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The "Culture of Life" in the US under Obama

Die „Kultur des Lebens“ in den USA unter Obama

One used to hear the expression, “as America goes, so goes the world.” The expression reminded listeners of the global influence, for better or worse, of the United States on the arts, culture, economics and politics. While the expression long ago fell into disuse, there is little doubt that, in certain important areas such as bioethics, decisions made in the United States today continue to have ripple effects around the world.

This may be especially true now that Barack Obama is President. Seen by many in Europe and elsewhere as a leader who will “redeem” America after eight years of George W. Bush, Obama’s administration embodies one of the most liberal-progressive agendas in years – one which many other countries are eager to emulate. In the 20 months he’s been in office, Obama has quietly put in motion a program of policy changes that are anathema to the right-to-life movement and the broader mandates of the “culture of life”. In appointments, policy decisions and executive actions, Obama has methodically undermined many of the pro-life policies previously upheld by the Bush Administration.

The Quiet Revolution

It is difficult to appreciate the full impact of the Obama Administration on issues regarding life, human dignity and death. While many important ethical issues have appeared in the headlines since his inauguration – abortion, contraception, euthanasia, stem cell research – little has been written to put it all into context from the perspective of the culture of life.

Some observers suggest the Administration has quietly introduced its domestic policy changes, always accompanied by moderate-sounding statements. In part because of this ongoing rhetorical

game, the Obama Administration has effectively re-defined the right-to-life movement as something inimical to the common good.

In all areas where the Bush administration pursued life-supporting policies, the Obama Administration has sought reversals. From stem cell research to abortion access, the “age of Obama” has ushered in a tragic age dismissive of the idea of limits on the use of science.

Obama as Candidate

Clues to Obama’s outlook on bioethical issues can be found in the positions he took as presidential candidate and, earlier, as Illinois state senator. In the latter role, for example, Obama refused to vote for the 2001 Born-Alive Infants Protection Act (which protected infants surviving abortion attempts). Questioned about it later as presidential candidate, Obama said it was unnecessary because another Illinois law already offered the same protection. But subsequent statements from the Illinois Attorney General’s Office reported by several on-line publications indicated there was no such law.

On the campaign trail, Obama’s support for abortion access became firmer, his position clearer and his advocacy for expanded abortion access (and euthanasia) more strident. In July 2007, for example, Obama told Planned Parenthood that the first thing he would do as president would be to sign the Freedom of Choice Act. This was to be expected since Obama, as US Senator, had previously co-sponsored the Senate’s version of the Act. To date, the bill’s final version has not been introduced to the current congressional session.

Obama also made a statement in January of 2008, on the 35th anniversary of *Roe v. Wade*, the

1973 Supreme Court decision legalizing abortion. He not only recognized his support for “reproductive justice” and the “right to choose”, but also pointed proudly to having earned a “pro-choice rating” of 100% from both Planned Parenthood and the National Abortion Rights Action League (NARAL). More interesting is his conflation of “abortion rights” with ‘equality’, an old tactic used by reproductive rights groups. *Roe v. Wade* “is about whether our daughters are going to have the same opportunities as our sons”, he said. Elaborating on this later, at a Town Hall meeting in Pennsylvania on March 2008, Obama spoke of the burden of unwanted pregnancies, saying that as a father with two young daughters, he would not want them “punished with a baby” if they made a mistake and got pregnant.

Obama’s attitude toward euthanasia is no less antithetical to the culture of life. His record shows one anomaly – a vote as US senator to save the life of Terry Schiavo, the Florida woman in a coma since a cardiac arrest in 1990 – which he later recanted. The US Congress and the Bush administration intervened in the case after a county judge in February 2005 supported Schiavo’s ex-husband’s decision to remove her feeding tubes. Despite numerous appeals and the involvement of President Bush, Schiavo’s life-support systems were eventually removed. (It then took her another two weeks for her to die of starvation.) But during a debate with Senator Hillary Clinton in February 2008, Obama regretted his pro-life position, saying others had the right to decide.

What this fragmentary evidence reveals is not a group of isolated policy decisions and informal statements, but the individual expressions of a broad, coherent approach to issues of life, death and human dignity. It’s an approach that relies on a radically progressive conception of the meaning and function of human sexuality, the emancipation of women and removal of obstacles to their self-realization, and the social and scientific engineering of a better and physically more fulfilled population.

The Obama Administration

Once elected, Obama hit the ground running. Four days after his inauguration in January 2009, Obama reversed the so-called Mexico City policy, which restricted US funding to international aid organizations that performed, promoted or directly supported abortion. Since the source of US foreign aid is the American taxpayer, Obama’s decision has effectively made all American taxpayers funders of international abortions.

In the 20 months that have passed, Obama has proceeded with other steps that undermine the culture of life. For example, the Administration’s omnibus 2009 budget includes a \$7.5 million increase in federal funding, which could be used to promote abortion under Title X (Domestic Family Planning), bringing the total to \$307.5 million. This was in addition to a whopping 19% increase (about \$88 million) in funding for international family planning programs, including abortion and euthanasia, for a total of \$545 million.

Stem Cell Research

About two months after his inauguration, in March 2009, Obama signed an Executive Order reversing a 2001 Bush decision which stopped all funding for stem cell research requiring the destruction of new embryos and limited research to 21 existing embryonic stem cell lines. Obama instead authorized expanded federal funds (paid for by taxpayers) for embryonic stem cell research, while simultaneously revoking a 2007 Executive Order encouraging the National Institutes of Health (NIH) to explore non-embryonic sources of stem cells.

This seemed to indicate what many had suspected: Obama gives little importance to human embryos. In the 18 months since that Executive Order, the NIH approved 75 new stem cell lines. This year alone, the US government is spending \$137 million on human embryonic stem cell research and will spend another projected \$126 million next year, according to a report in the *Wall Street Journal*.

Obama's plans, however, were upset. In August 2010, Judge Royce Lamberth of the United States District Court for the District of Columbia in Washington issued a preliminary injunction against all federal funding for all human embryonic stem cell research. Lamberth said such funding violated the 1996 Dicker-Wicker Amendment prohibiting federal money for research in which embryos are destroyed. He pointedly rejected even the Bush Administration's distinction between existing stem cell lines and stem cell lines to be derived from new embryos, saying all such research "necessarily depends on the destruction of a human embryo".

According to the *Wall Street Journal*, critics of the decision say the United States is being put at a competitive disadvantage to other countries. They point to important stem cell research programs in Australia, China, Japan, Singapore and the United Kingdom.

To be sure, Judge Lamberth's decision doesn't stop all stem cell research; much of it is funded privately. For example, the State of California has a major stem cell program that receives \$250 million annually with 30% - 40% going to embryonic stem cell research. In the meantime, the Obama Administration is contesting Lamberth's ruling.

Appointments & Nominees

In his appointments and personnel nominations, Obama has filled key positions with ideologically-sympathetic nominees, particularly with regard to abortion and euthanasia. At the Department of Justice, for example, the Office of Legal Counsel is headed by Dawn Johnsen, a former lawyer for NARAL and the American Civil Liberties Union; the Deputy Attorney General is David Ogden, who once prepared an amicus brief for the American Psychological Association, filed in the case of *Planned Parenthood v. Casey* arguing that abortion "rarely causes or exacerbates psychological or emotional problems" in women - in direct contradiction of what other studies have concluded; and the Associate Attorney General is Thomas

Perrelli, who worked alongside pro-euthanasia attorney George Felos defending Terry Schiavo's husband and his efforts to remove her feeding tubes.

Obama also picked Katherine Sibelius, the former Governor of Kansas, for Secretary of Health and Human Services (HHS). Sibelius is known as a long-time supporter of expanded access to abortion. As governor, she even hosted late-term abortion specialist Dr. George Tiller (and members of his staff) to a gathering at the governor's mansion. At HHS, Sibelius oversees millions in federal funds going to the abortion industry annually. During her tenure so far, Sibelius has filled many mid-level posts with abortion supporters, but she has yet to announce the implementation of dramatic policy changes.

Obama even demonstrated his ideological commitment when he dismissed all members of the President's Council on Bioethics in June 2009. Obama explained that the difference between the Bush-appointed Council and the Obama Council was the difference between thinkers and doers. The former was seen as a "philosophically leaning advisory group" while the latter would offer "practical policy options". But as some analysts have noted, the new Bioethics Council is surprising in its lack of bioethicists: four have formal academic training in philosophy and/or bioethics; five are doctors or scientists; and one is a celebrity (the wife of Muhammad Ali).

The Implications of Obamacare

In March 2009, the Obama Administration announced its intention of rescinding Bush Administration regulations from 2008 giving health care workers the option of 'opting out' of certain services (like abortion) that violated their beliefs. With the passage of the Patient Protection and Affordable Care Act, which Obama signed into law in March, this point has been lost in vague language and the law's complexity. As Helen Alvaré of the Witherspoon Institute has written online, no one has focused on the new law's provisions for the protection of conscience for providers who dis-

agree with abortion services.

One thing the law requires is that all employers, even those with religious codes of conduct, have to pay insurance coverage for contraception. Forcing employers to also pay for the provision of abortion and other services is surely next, suggests Alvaré. The fact is that the new law contains so many complicated mandates, provisions and sanctions, that it could easily be interpreted as *requiring* the provision of services like abortions.

In addition, Alvaré notes that the language used is vague enough as to cause confusion among interpreters. For example, the law provides that abortion cannot be considered an “essential health benefit”; but it does not explicitly exclude it from being included in the law’s other categories such as “preventive services” or “ambulatory patient services”. Furthermore, the law leaves open the question of whether other objectionable procedures – such as sterilizations, contraception, genetic testing – could be considered “essential health benefits”. In short, the interpretation and implications of this massively comprehensive law remain to be seen.

The Business of Life

Not all decisions that are opposed to life stem from direct decisions or actions of President Obama. However, he certainly sets the tone. A change in Administration always changes the architecture of power in the city of Washington. A change in the Executive brings with it an entire infrastructure of influence across government agencies.

The subtle shift in policy orientation can perhaps be seen in the FDA’s decision in August to approve a new ‘morning-after’ contraceptive, ella. Available by prescription only, ella (made by HRA Pharma) reduces the chance of pregnancy up to five days after intercourse.

With minimal side effects (headaches and nausea), ella is more effective and consistent than the Plan B (made by Teva Pharmaceuticals), which is effective only three days after intercourse and is available without a prescription. While both

Plan B and ella inhibit or delay ovulation, ella contains a chemical that blocks the effects of the hormone progesterone. Some critics have alleged that the active chemical in ella is similar to the abortion drug mifepristone, which can be taken up to 49 days into the gestation period.

The Obama Administration’s attitude toward bioethical concerns has provided no counter-weight to the growing global fertility industry. According to an investigative report in *Fast Company*, the demand for human embryos has grown rapidly since in vitro fertilisation was first successfully performed in 1978. Today nearly 250,000 test tube babies are born every year and a competitive global industry in egg trading – in places like Zurich and Nicosia – has arisen fed by demand from older women hoping to be mothers. It’s a lucrative business with eggs harvested from white students at Ivy League universities selling for upward of \$50,000 according to the report – thus completing the transformation of a human life into a simple commodity.

A Kind of Hope

There’s no doubt there are trends around the world that raise concerns about the value and dignity of human life. Unfortunately, the United States is currently in no position to provide moral leadership; Obama’s record suggests he is committed to supporting abortion rights and euthanasia. Still, given the country’s continuing global influence, the only real hope for a renewal of the culture of life in America and abroad seems to lie, paradoxically, with Obama. While his statements and actions oppose the principles of the pro-life movement, some observers see a few signs of hope in some statements. His commencement address at the University of Notre Dame in May 2009, for example, suggested Obama would be respectful toward the right-to-life movement. As Yuval Levin reported in *National Review*, in his speech Obama urged Americans to honor the opinion of abortion opponents. “For if there is one law that we can be most certain of,” he said, “it is the law that binds

people of all faiths and no faith together.... [t]he Golden Rule – the call to treat one another as we wish to be treated.”

What was particularly encouraging to some was Obama citing the “imperfections of man” and pointing to the problems generated by societies that view life through the “lens of immediate self-interest and crass materialism”. These are important criticisms of modern societies about which even his opponents can agree. In fact, the degradation of human embryos to the status of a tradable commodity stems precisely from the distorted values he identified.

The right-to-life movement may yet be able to find a way to work with the Obama Administration if this kind of thinking is at the core of President Obama’s conception of man. But for the moment, this must remain only a distant hope inspired by Obama’s lovely rhetoric. And, unfortunately, words alone will never sufficiently sustain the recovery of a culture of life in America.

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