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Q & A: Election Analysis from Douglas Johnson of the National Right to Life Committee

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Distinctly Catholic

We continue our survey of election reactions with a commentary from Douglas Johnson, legislative director of the National Right to Life Committee.

I hasten to point out that the views he expresses are not shared by me, but when I solicit these submissions I promise to print them without editing.

Still, I will allow myself the comment that the right-to-life movement is in trouble when its spokespeople demonstrate such acute harshness to people with whom they agree on 98 percent of the issues. It costs nothing to be mangnanimous in victory.

That said, I admire Mr. Johnson's commitment to the defense of the unborn enormously and believe it is a credit to his organization, as it is to the Catholic Church, that no matter how long the odds, he and we have not abandoned the effort to call our nation's attention to the evil of abortion in our midst.

I may quibble with his analysis and his methods, but I do not quibble with his cause.

Douglas Johnson: The first two years of the Obama Administration have been a time of multiple setbacks for the pro-life cause at the federal level. Behind smokescreens of soft, deceptive rhetoric, the Administration has pushed an abortion-expansionist agenda on both domestic and overseas fronts, employing executive powers, nominations, and legislative attacks. The single greatest pro-life setback has been enactment of the massive restructuring law ("Obamacare").

The version originally advanced in 2009 by House Speaker Nancy Pelosi, Congressman Henry Waxman,

and other key House Democratic leaders, was loaded with abortion-expansive provisions -- until the House corrected those problems by adoption of the Stupak-Pitts Amendment on November 7, 2009. However, that pro-life victory was denounced by President Obama and by key Democratic congressional leaders, including Senate Majority Leader Harry Reid, who succeeded in winning Senate approval on Christmas Eve of a bill that contained even more abortion-expanding provisions than the original Pelosi-Waxman bill.

Lacking a single Republican supporter, for many weeks Pelosi was unable to win House approval of this bill -- in substantial part because the pro-abortion provisions were recognized and explicitly condemned by a group of Democrats led by Rep. Bart Stupak (Mi.).

This is not the place to chronicle the many public utterances and acts by members of that group, in which they recognized the gravity of the pro-abortion provisions contained in the Senate bill, or to recount their initial refusals (widely reported at the time) to bow to pressures from the President and Speaker Pelosi to support it. Typical were these statements: Rep. James Oberstar (D-Mn.): "I will not vote for a health care bill that doesn't have the House abortion language in it." (CQ Today, Feb. 25, 2010) Rep. Steve Driehaus (D-Ohio): "I will not bend on the principle of federal funding on abortion. . . . They are going to have to do it without me and without the other pro-life Democrats." (Cincinnati Enquirer, March 14, 2010).

As late as March 19, 2010, Stupak, Driehaus, and nine others introduced a formal resolution (H. Con. Res. 254) to amend the bill to strike pro-abortion language added in the Senate, and to insert a bill-wide, permanent prohibition on any provision being used to subsidize abortion. But Pelosi refused to allow a vote on this amendment. Tragically, the Stupak group then splintered. Stupak, Oberstar, Driehaus, and a handful of others voted for exactly the same bill they had previously refused to embrace. Their flimsy justification was an Obama executive order that did not (and could not) change a single word in the bill -- an executive order that the president of Planned Parenthood accurately dismissed as "a symbolic gesture." (It would be even more accurate to describe the executive order, which was almost entirely devoid of substance, as "cheap political theater.") Some of the defecting lawmakers later were brazen enough to try to brand as liars those organizations, such as National Right to Life, that continued to describe the same bill in the same way, and to hold the lawmakers accountable for their blatant flip flops.

(In a recent sworn affidavit , backed by numerous primary documents , I detailed four distinct program components of the law that authorize federal subsidies for abortion, which is not an exhaustive list. Moreover, this affidavit did not touch on additional provisions of the bill that may be employed as foundations for abortion-expanding administrative decrees, nor the ways in which the legislation fails to protect the conscience rights of pro-life health care providers. Other provisions of the law will result, unless corrected, in government-dictated denial of lifesaving medical treatments on quality-of-life grounds, as detailed in other materials published by NRLC.)

Now we have received the judgment of the electorate: The bloc of Democrats who abandoned the pro-life movement to satisfy President Obama and Speaker Pelosi suffered severe losses. In all, at least a dozen House incumbents who had taken high-profile stands against federal funding of abortion, but who ended up voting for the health care law, were defeated by pro-life challengers (or, in Stupak's case, suddenly retired).

Far greater losses were sustained among the ranks of House Democrats who had seldom or never voted pro-life: upwards of 40 were replaced by firmly pro-life Republicans.

It was the assessments of candidates by the mainstream pro-life organizations, such as NRLC, that

correlated with the results: According to a national post-election poll conducted by The Polling Company, 24% of those who actually voted remembered receiving a previous communication or hearing an ad from National Right to Life about the candidates.

Fully 30% of voters said that abortion affected their votes, and this group broke nearly 3-to-1 in favor of the pro-life candidates.

Asked, "Did the issue of funding for abortion in the Obama health care law affect the way you voted in today's election?," 31% of voters responded in the affirmative -- 27% who said they voted "for candidates who opposed the health care law," and 4% who said they voted "for candidates who favored the health care law." In other words, 87% of the voters who said the issue mattered, voted in accord with the NRLC position.

The take-home lesson, for lawmakers in both parties, could hardly be clearer: If you vote against the pro-life position --as defined by the mainstream pro-life groups -- on a major abortion-related public policy issue, you will be held accountable by a substantial bloc of the electorate.

To be sure, the flip-flopers were defended in interviews and press releases from Democrats for Life of America (DFLA) -- whose executive director, Kristen Day, had made a great show of resisting the Senate-passed health bill until the moment of the Stupak cave in, but after that engaged in remarkable efforts to rewrite history, insisting there had never been an abortion problem at all, and claiming anybody who said otherwise was spreading lies. Her press releases provided all of the protection of a rice-paper parasol in a Texas hailstorm. In one congressional office after another, the award plaques from DFLA soon will be packed up for the moving vans -- or perhaps, in some cases, discarded with a muttered oath.

The organization that calls itself Catholics United lost even more credibility. The group's leader, Chris Korzen, actually publicly lamented the House's adoption of the Stupak-Pitts Amendment (he argued, in effect, that it was too anti-abortion -- but also explained, helpfully, "I'm not commenting in any way on the moral considerations.") As Stupak was making his final, ill-fated effort to amend the bill to fix the abortion problems, Korzen undercut the effort with TV ads in the districts of Stupak and seven other House Democrats, urging them to vote for the bill as it stood. One of the eight, Dan Lipinski (D-Ill.), rejected the advice and voted against the bill; he will return for the 112th Congress. The other seven voted for the bill, and only one of them will be back. (The survivor was Rep. Joe Donnelly, D-In., who won by about 2796 votes, after the Indiana Democratic Party reportedly spent \$15,000 to send a mailing to as many as 20,000 households, promoting the Libertarian Party candidate, Mark Vogel, who subsequently drew 9371 votes. See this and this.)

In addition to the replacement of about 40 career pro-abortion incumbents and about a dozen defectors, in about 25 other cases pro-life House incumbents of both parties are being replaced (through either retirement or defeat) by new, firmly pro-life candidates. In only one district in the entire nation was a firmly pro-life incumbent defeated by a solidly pro-abortion challenger. That unfortunate was Rep. Joseph Cao (R), who won a seat in 2008 in a heavily Democratic district of New Orleans by defeating an incumbent who had been indicted for bribery. Mr. Cao served with distinction, but the heavy disparity in party identification in his district was simply too much to overcome.

What's that all boil down to? Overall, there has been a net shift in the pro-life direction in the House of 40 to 55 votes, depending on the issue. This brings within the realm of possibility full House approval of a permanent, government-wide prohibition on federal subsidies for abortion, such as the No Taxpayer Funding of Abortion Act proposed by Congressman Chris Smith (R-NJ), which has already been

endorsed as a priority in the "Pledge to America" issued by the incoming Republican majority leadership in October. It also sets the stage for a battle royal over legislation to repeal the Obamacare law itself and replace it with something consistent with pro-life principles.

The election results were good in the Senate, as well, where the net shift in the pro-life direction will be from four to seven votes, depending on the issue. No senator is being replaced by a successor who has a weaker position on abortion.

This shift in the Senate will enhance pro-life prospects for fending off new legislative attacks on existing pro-life policies -- among these, an ongoing effort to repeal a ban on performing abortions in U.S. military medical facilities, and a variety of bills intended to further enhance the Administration's ongoing efforts to expand abortion access throughout the developing world. But President Obama's veto pen may still pose a formidable obstacle to enactment of legislation targeted at the gross deficiencies of the Obamacare law, and of the No Taxpayer Funding of Abortion Act.

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