A Chronicle Of The Abortion Hearings

By WILLIAM H. MARSHNER

March 6th, 1974, is Day One. Our constitutional lawyers told us it would never come to this. But here we are at 8:30 in the morning, an hour and a half before the Senators are scheduled to appear, standing in what already amounts to quite a line. At 10 a.m. Birch Bayh will start the hearings which some worldly-wise people said would never start, and which all worldly-wise people say will never come to a pro-life conclusion. Nevertheless, here we are — not because hope springs eternal; it doesn't — but because the truth will neither die nor let us go.

There is already a tense segregation in this waiting line. At the head of it is a pack of hard-faced women, lean and fashionable. Then comes a no-man's land of one or two yards, after which begins "our gang." We are visibly different from them: our clothes have a suburban store-bought look about them (no fatigue jackets from pricey, Georgetown boutiques), and our faces are somehow gentler. A row develops about some wire-rimmed girls trying to break into line, so as to stand at the front with their pro-abortion friends. The Capitol Police are on our side; and the new batch of liberated females has to move to the end of the line.

At 9:30 the doors to the hearing room are opened. Those who have press cards are allowed in. Four or five tables are set up for the Fourth Estate, behind the long, water-pitchered witness table and in front of the rows of chairs for spectators. Abby Brezina, a perky, smallish girl who works for the Subcommittee and is sort of a secretary to Bill Heckman, the majority counsel, is bustling around with armloads of mimeographed testimony. Four Senators, Bayh, Hruska, Fong, and Cook, are represented by neat, black name-signs, Bayh's being in the center. To his left are the places of the three Republicans. On his right, a single sign says "Counsel." Evidently, no other Democrats are expected.

ON WITH THE SHOW

When the Chairman arrives, he has an interesting opening statement to make about the abortion controversy. "This is an area," he says, "in which there are more strong emotions and deep convictions on both sides of the issue than on any issue I have seen before this committee since it has been my privilege to be chairman." One is duly impressed: Bayh has been chairman

(Continued on page 9)

"TO RE-ESTABLISH ALL THINGS IN CHRIST" (Ephesians 1:10)

The Wanderer

VOLUME 107, NO. 13 St. Paul, Minn. MARCH 21, 1974 PRICE 25 cents

National Catholic Weekly Founded Oct. 7, 1867 • Our Second Century of Lay Apostolate

A Chronicle Of The Abortion Hearings

(Continued from Page 1)

all through the Equal Rights Amendment quarrels, not to mention the hassle over school prayer.

Sen. Roman Hruska has an opening statement, after which he begs to be excused. The seventy-year old Hruska (R., Neb.), a Unitarian, was long considered a friend of liberalized abortion. Lately, however, he has lent his name to some pro-life efforts. This morning he strongly commends Bayh for having the courage to hold these hearings. He is aware, he says, of how widely the Supreme Court's decision is disagreed with, and he cites Mr. Justice White's dissenting opinion that this issue should have been left "with the people." He wants the hearings to determine what the attitudes and beliefs of the people are vis a vis the Supreme Court decision and what amending language would be acceptable.

Sen. Marlow Cook (R., Kentucky), a Catholic, says he has no opening statement except to commend the Chairman. "I have worked with him and with Senator Buckley, because there is great division, and this should be aired." "To that extent," Cook continues, "we are here. We look forward to a rocky road of decision one way or another, but I think we cannot deny our obligation to see what this rocky road is like." Sen. Cook is considered to be very bright and very smooth. Behind the scenes, he has exerted considerable pressure to get these hearings started; and rumor has it that he and Mr. Bayh just do not get along, personally.

The first witness is Sen. James L. Buckley of New York, at whose side is Mike Uhlmann, his Legislative Assistant. Uhlmann has made himself a master of the abortion controversy in every aspect; in fact, it is safe to say that there is no other staffer in any office on the Hill who knows the literature — legal, medical, statistical — as well as Uhlmann. This quality of care cum diligence is evident in the testimony Sen. Buckley is reading (see excerpts elsewhere in this issue). Buckley reads with evident commitment in a soft, quiet voice (hard to hear in the back of the room), with perfect phrasing, the same expensive-sounding diction which is a hallmark of the clan; but with Jim it never has that "I-know-the-distinction - between - epiphenomenal - and - epicene - as - you - peasant - do - not" edge, which rarely deserts the public Brother Bill. Sen. Bayh listens impassively until Buckley reaches these words: "unborn children may be only the first class of human beings who may not pass muster under the new ethic. We have a glimpse of this larger and more ominous implication already, I believe, in the growing talk of statutory euthanasia and . . . infanticide." Bayh interrupts, suggests he has never heard of such a thing, wants documentation. Sen. Buckley promises to supply plenty. He finishes his prepared testimony with a list of no less than 18 legal, medical, and public-policy topics which the Subcommittee ought to investigate in the course of these hearings. On the assumption that some of our readers, possessing expertise, might want to prepare written testimony on some of these topics, I pass along Sen. Buckley's list:

LEGAL ISSUES

— the legal status of the unborn child prior to and after the recent period of liberalized abortion;

— the intention of the framers of the Fourteenth Amendment regarding the protection of human life and the meaning of legal "personhood";

— the purpose, history, and interpretation of 19th and 20th century legislative restriction on abortion;

— analysis of the Court's opinions in **Wade** and **Bolton**, including their implications in areas other than elective abortion;

— the origins and limitations of the "right to privacy";

— the nature and limitations of the State's "compelling interest" in maternal life and health;

— analysis of differing constitutional proposals especially the difference between an essentially "States rights" approach and a Human Life approach.

MEDICAL ISSUES

— the scientific and medical importance of the discovery of conception in the early 19th century;

— the attitude of the medical profession toward abortion prior to the modern period of liberalization;

— who is the fetus?: the genetic, biological, and physiological nature of the unborn child from conception onwards;

— the various techniques of abortion;

— the alleged medical and psychological indications for abortion;

— the medical and psychological consequences of abortion, including the effect of abortion on subsequent prenancies;

— foreign experience with abortion;

— the impact of liberalized abortion on hospitals, doctors, subsidiary medical personnel, and medical students.

SOCIAL ETHICS AND RELATED PUBLIC POLICY ISSUES

— the emergence of a "new ethic" in which the presumed sanctity of individual existence is subordinated to a bureaucratic or medical determination as to its "quality";

— the social and cultural consequences of abortion-on-request;

— the relationship between abortion and infanticide, between abortion and euthanasia generally.

When Sen. Buckley has finished his statement, the Chairman has a number of questions. The account which follows is not, of course, a complete transcript. It is more like a condensed paraphrase. But even granting the inevitable loss of accuracy, I think it is quite important for the reader to be able to form an impression of the questioning, at least in its main drift, because of the light which is thereby thrown on the concern (or hang-ups, if you will) of the Subcommittee members. How much of a paraphrase this is, will be evident to anyone who has seen Bayh in action. He is just a country boy, see, just a plain-ole, downhome, Hoosier; and he can't hardly keep straight all these complicated and intertwined and overlapping questions; so he just sort of thrashes around, starts his question six times, throws in four or five asides, wraps it all up in a big, syntactical muddle and plops it down in front of the witness: "Here, now, unravel it all for me, if you're such an expert" (this being the meta-message). But, of course, there is a method behind this muddle-mouthedness. Birch Bayh is nobody's fool; and if you can't unravel the muddle he has set before you, why, he's got you where he wants you.

Here is the condensation.

Q. I appreciate the complexity of the issues, and I think you (Sen. Buckley) have defined them very well for us. Now, you related together the words "permissive" and "abortion." But in fact don't you mean by that almost all abortion?

A. Correct.

Q. This issue is wrapped up in the value people place on life itself. Where do you place the right of a legislative body to decide this issue? Do we have a right to decide who shall live or die? Does the legislative branch have the right to step in and prevent executions?

A. There is a distinction between innocent life and those who are guilty. The law must protect the rights of all innocent human beings — contra the Dred Scott decision. Why, therefore, should the law protect a child the moment after birth but not the moment before? How can one justify the situation in which, in the same hospital, in one room a doctor is aborting a child by hysterotomy, while in another a doctor is saving a child by premature delivery?

Q. Those facts (pertaining to the late stages of pregnancy) are outside the purview of the Supreme Court decision. The Court dealt only with the first trimester.

A. That is not true. (Buckley cites the terms of the decisions in full; Sen. Bayh's counsel agrees that Buckley is correct.)

Q. But what is society's right on killing? The Supreme Court has dealt with the question of capital punishment (the death penalty), and many people think the Congress should not get involved in this area.

A. That is another issue with which we must be concerned. Whether we should continue that penalty is a question we have to face.

Q. I have voted to support the death penalty. Have you?

A. Only where there is a crime, not for innocent persons.

Q. Well, no law proposes to kill the innocent.

A. The whole abortion question concerns the identity of innocent human life. The possiblity of killing that life by law is very real, witness the recent case in Maryland in which a judge ordered a girl to have an abortion against her will, because her mother desired it. This situation may grow: it already applies to sterilization.

Q. Much of the discussion is over when a human life comes into being. Do you distinguish as to when society has a right to kill?

A. Yes, I do. No life shall be taken except for cause. "Cause" is criminal liability.

Q. You used the word "murder" . . .

A. No, I did not.

Q. Should we distinguish unborn from born life? Should abortionists be sent to the electric chair?

A. No, not the electric chair. I am suggesting penalties such as State legislatures may impose.

Q. We have to be consistent. If an unborn child is human and you kill it, are you going to get the same penalty as for killing an adult?

A. We have had this question since the time of Hippocrates. There are different degrees of malice involved.

Q. I must disagree.

A. This is not a novel question. All State legislators used to have penalties of some kind.

Q. You mentioned that since the law was liberalized, back-alley abortionists have moved their offices to Main Street. Do you have statistics on that?

A. Not at present, but there is now no law to prevent them from doing so.

Q. What about the statistics which say that seventy percent of abortions would take place anyway, despite the law?

A. I doubt that. Statistics from abroad and from New York indicate that legalization of abortion leads to an extraordinary increase in the incidence of abortion and even to a decline in contraceptive use.

(**Sen. Cook** interrupts): Are there statistics on this?

Uhlmann: There are; we will get them for you.

ENTER A NEW VOICE

The Chairman yields to Sen. Cook, who says he has two questions to raise concerning matters brought up in the debate which has just taken place between Bayh and Buckley.

Q. First, I see an inconsistency. On page 2 of your testimony, you say you intend to protect life "at every stage of its biological existence"; on page 5, you say with respect to the case of rape that you would permit a "D&C before fertilization can occur." Why not call the latter abortion?

A. Because there is a period of time between the act of rape and the time when conception can occur.

Q. Is "conception" a scientific definition?

A. Yes.

Q. We shall have to see if we can establish this as a scientific fact. Now, secondly, I hope we do not cloud this discussion with the element of criminal culpability, because we give the defendent the right to defend himself, and we take the trouble to determine his sanity. If he is not sane, for example, the law does not apply to him. So, we should stick to the subject matters of the **Doe** and **Bolton** decisions.

A. I agree. I think the chief need is to determine the biological facts.

At this point, Sen. Bayh intervenes, addressing himself to Sen. Cook: I think you're off base here. How can we avoid this issue (of criminal culpability)? The toughest question is to decide when life is created; but thereupon, equal penalties ought to exist.

Cook: There are sticky, technical questions here. Kidney machines, for example, have led to doctors deciding who shall live and die. They may unplug the machine for people who are not mentally functioning. Do we have the obligation to protect these people?

Bayh: If an adult does not have mental capacity and you take his life, the penalty is not different (scil. from the penalty for taking the life of a rational adult).

Here the debate ended, as the Subcommittee briefly recessed. If the reader's head is spinning with confusion, it is no wonder. Most of us instinctively hear this exchange through Senator Buckley's ears, because our minds are furnished, as his is, with pro-life assumptions. From this perspective, Sen. Bayh's questions appear hopelessly garbled, and the final argument between Bayh and Cook seems strangely unintelligible.

THROUGH DIFFERENT COLORED GLASSES

May I suggest, however, that this whole matter assumes a perfect clarity, if looked at from another perspective? Try an experiment. Try to blot out from your mind, for a moment, your common-sense, pro-life understanding. Assume, instead, that you are Birch Bayh or his counsel, a talented lawyer who is trying to take the Supreme Court decisions seriously. You assume two things. First, you assume that abortion is the taking of life in some sense (maybe only "potential life," but that doesn't really matter; remember that the Court never denied abortion was the taking of life; it simply denied that the life taken by abortion had ever belonged to a person "in the whole sense"). Secondly, you assume that this taking of life is covered by the right to privacy.

Very well. You are now ready to cast around in your mind for an analogy that will help you to see how this curious, privacy-covered homicide may rightfully exist and be exempt from legislative interference. You hit upon the analogy of a court of law passing sentence of execution. The right of privacy, in this unique case, is made analogous to the separation of powers: just as the former protects maternal killing from legislative interference, so that latter protects judicial killing from the same interference. In other words, a mother (or doctor) is to abortion as a court of law is to the sentence of execution (both having a right to mete out the fate in question). From this it follows that mothers (or doctors) are to the unborn as courts are to defendents (the legislative branch having no right to interfere in either case because legislatures do not decide who shall live and who shall die).

At this point, Sen. Buckley can be expected to argue that doctors (or mothers) have no right to decide who shall live and die, either. Very well. But this idea suggests a further analogy: a doctor is to his patients (mother and child) as a legislature is to pregnant citizens and their unborn children. Neither has the right to choose one life over the other. But this analogy could be Sen. Buckley's undoing. For, if he says, "The legislature ought to step in, because the doctors are making this illicit decision," there is a ready-made answer: "Two wrongs do not make a right." Just because doctors, in other words, are exceeding their authority (according to Buckley) is no reason the Congress should do likewise.

Moreover, let us take it for granted that a legislature may not value one life more than another. This much is certain. However, Sen. Buckley can probably be counted on to say that abortion is to unborn life as murder is to born life. But in that case, the penalties for abortion and murder must be the same, precisely because we have already stipulated that the legislature may not value one life more than another. Conversely, if a legislature can disequalize the penalties (Buckley's assumption), it can disequalize the lives (unless one is prepared to argue that the value of a fetus' life is in all respects — socially, culturally, maritally, etc. — equal to that of the mother's life; but, of course, no one would argue this); and in that case, legalization of abortion would be perfectly within the legislature's rights. Buckley cannot have it both ways.

THE REAL ARGUMENT

Now, as a hypothesis for understanding what went on in the questioning of Sen. Buckley in the first day's hearings, I submit that the above sketch of an argument makes Sen. Bayh's choice of questions reasonably clear. Certainly it explains his odd tenacity about equal penalties. Buckley, to be sure, not grasping the hidden drift of the argument, dealt with questions piecemeal (and quite competently) from his own point of view. Insofar as it was clear to Buckley that some sort of analogy was being made between an unborn child and a criminal under the death sentence, Buckley thought it sufficient to point out that the one life was innocent and the other was not. But this answer fails to deal with Bayh's real argument, if my hypothesis is correct. Bayh can say that if a court imposes a death sentence on a man, it makes no difference whether the legislature (or, for that matter, the citizen in the street) believes that the man, in fact, is innocent. My conviction of his innocence gives me no right to intervene; hence, analogously, it does not matter whether I think the unborn child is innocent.

Furthermore, if my hypothesis is correct, Sen. Cook, unlike Buckley, did catch the drift of what Bayh was up to. He went to the root of Bayh's analogy between a mother meting out abortion and a court meting out the death sentence. He pointed out that in the latter case, we give the defendent a right to defend himself. Even more fatal to Bayh's analogy: a defendent who has no rational concept of his crime (being insane) may not be executed, should not the unconscious, unborn child, therefore, be in exactly the same situation? After all, no judge who failed to respect these rules could escape legislative censure; neither should a mother (or doctor) escape it, if the analogy holds. Moreover, the kidney machine case, cited precisely in connection with Bayh's insistence on equal penalties, puts the Indiana Democrat in a politically explosive dilemma on euthanasia. Either Bayh must endorse euthanasia (saying that pulling the plug is never murder), or he must threaten doctors with the electric chair, of all things, in this exquisitely delicate matter.

CONTRACEPTIVE VS. ABORTIFACIENT

After the strain, the flashing cameras, and the verbal duels of the Buckley testimony, things quiet down a bit as the subcommittee prepares to hear Sen. Jesse Helms, whose resolution is identical to the one submitted in the House by Cong. Lawrence Hogan. The Senator is accompanied by Dr. James Lucier, his legislative assistant, who was formerly employed by the legendary Strom Thurmond. Dr. Lucier is by training a specialist in Renaissance literature, a fact which gives him an unusual perspective for a congressional aide. Through Lucier, the Helms office has become an important point of contact for right-to-life organizations.

This morning, however, the Helms testimony seems a little thin by comparison with what went before, although it contains a number of crucial points (see excerpts elsewhere in this issue). The Helms amendment is S.J. Res. 130, and one of its most important characteristics in contrast to the Buckley Amendment, of course, is its use of the term "moment of conception." Helms points out that conception means fertilization and predicts that in the future, as abortion techniques become more sophisticated, the assault on the unborn will be aimed more and more at the earliest post-fertilization stages. "Thus," he concludes, "any constitutional amendment that allows the licensing of drugs and devices whose sole medical purpose is abortion, or allows FDA labelling of other drugs and devices for abortifacient purposes, will fail to stop human slaughter. That is why my amendment protects 'from the moment of conception'."

At this point, Sen. Bayh interrupts. "This opens another can of worms," he says, "Do you distinguish contraceptive drugs and devices from abortifacients?"

A. Yes, I do distinguish. (What follows is, once again, condensation.)

Q. I understand there are some contraceptives that prevent implantation. Would you prohibit these?

A. That depends on the FDA labelling.

Q. Well, but the labelling doesn't change the real impact of things, like the IUD or the morning-after pill.

A. Well, to me, I don't understand.

Q. You see, we need to know what the total impact of a piece of legislation will be. If life is present from conception, then certain birth-control devices would be illegal.

A. No, this is a point to be explored. If the fertilized egg is destroyed, then that, of course, is abortion.

Q. If we get a consensus that fertilization is the starting point of life, then you would be opposed to IUDs, etc.?

A. If they are abortion devices, then I am obviously opposed to that.

Q. But many women are using these devices, not for abortion but for contraception.

A. My understanding is that no contraceptive device is abortifacient, but I have no expertise in this area. Let the FDA decide.

Q. Your definition of life makes it impossible to use certain things.

A. That may be correct.

CAUTION, IF NOTHING ELSE

Here the interruption ends and Sen. Helms is allowed to finish reading his prepared testimony. No doubt, the Senator's chief concern in the above answers, supercautious as they are, is twofold. First, he wishes to avoid the suggestion that his amendment would outlaw any contraceptive properly so-called; and secondly, he wishes to avoid making judgments which might later be contradicted by medical testimony. Although there is growing evidence that the IUDs are abortifacient in human beings, it is apparently not certain that this is always the case. Then arises a number of complicated questions about what to do with drugs that may have two or more effects only one of which is abortifacient. Moreover, Sen. Helms may have wished to avoid the following definitional question: If a drug or device conditions the uterine wall against implantation, but does not directly attack the fertilized ovum, should it be called directly abortifacient? One can certainly wish that the Senator had been prepared in advance to address these questions, but since, apparently he was not, it may have been the better part of wisdom for him to postpone the discussion.

At the end of the prepared testimony (in which, by the way, Sen. Helms seems to be defending sometimes his own amendment and sometimes the one drafted by Washington lawyer and right-to-life activist Nellie Gray) Bayh returns to the attack. This time he is able to light upon a genuine gaffe in the Helms testimony. After citing a passage from **Roe v. Wade**, Sen. Helms said that "biological science has outstripped the Court's interpretation of the law . . . now that we know more about biology, we can make our legal protections more precise."

Sen. Bayh strikes:

You say science has "outstripped" the Court; do you mean that there has been a new scientific breakthrough since last Jan. 22nd?

Sen. Helms replies, after a bit of hemming and hawing, that, no, what he meant to say was the Court had set the existing biological evidence aside in making its judgment.

The Chair now yields to Sen. Cook, who says that he will submit his questions in writing. His main concerns, he says, are two: First, to determine exactly what Helms' interpretation of "moment of fertilization" is, and secondly to clarify Helms' objection to Section II of the Buckley amendment. Cook points out that Buckley's language need not remain as vague as Helms now thinks it is. "We can make a congressional record of what we mean by Buckley's terms," Cook points out. "I hate to shut this door."

ENTER AMAZON ABZUG

The tone of the hearings now changes markedly, as the witness table is occupied by the House of Representatives' foremost ideological Amazon, Bella Abzug. Most of her testimony consists of preposterous legal consequences, such as a cheap but malicious lawyer might be hired to think up. And which no court would take seriously unless the judge had been bribed by Planned Parenthood. For the information of our readers, excerpts from Abzug"s arguments appear elsewhere in this issue.

One quick example of her sophistic technique. Near the beginning of her remarks, she says that childbearing is one of the most intimate and personal experiences in a woman's life. Very true. From this she concludes that Buckley and Helms would invade privacy. As if they were opposed to childbearing!

Bella has to get back to the House floor, where a debate is in progress on something she has sponsored. All questions will be submitted to her in writing, but Sen. Cook expresses the hope that she can be prevailed upon to return at a later date. Perhaps he wants to give her a grilling.

The next witness is ADA chairman Donald Fraser, whom the citizens of Minneapolis are ill-advised enought to have sent to Congress. Like Abzug, Fraser compares the proposed anti-abortion amendment to prohibition. And refers to their purpose as "an abstract and unenforceable ideal."

He cites statistics designed to show that liberal abortion is good for society, statistics such as decline in maternal death rates and evidence that abortion is now so cheap that the poor can afford it. He places in the record a study of the alleged legal side effects of a human-life amendment, commissioned by the Association for the Study of Abortion. The study is entitled "Saving Abortion," and was written by Arlie Schardt, the associate director of the Washington office of the ACLU. Pro-lifers might be well-advised to obtain this document and study it.

Finally, Fraser also alludes to the alleged "religious" aspects of this controversy, citing the canard about "imposing the morality of one group." In this connection he quotes a remarkable letter from one of his constituents. This person claims in the letter to be "deeply religious" but finishes with these words: "No religious belief is more valuable to humanity than freedom of religions itself. Not even my own belief is that valuable." A more blatant example of religious bankruptcy could hardly be imagined.

A MATTER OF LIFE AND DEATH

Sen. Cook has left by this time, so Bayh has the questioning all to himself. This is our first opportunity to see how he will handle a pro-abortion witness.

Q. Do you have any data relative to the incidence of illegal abortion still done where abortion is legal? Sen. Buckley made a broad statement on this, as to what happened in foreign countries.

A. I don't. I would point to the figures I gave you about women admitted to San Francisco and Harlem hospitals, which indicate that illegal abortions still exist but in reduced numbers. I don't think we need go outside the United States for such figures, since we already have U.S. data.

(**Editor's Note**: There is some evidence that New York hospitals have been misreporting certain figures to conceal the truth about abortion-related complications. Those who have such information might wish to contact the subcommittee relative to this point in Rep. Fraser's testimony.)

Q. How do you answer the idea that the best place to prevent birth is prior to conception?

A. True, that's the best time. But the question is whether we are going to put a woman in prison who gets an abortion. I don't like abortion, but I like even less the social consequences of prohibition.

Q. Would you place any restrictions on abortion?

A. The Supreme Court's position was reasonable in this respect.

Q. Concerning the San Francisco and Harlem statistics (reporting a drop in the number of women hospitalized because of botched illegal abortions), could the more effective use of contraceptives have been partly responsible?

A. That is possible, but the availability of safe abortion is the more likely explanation.

Next comes the brief testimony of retiring Cong. John M. Zwach. He wishes to speak in favor of both the proposed amendments on the Senate side. In the House, he has submitted an amendment very like the Hogan resolution. "I am completing forty years of public service," he concludes. "And I have been an advocate and fought hard for many worthwhile and landmark causes, but I would like to say to this subcommittee that I have never felt as strongly about any issue as I do about this matter, for, gentlemen, it is a matter of life or death for millions."

In the questioning, Bayh zeros in again on the term "moment of conception." Would Zwach agree with Helms that conception means fertilization? Yes, he would. Does Zwach see, then, an impact on the use of IUDs. Well, "I would like to confine my testimony to the taking of life, not prevention of life." Zwach sticks to the same supercautious line taken earlier by Sen. Helms. He emphasizes the genetic uniqueness of each **conceptus** and Bayh concedes this point.

The last witness of the day is ex-Sen. Ernest Gruening. The octogenarian has been sitting in the front row of the audience for about an hour, annoying the spectators all around him by muttering aloud to himself. Ernest Gruening back in 1931 and 1934 pushed for the hearings which led to the legalization of artificial birth control in the United States. He is a fascinating remnant of the implicitly racist and anti-Catholic eugenics movement, which only the revelation of Hitler's policies after the war finally exorcised from polite American discourse. On March 6th, 1974, however, he is back to his favorite themes.

"It is immoral," he says, "to spawn more children than you can support."

Note the contemptuous verb; picture the niggers and the shanty Irish ("the wretched refuse of your teeming shores") surrounded by raggedy brats. Disgusting; un-Anglo-Saxon; immoral. Gruening confesses that during those 1930s hearings "I purposely never brought up the subject of abortion because I realized that . . . it would detract from the growing sympathy for what seemed to be an essential change in our attitude toward birth control."

That's right, Ernest: Keep the sickening stuff under the rug until the public is ready for it. No more graphic evidence of the decline in American moral sensibilities could be desired than the sheer presence of old Gruening here today, ready at last to expose his full colors.

Sen. Bayh has no questions.

So ends Day 1.

(To be continued)

A SERVICE OF MOURNING FOR THE INNOCENTS SLAIN BY ABORTION

COMPOSED BY FRANK MORRISS

This moving and inspiring scriptural reading is suitable for use at mass gatherings, parish reparations and memorial services and for families who wish to have a formal prayer of reparation for the murder of the unborn innocents.

• • •

PRICES

Single copies	25 cents ea.
10 copies	$1.00
100-499 copies	6 cents ea.
500 or more copies	5 cents ea.

The Wanderer

128 E. 10th St. — St. Paul, Minn. 55101