeat Law in 2021. But even just the lower figure adds up to 60,000 fewer abortions in a post-*Dobbs* year, thousands of babies across the bloc of pro-life states who will live because *Roe* was overturned.[5]

Acknowledging the positives does not change the fact that being a pro-life advocate in this kind of environment means we have to up our game, even with the home team. And that means we must do two things, one practical, and one ideological.

Read the Room

First, we must recognize that we are operating in a post-truth culture that is in many ways resistant to rational argument. As Jonathon Van Maren argues in *First Things*, that means that:

> from an educational perspective, we must simplify our message. Our most powerful argument is victim photography, the pictorial evidence of what happens to a baby during an abortion. Polling data indicates that

> this imagery has a huge effect on the way people view abortion, removing the issue from the abstract realm of "healthcare" and confronting the public with the reality of a human being with a face … If we do not show people what abortion is, they cannot understand the stakes.

Van Maren is exactly right. The proper use of abortion imagery in conjunction with a reasoned argument is powerful in its effect. We use horrifying images in driving classes to convince teens of the dangers of texting and driving. We show before and after images of methamphetamine users to see where drug abuse leads. In the past, the state of Wisconsin employed disturbing videos to boost awareness of sex trafficking. And who can ever forget the images they've seen of the Holocaust death camps?

We use images because seeing injustice has a way of connecting our intellects to our emotions. And that connection is what compels us to change our behavior.

Second, we must face reality. We cannot dismiss the failure of pro-life ballot measures as being the result of confusing lawyer language in the voting booth. And we should not fear being labeled as extremists for defending those who cannot defend themselves. The truth is that the fallout from *Dobbs* is exposing a level of moral decay far greater than we may have imagined.

Sadly, we are finding out in real time that the *Roe-v-Wade* and *Doe-v-Bolton* Supreme Court cases of 1973 have served a dual purpose in American politics. Together, they quite obviously permitted abortion for any reason through all nine months of pregnancy. But they also had the insidious effect of shielding both voters and politicians from having to demonstrate their opposition to abortion itself. And in the ensuing 50 years, both the acceptance of human autonomy and the secularization of our society have deepened in ways it may be hard to comprehend.

> The waning influence of the pro-life movement … is evidence of this: success at the judicial level seems to have coincided rather ironically with the failure of the popular movement. This may be the fault of the movement's organizers, or it may just be a reflection on much broader cultural changes in America, tectonic shifts that no organization could have reasonably stopped … But the culture war without Christianity is a rudderless ship. The success of [conservative] politicians … means little if in the same breath the American people have said they will abide infanticide or would rather keep their options open than commit to protecting innocent lives.[6]

The Sad Reality

It is becoming increasingly clear that we live in a secular society that is losing the foundational impetus to oppose abortion. Politicians have every reason to encourage it. Abortion is a perennial wedge issue – the ultimate prod that both sides of the political spectrum use to drive their respective constituents to the polls. To most politicians, perpetuating the fight is the goal.

This is the moral quagmire in which pro-life advocates must operate. It will be uncomfortable. It will be discouraging. It may even become more dangerous. The need to support pregnancy care centers may increase. But the mission to make abortion unthinkable hasn't changed, and neither should our resolve to accomplish it.

We just have fewer people on our team than we thought.

NOTES

[1] Scott Klusendorf, *Facebook* post, November 9, 2022 at: https://www.facebook.com/scott.klusendorf

[2] Carmel Richardson, "The States Choose Death," *The American Conservative*, November 11, 2022, available at: https://www.theamericanconservative.com/the-states-choose-death/

[3] Gabriel Hays, "Montana Shamed as Residents Vote 'No' on Measure to Protect Babies After They're Born," available at: https://fxn.ws/3hxCPyv

[4] Allan Smith and Marc Caputo, "In Arizona, Blake Masters Backtracks on Abortion," NBC News, available at: https://nbcnews.to/3UK27Z4

[5] Ross Douthat, "What the Pro-Life Movement Lost and Won," *New York Times*, November 12, 2022, available at: https://www.nytimes.com/2022/11/12/opinion/sunday/what-the-pro-life-movement-lost-and-won.html

[6] Richardson.