Opinion
NCR Voices



Voters fill out their ballots at a polling station in Columbus Nov. 7 as voters go to the polls in Ohio over Issue 1, a referendum on whether to enshrine expansive legal protections for abortion in the state constitution, which the state's Catholic bishops have vigorously opposed. (OSV News/Reuters/Megan Jelinger)



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Another election. Another decisive pro-choice result. It is time for the pro-life movement in this country, and especially for the U.S. Catholic bishops, to recognize that their nearly 50-year effort to overturn *Roe* v. *Wade* was a deeply flawed political strategy.

Voters in Ohio adopted a constitutional amendment Tuesday (Nov. 7) that guarantees a right to an abortion up until the point of fetal viability, that is, restoring the limits that were established by the Supreme Court's *Casey* v. *Planned Parenthood* decision. The margin was significant, if not overwhelming: 56.6% to 43.4%. Still, in a state that Donald Trump carried with 53.18% of the vote in 2020, it was a big win for pro-choice groups.

Catholic and pro-life groups were outspent in Ohio, to be sure. But campaign spending was not the problem. Nor was the problem "the way we discuss this issue" as GOP presidential hopeful Vivek Ramaswamy tried to argue on CNN after the election was called.

No, the problem is that pro-life activists spent so much time trying to flip the Supreme Court these past 50 years, they forgot that unless they convince voters that unborn life has dignity and is worthy of protection, overturning *Roe* wasn't going to make much of a difference. Most Americans think a legal regime that restricts access to abortion even in extreme cases is not right. The case of a 10-year-old rape victim who had to travel from Ohio to Indiana to procure an abortion hung over the election. How could it not?

Persuasion and coercion mix in the most awkward of ways. Law is coercive. Way back in the 1990s, when I was still running a restaurant, I wrote an article for America magazine arguing that as long as pro-life groups were aggressively trying to change the law, they would not be likely to get a fair hearing in the culture. (That article doesn't seem to be archived.) I recommended then, and repeat now: Forget about changing the laws. Work on changing hearts.

The issue will be discussed by the U.S. bishops when they meet in Baltimore next week in the context of the debate over "Forming Consciences for Faithful Citizenship," their quadrennial document on voting. The new introductory letter again states that abortion is "a preeminent concern" which doesn't even make sense when discussing a federal election. The issue is now a state issue. Even if you agree with what the church teaches about abortion, and I do, the bishops have the politics all wrong. Repeating the strategies that have failed in the past is not going to persuade people.

If the bishops misunderstand the politics, some religious groups that were celebrating the Ohio result misunderstand both the morality and the politics. "With our victory last night in Ohio, we have a growing blueprint for how people of faith can use our power to change the story around faith and reproductive freedom, make history and transform our communities for the better," said an email from Faith in Public Life. So, like Ramaswamy, they think the key is messaging, "change the story," and claim, without offering evidence, that people of faith drove the pro-choice vote. The email asked for a donation.

What is missing from the email? The moral status of the unborn child is completely erased. I can understand how religious organizations, recognizing the complications involved in legislating on a morally fraught issue in a pluralistic democracy, adopt a pro-choice position. I do not understand how they can fail to wrestle with the moral complexity at all.

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Worse is Catholics for Choice, which boasted it had paid for 47 billboards across the state, participated in 20 in-person events, and distributed "thousands of pro-choice Catholic pledge cards." Did the billboards make the difference?

They condemned "the hierarchy and their radical far-right allies," recommending they "practice Pope Francis's call to encounter, exorcise their own partisan extremism, and transform their hearts and minds by listening to those who have had abortions." Would that be the same Pope Francis who said abortion is never permitted and compared the procedure to hiring a hitman? They cite the pope when it is convenient, not when it is consistent.

This is not the only time recently when Catholics for Choice has played a bit fast and loose with reality. "The Synod on Synodality promises to open up conversations about LGBTQIA+ inclusion, women's ordination, church power structures, and more," stated the group's president Jamie Manson, in a press release from Rome. "But one important topic is conspicuously missing from the synod agenda — abortion — and it's time the church reckons with the way we treat people who've had them. **That's why I brought this message to the Vatican by displaying a banner over the Tiber River and delivering a booklet of Catholic abortion stories to the synod office**" (emphasis in original). That press release was issued on Oct. 5. One week later, Jason Horowitz reported in The New York Times, that Manson tried to deliver the booklet at the synod office and was rebuffed. " 'I can't leave this?' she asked. 'No, no, no,' he [the doorman] said, throwing up his hands. 'No, no.' " Bad enough the group doesn't appreciate the church's teaching about the Fifth Commandment, but it turns out the Eighth doesn't move them either.

Victory has a thousand parents, goes the old saying, but Democrats should be careful about thinking the abortion issue is their ticket to victory next year. It is true that Kentucky Gov. Andy Beshear, a Democrat, won reelection handily on Tuesday, and that he ran ads condemning the lack of exceptions to the six-week ban the state legislature enacted. One of the ads featured a young woman who had been raped by her stepfather. But one word was missing from Beshear's ads: abortion. And Beshear's handling of a series of crises propelled his candidacy as much as any one issue.

More importantly, while abortion rights have won whenever the issue is put to a referendum, it remains to be seen if pro-life candidates will pay a price for supporting abortion restrictions. Despite Democratic hopes the issue might help them win the Mississippi governor's race, incumbent Republican Gov. Tate Reeves won easily Tuesday night. Earlier this year, a pro-life Republican captured the governor's mansion in Louisiana as well. None of this got mentioned on MSNBC when I watched their analysis Tuesday and Wednesday nights.

One person who is trying to capture the center of the electorate on this issue is presidential candidate Nikki Haley. "As much as I'm pro-life, I don't judge anyone for being pro-choice, and I don't want them to judge me for being pro-life," she said in Wednesday night's debate. "Let's find consensus. … We don't need to divide America over this issue anymore." That last sentiment is likely to resonate with millions of people who are tired of the culture wars and looking for an off-ramp.

Those of us who are committed to protecting the life of unborn children need to stop beating our heads against the wall by thinking the issue can be won in the political arena. It can't. Only by exiting that arena, and demonstrating a real commitment to helping women facing crisis pregnancies, to pro-family policies like paid family leave and affordable child care and health insurance, focusing on reducing the need for abortion in the first place, only then can we hope to reframe the issue.

If the pro-life movement gives up trying to win at the ballot box, and first witnesses to the value of human life for a generation or more, then, and only then, might the American public be ready to hear a pro-life message. The cart must follow the horse.