

A Conversation Between “Enemies” in the Abortion War

Santa Clara University, 4 October 2018

[DAVID DECOSSE (0:13)] Okay, let’s get started here. If you could please find a seat, again, there is room up here in the front on the floor. Plenty of action to see up here. Well, welcome, to all of you, to this evening’s event: “A Conversation Between ‘Enemies’ in the Abortion War.” I’m David DeCosse, the Director of Campus Ethics Programs at the Markkula Center for Applied Ethics. We’re very grateful to our co-sponsors for this event, the Women’s and Gender Studies program at Santa Clara University, the St. Thomas More Society, the Santa Clara University School of Law, and the Women and Law Club, also of the Santa Clara School of Law. We welcome all of you tonight from on and off campus, and near the start of the school year here at Santa Clara as we are, we especially welcome all first-year students from any of our schools who are with us tonight.

Whether it’s a matter of ethics or law, abortion has always been among the most contested matters in American public discourse. Add to such difficulties factors like the rise of the #MeToo movement, the counter-reaction to that movement, the possible impending seating of a United States Supreme Court Justice accused of sexual assault, and if *Roe v. Wade*, the 1973 United States Supreme Court decision that legalized abortion, is overturned, as some say, and predict it might be in the next years, and the issue goes back to the states, it may well be both that we’ll have to talk more about this issue and that the difficulty of doing so will remain unchanged. But this event features two nationally recognized figures, one pro-choice, one pro-life, who still believe in the possibility that abortion can be discussed and that some common ground can be found. And they believe in this, not because disagreement per se is bad, but because our current discourse on this issue, whatever else it does, obscures fundamental values that should inform how we respond as persons and as a political community.

Michelle Oberman is the Alexander Professor of Law at Santa Clara University, and the author of *Her Body, Our Laws: On the Front Line of the Abortion War from El Salvador to Oklahoma*. She also authored two recent opinion articles on abortion in the *New York Times*. In one of those pieces, Professor Oberman, who is to the right—I’m sorry, to the left as you’re looking at the stage—who is pro-choice, said, “We fight over abortion in absolutist terms, deadlocked in a battle in which we hurl rhetoric about choice and life while remaining distracted from the reality that so many women have far too little of either.”

Julia Hejduk is the Stiteler Professor of Classics and director of the Latin program at Baylor University in Waco, Texas. Professor Hejduk, thank you so much for coming up from Texas tonight. She is the author of, among other works, *The Offense of Love: Ars Amatoria, Remedia Amoris, and Tristia*. She recently published articles on abortion and adoption on the website *Public Discourse*, and in one of those pieces, Professor Hejduk, who is pro-life, said, “It could be possible to harness the energy of both sides—and of many from both left and right political factions—toward the preservation of life, if the emphasis were on creating positive incentives that would help influence women’s choices in such a way as to bring about a broadly recognized good.”

To say the least, we’re deeply grateful to Professors Oberman and Hejduk for being with us this evening to help us through this thicket, and look forward very much to their remarks. After their presentation, we will have time for questions. If you wish to ask a question, please do so by writing on the index cards that were placed at your seats, or for those of you elsewhere, pull out a piece of paper, write your question, and put your hand up, and Monica DeLong—

Monica, are you out there? Monica or Kathy—Kathy, could you stand up, please? Monica or Kathy will be walking around the room during the presentation, and put up your hand, and they'll take your question and bring it up, and we'll try to pose as many questions as possible to Professor Oberman and Professor Hejduk.

Also, if any of you are tweeting this event tonight, we invite you to use the hashtag #abortionwar for your tweets on this evening. That ought to get some attention. Also, after the event, if you could please fill out the evaluation forms that are on the tables in front of you, and also, please join us in the lobby outside the St. Clare Room for some light snacks which, last I saw, I will admit were going fast, but we hope there's something left. In any case, we'd love to continue the conversation with you: that is the main point.

So with that, I turn things over to Professor Oberman and Professor Hejduk.

[JULIA HEJDUK (6:42)] All right, well, I'm just incredibly grateful to be here. So grateful to Michelle and to David, and to all who've made this possible. This being St. Francis day, and this being the St. Clare room, it seemed an appropriate way to begin this evening would be with the first part of the prayer that's attributed to St. Francis. We're going to line it, and if you know it and want to join in, please feel free.

Lord, make me an instrument of your peace

[MICHELLE OBERMAN (7:13)] Where there is hatred, let me sow love

[JH] Where there is injury, pardon

[MO] Where there is doubt, faith

[JH] Where there is despair, hope

[MO] Where there is darkness, light

[JH and MO] And where there is sadness, joy.

[JH (7:32)] I wanted to start a little bit just explaining a couple of words in the title—perhaps most particularly, “enemies,” which you'll notice was in scare quotes. I have sort of a penchant for ironic titles, and as I think will become evident in the course of the evening, the scare quotes are important. My “enemy” and I are planning a great day of hiking and cooking and stuff tomorrow.

The other word that I think is especially important is “conversation,” and I wanted especially to distinguish between a conversation and a debate. When I mentioned to many friends of mine that I was going to be involved in this public conversation, they sort of—I said “conversation,” but they heard “debate.” The goal of a debate is to win, right? You score points. If your opponent makes a good point, you want to actually downplay it and deflect things away from it, and the goal of a debate is not the search for truth. It's the search for victory. So there can be, at most, one winner in a debate, and sometimes there are actually two losers.

In a conversation, the goal is understanding, and that is what we have been trying to do, kind of from the beginning. And one of Michelle's wonderful gifts is that she actually listens. And when you're in a conversation and somebody makes a point that's interesting or true or

whatever, the proper reaction is, “Tell me more, I want to hear more about that. I want to understand.” And so what we’re doing tonight—we fully understand that people have extremely polarized views on this topic and we’re not here to convert anyone one way or the other, but the purpose of this is to understand and to show that it is possible to connect at a human level even when there is this enormous disagreement.

I think one of the things that made our conversation possible initially was that we started with that. We started knowing, okay, we have this huge, enormous disagreement about this very fundamental issue of what constitutes a person, and so we start, “Okay, here’s the elephant in the room. Let’s talk about how big he is and how gray he is.” Then, the more we talked and the more we came to understand one another, that elephant kind of started shrinking, and then it was the size of a horse, and the more we talked, we realized that we actually agree on a lot of things. If you can just start by acknowledging your disagreement, then you just naturally find common ground. And so we found that actually, you know, maybe he’s the size of a chihuahua by now.

[MO] He’s there.

[JH] He’s there.

[MO] He’s there.

[JH] He’s there, and he will never go away. But there’s just a lot more space in the room than there used to be.

[MO (11:11)] So we have a little bit scripted out, kind of a roadmap of the conversation we want to have. And part of the reason we needed a roadmap is because we actually hadn’t met each other until 4:30 today. We’re probably, I think, at least 40 hours into phone calls with headphones cross-country, but this is our first conversation and we’re having it in front of you.

So I want to start by just naming the other elephant in the room, which is that this is Santa Clara University. And it has let me spend the past 10 years of my life studying abortion. That would not be possible at the vast majority of Catholic institutions in the world. I am so grateful beyond words to this community for letting me do my life’s work, and that surely is what this feels like to me, and also grateful for the gift of doing it in community with people who don’t necessarily see the world as I do. Because it actually makes me so much wiser, and it’s so deepened my understanding.

So when I started studying what happens when abortion is illegal, I thought I knew what I was going to find. I didn’t remember very much from life prior to 1973, when the Supreme Court decided *Roe v. Wade*, but I thought it was pretty obvious that what you’d have if abortion was illegal was probably fewer abortions and a lot of women dying. That’s certainly how abortion looked as far as we can tell prior to ’73 in the United States. An estimated 5,000 women a year died from illegal abortion.

But it turns out that by the time I started looking, in 2008, I was wrong on both counts. In 2008 I went to Chile, which had the world’s strictest law against abortion at the time. Completely banned, no exceptions, not even when a woman’s life is at risk. And again I went there and I went to the hospitals expecting to find wards overflowing with women dying from septic shock from having self-induced abortion. And instead my meetings with doctors, lawyers, women’s health activists—instead what I learned was that abortion was sort of a non-issue in Chile. At any

given point in time, there were never any more than five prosecutions for abortion a year, and one of the doctors said to me just point blank, “Abortion? You can buy abortion drugs anytime you want on the streets of Santiago.” So I came home kind of scratching my head, and wondering, “What’s the point of banning abortion if you’re not really able to enforce the law? If abortion doesn’t go away, what is all of this fuss about?”

The next year, 2009, I went down to El Salvador, which was a country that had the same law—complete ban—but was really bent on trying to enforce it. So that was where I decided to make the heart of my study. I went back 10 times over the years since 2009. I’ve met with judges, with prosecutors, with defense lawyers, with priests, with professors, with religious leaders of various stripes, and with many women, including women in prison for the crime of abortion. The bottom line? The bottom line is that abortion doesn’t go away when it’s illegal. The law is almost impossible to enforce even in El Salvador, where they’re really gearing up. There have been around 120 prosecutions in the 12 years—ah wait, it’s more than 12 years now—in the 18 years that they’ve had with their criminal law.

So I came away from El Salvador kind of scratching my head, because for 45 years we’ve been fighting, intensely, over whether abortion should be illegal, and it just struck me as implausible that this is the world we’re fighting for. That all of this energy, all of this money, is going for this strange world, where women are still terminating and where the laws are impossible to enforce.

So I returned to the US, and I was determined to go to a place that was as red in the worlds of the sort of pro-life, red/blue divide as California, my home, is blue, and I set up shop in Oklahoma. It was a really good place to go to study because there was—in the state capital there’s a law school that trains many of the legislators. It was easy to meet lawmakers who were determined to make abortion illegal again, to talk to judges, to talk to activists there. And I was struck in my interviews with people there by the disconnect between how we fight over abortion—by fighting about law—and yet we’re so mistaken, and even just ignorant, about what would change if abortion was illegal. It’s like we never even asked that question.

What I learned in Oklahoma is the same thing that one can learn here, which is that women choose abortion when they can’t afford to have a child. That half of the women having abortions are below the federal poverty line. They’re living at the bottom 13% of our population. That 75% of the women who have abortions are below 200% of the federal poverty line, women living on \$24,000 a year or less. And that this fact, the fact that abortion is responsive to economics much more than it is to abstractions like rights—this fact is known to people on both sides working in the trenches. The women working in abortion clinics know that women choose abortion when they’re too poor, the women working in crisis pregnant centers know women choose abortion when they’re too poor, and so I came away thinking, “Wow, there is probably common ground there. There’s probably a common ground.”

And I wrote my book, and I figured that maybe some activist out there would do the work of finding common ground, because surely I had done my bit, by just sort of doing what I do, asking questions and writing about it.

[JH (17:37)] All right. So, I became more active in the abortion war, especially in the past several years—I should perhaps begin by saying that I was definitely pro-choice growing up, until my conversion to Christianity at the age of 20, and even for several months after that, I was still pro-choice. So since about the age of 21, I’ve been—I’ve recognized that the pro-life position is the one that I believe.

And it's especially become clear to me in the last several years that abortion is the great moral issue of our time. It's our civil war. And yet also that the way that war is being fought is really messed up—in that it is calculated to maximize discord, and to minimize cooperation, and to ensure that potential allies become enemies, and that our resources are expended on fighting one another rather than helping the vulnerable women that we both could be helping if, instead of fighting each other, we were more united.

In particular, I guess for me the two poles to some extent are represented by Mother Teresa, the greatest saint of our era, I think—just the most beautiful example of pure radiant holiness and self-emptying love—and her most urgent and insistent message to our country was that abortion is a monstrous evil, and the greatest destroyer of peace in our world.

On the other hand, my mother, who died a little over five years ago—she was the most compassionate person I have ever personally known, and to her the pro-life position seemed to be just piling suffering on suffering, forcing women to endure just tremendous pain and difficulty, and she was adamantly pro-choice. And the important thing I recognized from that was that her pro-choice position really arose from her compassion. And I think—I feel that Michelle just channels my mom in so many ways. And for her, it was just so counterintuitive that a being this big could actually be a person, could be of infinite value—and it is hugely counterintuitive, and even as a Christian, as I said, for several months, I didn't see it.

I just felt that there had to be some way that those loving hearts could be brought to work together and to be in harmony rather than expending all their energy fighting one another.

I think that even the most adamant pro-choice people would agree that abortion is not a desirable thing. I mean, nobody—it's not something that people do for fun. It's in everybody's interest to reduce the need for abortion, however you may feel about whether it should be a last-resort option.

And I was frustrated with the pro-choice side always talking about the tremendous cost of raising a child. Which is absolutely true, but what the pro-life side is asking is not that the woman *raise* a child, but that she *bear* the child. And why is adoption, which seems to me to be such a clear good solution to this problem, especially the problem of grinding poverty—why is that not part of the conversation? Why is that not a huge part of the conversation? Why are both sides kind of shying away from it? Where as a society, it seems to me, we have so much to gain and very little to lose by helping birth mothers—getting them psychological support, changing perceptions of adoption.

I think many people's views of adoption are formed from the situation 50 years ago, where it was often coercive, and where a woman would never see her child again. Whereas today, almost all adoptions, about 95%, are open, and the birth mother has complete control over where she places her child. It's just a very different situation. And there is one organization called Bravelove.org that is dedicated entirely to that: to showing women that adoption is a brave and loving choice, and helping birth mothers network and share their stories and so on. And yet this organization—its entire annual budget is about 1/10th of a college football coach's salary. So it seemed to me that that was something that progressives and conservatives should be able to come together and agree on.

So when I read Michelle's op-ed, her first op-ed, entitled "The Women the Abortion War Leaves Out," I just felt that she was calling to me. And I sent her an email, not really expecting to hear back. But then about, I don't know, 20 minutes later she wrote back.

[MO (24:04)] I'm very good at email.

[JH] Yeah.

[MO] It's going to be the thing they say on my tombstone. It's not a virtue, you get nothing else done.

So in Julia's email, she said she wanted to talk, and it was like this really intense mix of emotions that she set off in me. Because in writing a book one often has an ideal reader in mind, and I was trying to write a book that somebody who was pro-life could read. It just felt really important to me that I say something other than just stoking the passions of people who see the world as I did. So there was an enormous thrill, and then there was this equally enormous panic, like, I didn't want to be the person having the conversation.

How do I talk? Because, after all, I've been listening, I have never been talking. I did not have hard conversations in Oklahoma, I just listened hard. So to actually have to have a conversation—and, like, David didn't say this, but she went to Princeton and has a PhD from Harvard. It's not just like having a conversation, it's like having a conversation with a person who can run laps around me. So I was like—the first thing I did was I wrote back and said, “So nice, maybe you should read the book and then we should talk about whether we want to talk.”

[JH] But I did!

[MO] And she did!

[JH] I read that whole book!

[MO (25:36)] She read it in, like, four days, during the semester! So yeah, we calendared our first conversation, and in that first conversation, as Julia said, we started by staking our ground. And before I tell you about the ground we staked out, I want to tell you about how we asked the question. Because it wasn't just a “Well, what do you think, should it be legal or illegal?” It was a “Why do you think it should be illegal or legal? Why do you care about this issue?” And just the shift from what to why, I think, made it really clear that I was dealing with a human being and not an enemy.

So I don't know, do you want to start with like, the why you think? Should I start with the why I think? What?

[JH] I can start.

[MO] Yeah.

[JH (26:34)] Sure, yeah. So, I mean, the pro-life position definitely has the advantage of simplicity: that personhood begins when life begins, at conception; that every member of the human species, every human being, is a person; that the intentional killing of an innocent person is a grave wrong; and that our laws should reflect that.

Now, I do want to make one important caveat, which is that when you say the intentional killing of an innocent person, that includes the fact that the killing of that person was your intent. So if the mother's life is in danger, and the purpose of the procedure is to save her life, abortion under those circumstances is morally licit. So, there's a very simple test for this—what your

intent was—and I think Charles Camosy, who wrote a very good book called *Beyond the Abortion Wars*; he calls it the “pissed test.” If you perform the procedure, the baby lives and thrives, and you’re pissed, then it was an abortion. If you do the same thing, the baby lives and thrives, and you’re thrilled, then it was morally licit, what you were doing.

So, anyway. So, you know, I mean, in a sense that’s the position. You don’t kill innocent people. Even when the law is disobeyed, it’s still a teacher. There are some people who actually do obey the laws, just because they’re the laws. It would make it—even if, I mean, and it certainly is true, and I think we can talk about this more, that it will always be possible to get abortion drugs online, on the black market, go to a different state, there’s all kinds of ways, there will always be abortion tourism—nevertheless, if, say, a confused college student went to the university health center, she couldn’t simply be blithely referred to Planned Parenthood to get it taken care of.

There’s an anecdote from another very good book, by Katie Watson, called *Scarlet A: The Ethics, Law, and Politics of Ordinary Abortion*. She relates an anecdote where a woman who was actually an abortion protester then shows up in an abortion clinic, and is clearly extremely upset, talks to the abortion provider, and the provider says, “Are you sure you want to do this?” She says, “Yes, I do. I know that this is wrong, but because it’s legal, I’m weak, and I’m going to do it. If this were illegal I wouldn’t be doing it, but I’m weak.” And to me that was kind of, one of the—well, you know, there you go.

[MO (29:51)] I’m think I’m pretty much at the farthest opposite end of the spectrum in terms of what I think the law ought to be. I think that the state demands—under the ways that we have constructed motherhood—demands a level of sacrifice, that were they to actually cost it out, they’d do nothing else other than pay women for the cost of what we do for free, which is to raise children. And we do it really well, and we do it because the privilege of loving is one of the greatest privileges of being alive in a human body.

But to demand that sacrifice from women strikes me as abhorrent. And to presume that the state would ever be in a position that would be better than a woman’s position to decide whether and when she should become a mother strikes me as equally abhorrent and just unthinkable. That the state deals in broad generalities, but it’s revealed itself time and again to have a sense of broad generalities that don’t seem to have a female gaze, but instead have a much more male-centered sense of how one ought to and does in fact move through the world.

So a lot of fancy words for just a very simple bottom line of but—believe women, trust women, keep it safe, keep it legal. Because women are going to do what they need to do no matter what, and I’m just not convinced that a doctor or a judge would ever be in a better position than a woman to decide when and whether to carry to term. You know, it’s like, there’s a little bit of a law professor dodge going on for me. So a woman at eight months or nine months, really? And part of my response comes from years of volunteering in abortion clinics. So women don’t come in at eight or nine months saying, “I didn’t realize that I won’t be able to wear a bikini this summer, so could I please end this.” Women don’t come in at eight months unless they’re dying of cancer and they need to end the pregnancy in order to get treatment, right? And at that point the dodge for me is a dodge of, “Okay, well, what would happen at that point is so clearly a C-section and saving the baby and not a termination.”

But either way, suffice it to say, I’m comfortable with my law professor generality on the far opposite end of the spectrum. So, the interesting thing is, once we sort of staked our territory on the far opposite ends of that spectrum, we continued to talk, and I thought that maybe it’d be

useful to say a little bit about why. Because for most of us, I think, the conversation might have just ended right there real quickly.

[JH (32:52)] Yeah. So, to reduce abortions, I mean, there are basically three things that are in play. There's changing the laws, there's changing people's hearts, and there's changing the conditions that lead women to seek abortion. And I think that there are three risks when you focus on the laws alone.

For one thing, you instantly turn potential allies into enemies, and there's a temptation to demonize people rather than listening to them. And if we're going to make any progress in actually changing the conditions that lead to abortions—we can talk maybe a little later about what that might look like—that's going to be something that requires bipartisan cooperation.

It's also the case that abortifacients have changed the game, in that a woman no longer needs to go to a brick-and-mortar clinic to terminate a pregnancy. That is always going to be—it will always be possible for her to do so. So the analogy that I use is that it's as if we're fighting over shutting down adult magazines, when that's not where people are finding pornography anymore.

But ultimately, the goal is to—of the pro-life movement—is to change hearts, is to create a world where abortion is unthinkable, where people recognize the intrinsic value of every human life and treat one another accordingly. And I think one of the biggest insights I got from conversing with Michelle, listening to her—you have to say the P-word now.

[MO] I'm gonna say the P-word...

[JH] Okay!

[MO] ...and say it loudly.

[JH (34:56)] Okay, patriarchy! That the sort of emotional impetus behind the pro-choice side is the perception of oppressive patriarchy. And that is just such an important part of the way they perceive the world, and when you focus exclusively on the legality issue, it has a tendency to reinforce that narrative, and to harden people's hearts and increase their resistance. And I think that is especially true when the pro-life movement takes a certain kind of person as their champions.

[MO (35:56)] So the thing that kept me in the conversation from the beginning was a realization that the war we've been fighting for 45 years doesn't have a real good exit strategy. I don't see it ending. I don't see us making progress on it.

And that reality in conjunction with the lessons I learned in both El Salvador and Oklahoma, which is that for really poor women, it's not so much a choice to have an abortion as it is a necessity, right? It's not like a, "I'm gonna go and have this abortion today, because I'm just choosing to continue with my education." It's a "If I have this baby right now, I will have to drop out of college." And that the conditions that drive those decisions are conditions that we put in place as a society. That if we wanted to give women more choices, there's a host of policies that we could put in place that would expand women's choices, and I'm for expanding women's choices. I'm not taking abortion off the table, but I'm for giving women real choices. Real

meaningful choices, so that we don't live in a world in which a woman says, "I am too poor to have this baby."

[JH (37:07)] Yeah, and one of the things that I think became clear to me as we were talking about this and about women's choices and about patriarchy: ironically, abortion, the availability of abortion, is one of reasons—one of the ways this sort of, this system is perpetuated, in that our workplace, our economic systems, were basically created by men to meet the needs of men. And you don't have to posit some sort of conspiracy, I mean, that's just kind of the way it is.

And I think that there's—it's possible for us to find tremendous common ground if we recognize, first of all, that having women involved in public life at all levels—and get paid for it!—is a tremendous social good, and that it is something that it's worth being intentional about and figuring out how to make happen. And at the same time that the bearing and raising of children is that without which nothing that we do matters, because the human race ceases to exist. And that finding a way to balance those things, that's the kind of thing that is actually going to require cooperation.

Another thing—important, just to talk about patriarchy for just one more minute—

[MO] It's her favorite new word.

[JH (38:46)] Yeah, patriarchy, patriarchy! One of the reasons that this war is so acrimonious and so unending is that both sides see the analogy with slavery, which we both perceive as the original sin of our country. The problem is that both sides think that they're on the side of the slaves, and really sincerely think that. The pro-lifers really see the analogy that you're treating a whole category of human beings as non-persons, as disposable.

[MO (39:27)] Right, and the pro-choice people think that you're treating women as slaves. Even if it's just for nine months and we'll take the baby, thank you, it's nine months of forced servitude. And I think what happens with the slavery analogy is just a small example of what happens generally when things go sideways in the abortion conversation, when things really don't work, which is that we get very attached to a symbol, and then we actually turn to our teammates on our team, and we can stoke the emotion that we feel around that symbol, and we never have to ask, "Well, what would be different if abortion was illegal?" Right? Or, "What causes a woman to choose abortion?"—these hard questions that actually have answers in the world.

It's not that they're abstract questions, these are questions that one can answer with data. We don't have to answer them if what we're doing is yelling about slavery, right? We just wrap ourselves in the flag of our team, and we really reduce the opposite side to the opposing team, and that's it, we're done, right? That's it.

So we've worked pretty hard to stay in conversation with one another, and to notice those little attractive nuisances of the rhetoric that surrounds the debate. And to do our best to name them and engage them if we need to, and recognize them as unproductive. The slavery analogy? Unproductive, not very helpful. And to really reengage by opting to stay in conversation.

So I want to say a little bit about what I've learned from staying in conversation with somebody who sees the world so differently from the way that I do.

So I'm steeped in rhetoric around choice, which means that I've always thought the ideal world view would be one in which women have the power and the luxury to control when and

whether they become moms. Choice really meant something to me. I speak of choice as if all women undertake the rational process of planning their futures—thinking about how pregnancy might fit into their plans, about their partners, about education, about work, about their dreams, about their autonomy. Abortion is a rational choice in that sort of choice-based world view. When I sort of launched into that with Julia, her response was like, wait, what did—there was a word you used about, like, how I see the world.

[JH] “Autonomous”?

[MO] Yeah, but it was like this whole—“post-Enlightenment,” that’s what you said.

[JH] Oh yeah.

[MO (42:21)] So post-Enlightenment, right? Because that’s actually not how life unfolds for any of us really, because we’re not really in control. But control, that whole idea of control, it’s an illusion. That the story of our lives is actually, usually, about how we respond to the crisis that came. Like this thing happened and then I did this. And then this thing happened and then I did this. Right? And in talking with her I was reminded of this Yiddish saying, “Man plans, God laughs.” And it’s like, “Oh, right, that’s actually very true.” And what Julia reminded me is that it’s in times of crisis that God finds us. Right? It’s in that response to crisis that who we are actually is revealed.

So from her I actually came to realize that the idea of even planned pregnancy isn’t necessarily a precondition to motherhood, nor is it how many women—particularly the women who are most at the apex, at the center of our abortion war, the women who are struggling with poverty and feeling like they have to have an abortion because they can’t afford a child—that that idea of life as planning and unfolding according to plan, that that’s like a pipe dream. And that in fact many women having abortions might choose to have a child if the crisis were otherwise. And that led me to realize that, as a feminist, if I want to support other women, giving them an abortion isn’t nearly enough. I need to do my best to make other choices feasible. I have to do more than just give her an abortion.

[JH (44:15)] Yeah. And I think that we—when we started talking about, well, “What would it look like for women to have real choices?”—then that’s when the common ground really started opening up quite a bit, actually. That’s the kind of conversation that we could really be having if we weren’t so focused on the legality issue. Things like fair wages, and healthcare, and daycare, and housing, and things that could actually make it more possible, more feasible for women not to feel that they need an abortion. And I think it would just be very helpful for our society—for us to be able to have that kind of conversation, even if we disagree about whether abortion should be a final option.

[MO (45:23)] Something super interesting happens once you start to name it. Like if you imagine the question of, well, “What does society owe a 19-year-old who’s unmarried, and who’s pregnant, and who’s contemplating abortion because she can’t afford a child?” You find very different political alliances all of a sudden, right? Like I think Julia and I line up really quickly, and, “Wow, we need to owe her all that she’s going to need to stabilize her life so that she can realistically keep that pregnancy if she wants.” So there we are signing onto mandatory daycare,

universal preschool, a decent wage, a vocational training program that'll help her get her GED if she didn't manage that, right? We're signing onto all of that, and I imagine there's people in both political parties—who would have been our allies, right?—who are back in the back of the room saying, “No, those women should stop being irresponsible.”

It's not like, “Wow, we find a common ground and now everybody agrees with us!” It's more interesting. It's just, “Wow, there's a whole other fight to be had!” And it's one in which, again, data really matters, and morality matters, because if you're a person who says “I'm really pro-life!” and you're not out there making it possible for a poor woman to make another choice, that's a limited moral view. If you're a person who's really pro-choice and the only choice you support is helping her get a legal abortion, that's a really limited moral view.

So these are some of the happy pieces of what we agree on. There's definitely stuff we disagree on still. We're happy to talk about that. There's a little sticking point around contraception, I think, which we can talk about a bit.

[JH] Do we have time to get into a conversation...?

[DD] We're right at about 45 minutes.

[MO] You know, my inclination is maybe to move into questions and answers and figure out what you guys want to hear from us, rather than to dredge up our contraception battle. Unless they're willing to indulge us.

[Q&A]

[DD (47:27)] Okay. Well, we've got some excellent questions here. So let me start with maybe one posed to Michelle, and a different one posed to Julie, that I think get into some larger issues. The question is, “Michelle mentioned that the law dictates, decides, when and where a woman becomes a mother. However, I, the questioner, strongly believe that a mother is not she who bears life, but she who raises a life. As Julia said, adoption is a great alternative, and the innocent life will know no other mother other than the one who accepted him/her.” So I'm wondering, Michelle, if you could comment on that view of motherhood, and your sort of sense of adoption as part of this picture, please.

[MO (48:16)] I love this question, and we actually have an interesting history with the adoption question, so I'll back you into it.

I've been a bit of an adoption cynic, which grows, again, out my data-driven understanding that fewer than 5% of women contemplating an unintended pregnancy even consider adoption. That of that 5% only around 1% actually goes the next step down the road of thinking about it, contacting Catholic charities or an entity that might be able to support them through the process. And then the statistics are really quite, I suppose, stunning, maybe disheartening, if you're thinking that it might be actually a good thing for everybody if women were to place, which is that the overwhelming majority of women who go down the road intending to place change their minds at birth. And so what we're talking about when we think of adoption as the solution is a very, very small percentage of the problem. So small that, at some level, it's seemed like a distraction to me from the larger truth, which is that most women, when faced with an unintended pregnancy, either opt to parent or to terminate.

When Julia and I were having—it was back in May—our first big, like, we’ve got to put adoption on the table, we need to deal with why both sides need to embrace and promote adoption, I said to her, “You know, okay, but I’ve never really had a conversation with a woman who’s placed. I haven’t had the experience of actually sitting with a woman who’s placed a child for adoption and talking to her about what the consequences are. I’ve read articles about the negative mental health consequences in the the bad old days, where you had closed adoptions and you never saw the baby again, and those stories are harrowing. And since I don’t know anybody who’s placed more recently in an open adoption situation, it’s just really hard for me to wrap my head around whether it’s good for the mom—the birth mom—or not.”

So we sort of had that back and forth, like, okay, fine. I was on vacation in Chicago at the time. I took a cab to my friend’s house, and she was getting married, so we were doing the flowers. I’m sitting doing the flowers with this woman sitting next to me, I’d never met her before. The woman says, “Where are you from?” I say, “I’m from Northern California.” “Oh, where in Northern California?” I say, “Palo Alto,” and she says, “That’s where my birth son lives!” I’m like, “Your what?” She says, “Oh, I placed my first child for adoption 21 years ago.” And for the next four hours, I got to interrogate this woman, who had actually been a birth mom. And it wasn’t 21 years, it was actually more than that, because he’s now an adult and she’s reunited with him.

There’ve been these moments like that, where Julia will say, “Oh, it’s our cheering squad up in the sky! They’re cheering for us!” I still think it’s a really small piece of the problem, but I’m less confident that I know the answer to whether it’s a good thing or a bad thing for a birth mom, because I actually realize I don’t know enough.

[DD] Anything, Julia?

[JH] You want me to respond to that?

[DD] Do you wish to respond to that?

[JH] Yeah, only that, yeah, I think that it’s, yeah, that was a pretty amazing experience.

[MO] Literally, I hung up the phone. 30 minutes later—

[JH (51:48)] It’s a miracle!

One of the reasons that it is such a small piece, I think, I mean, it could be a bigger piece, if we were to—as a society—to be more intentional about educating people about adoption. I think that you should never take the attitude that because things are this way now, because there is currently a stigma associated with adoption, and women could never—you know, feel they could never do it, therefore that’s set in stone. I mean, psychology is the kind of thing that you can change. Look what happened to smoking, right? 50 years ago it was everywhere, now it’s nowhere.

[DD (52:36)] So, for Professor Hejduk we had a number of questions along the lines of this one: “What would you say if a woman were raped? Should she be forced to carry the child for nine months too? What about the psychological implications of doing so?”

[JH (52:52)] Right, and that is a very important question. And here we have to take very seriously the pro-life position that every human being is a person, and that—the assumption behind that, is that it will somehow be better for the woman if she does not have to carry this child, if she can terminate this pregnancy. That actually just isn't the case. It is never the better option to kill an innocent person. And the idea that when you've been raped, if you can terminate this pregnancy you can somehow forget it or put it behind you—that it would be better, that meeting violence with violence is the only thing you can do. But that simply isn't correct.

I was very influenced in my thinking on this listening to the testimony of a woman named Jennifer Christie, who was a mother of four—she was on a business trip and was brutally raped by a total stranger in a hotel room, and beaten—had all kinds of continuing health problems—and got pregnant from that. And she chose to bear that child, because the child is not responsible for the sins of the parents. And just as you wouldn't kill a toddler because it turned out that that toddler was conceived in rape, so it's wrong to kill a very small person conceived in rape. And just hearing her testimony, and the incredible joy that she has managed to bring from this wonderful little boy, who was not responsible for the sins of his father!—it's a way to bring beauty from ashes. And I think the idea that somehow it will help the woman to heal better by terminating that pregnancy, rather than by bearing that child, is simply mistaken.

[DD (55:33)] Well, returning to the P-word here a little bit, and a number of questions about, sort of, do men belong, or how do men belong in this conversation. And I'll just read a little bit from one question—I think it sort of gives a little more concrete sense of this. The questioner wrote, "All right, this is from a male's perspective. It sounded like that we males aren't taking enough responsibility in this issue. Then let's stop fighting this war and spend more effort to educate males into more responsible actions." So I wonder if you could comment, each of you, on what role—what should men be thinking about? How can they be part of this conversation in the way that both of you envision conversation on this topic?

[JH] Yeah, that's a great observation, and I guess the first part is, "Amen."

[MO] Yeah.

[JH (56:28)] Yeah. And it is partly, again, because of the availability of abortion that men have been allowed to be irresponsible about this. So, yeah, I think that the problem is that our entire—the whole way that sexuality is conducted is broken in our country, and in many parts of the world. The problem is so enormous that it's hard to even know how to begin to approach it without an understanding of the greater problem and what is at stake here. But I don't know if now is the time to—

[MO (57:21)] Yeah, I kind of want you to tease that out, because that was another instance when you actually connected dots for me that I hadn't really connected before. I thought about the abortion issue in isolation, and not actually as part and parcel of what a campus hookup sex scene is about, or even, sort of, a world in which premarital sex is normalized. So if you would say a little bit more I think it's—unless you want me to try to do—

[JH (57:42)] Yeah, well, no, I can certainly try to reconstruct that. And here I think that, I need to maybe talk a little bit about the contraception issue, in that that is what makes possible a lot of

extremely negative outcomes in our society. That is what has allowed hookup culture to proliferate, and the abuse of women and devaluation of women and intimacy that that necessarily creates. It is what has caused the disintegration of the family—the two-parent family that is the solid basis for any society—and the loneliness epidemic. There’s all kinds of terrible problems that have resulted from the separation of sexual pleasure from its purpose, which is to produce a new life.

[MO] Or love, right? Like, I mean, it’s both—

[JH] Yeah. But its biological purpose is to produce a new life, right?

[MO] Right, yeah.

[JH (59:06)] But its theological purpose is to teach us about God, who is love. The whole idea of the theology of the body is that—this owes a lot to John Paul II’s writings—that God is love. I mean, let’s ponder that. *God is love*, and it is the essence of love to be in relationship. You can’t have love exist in isolation. And that the love between the Father and the Son is fruitful—so fruitful that it brought forth the whole universe, in fact.

And when God made us male and female in his image, he made us—male and female—a community of persons, just as he, the Trinity, is a community of persons. And that the fruitful love between a man and a woman is a unique reflection of the fruitful love between the persons of the Trinity. So that when you separate sexual pleasure from its biological purpose, you also separate it from its theological purpose, and the consequences of that are simply devastating.

[MO (1:00:40)] I want to pick up on a piece about fatherhood—because I feel like it’s really worth saying out loud—which is that what I think we’re in the midst of a crisis of, as we sort of toss around words like “feminism” and “women,” is we’re in a midst of a crisis that affects the role of the father or the co-parent or however you want to think about it. And it’s—by the word “crisis” what I mean is that, again, I’m going to tie it back to class—so, the number of women raising children alone is not just a stunning thing in and of itself, but it’s actually a contributor to poverty. So one in three single-mother families are living beneath the poverty line, and the American Academy of Pediatrics has been out there in ways that are absolutely crystal clear about the consequences for those kids. There are lifelong consequences that have to do with everything from their life expectancy, to how they’ll do in school, to their prospects for work.

And all of that is about not just single women getting pregnant at a time when they weren’t in a stable relationship. It’s about the guys that impregnated them opting out, right? I feel like the need for a reckoning around how men view their roles vis-a-vis women, it’s like, we’re way past due on that. And what’s happening even in this moment right now, around the #MeToo movement, is that men are feeling, I imagine, a certain level of anxiety. We saw it in some of the news reports from this week, a level of anxiety that there’s sort of a put-your-hands-over-your-ear-and-shout sort of anxiety, rather than a “Who are we and how are we going to be in this moment? What is it that a good father, that a good man, is meant to do?”

And I don’t think that I can answer that. In fact, I’m quite sure that I can’t. But I know that it should be like the first question for men. And I get that under systems of male dominion, it feels weird to, sort of, try to figure out what a men’s rights movement looks like. I get that that’s really hard, but it feels like that’s where the rubber’s meeting the road right now. We can fight

about abortion and date rape and #MeToo until the cows come home, but until guys figure out how they want to connect and show up in this moment, it kind of feels like we're, you know—I don't know. Maybe we'll make some progress on our own here, but I'm thinking that we need the guys to show up.

[DD] Any comment on that Professor Hejduk? Do the guys need to show up?

[JH (1:03:30)] I think that would help, yeah.

When I say that our society is so broken, I mean, if you look at any movie, any TV commercial, it will show consequence-free sex as just great! You know, it's fun! And *Sex and the City*, and *Mamma Mia*, and she sleeps with three different guys in a week and isn't that— isn't she wonderful!

The reality is that it's just absolutely disastrous, on every level, to trivialize the most important and intimate thing that we do in this way. And it reminds me a little bit of the difference between the advertising for, say, sugary soft drinks—what they promise vs. what they deliver. Right? They promise, according to the advertising, that you'll be young, and slender, and attractive, and successful in love if you drink all these sugary soft drinks, right? And in reality they produce obesity, and diabetes, and heart disease. And that is kind of the difference between the promises of consequence-free sex and the reality.

[MO (1:04:55)] So this is another one these areas where we diverge, and I don't know if it's born of my still, like, deep-seated faith in the idea that you can control certain things, and that control, more control, is good. But I'm personally kind of thrilled by these long-acting contraceptives that have revolutionized the ability of women to choose when and whether to become pregnant. We're living in a time where sex can be had without—well, with less worry about the consequence of unintended pregnancy than at any other time on the planet before, and when the majority of Catholics are also on board with the “Yeah, contraception is a good thing.”

The other reason I'm a pretty big fan of contraception is because in countries throughout the world that have determined to lower their rates of abortion, the one thing that they've done has been to make a very concerted effort to get contraception out there. And you see this in Eastern Europe, which over the past 20 years has gone from being the region in the world that had the highest rates of abortion—with women having eight, nine, ten abortions across their reproductive life spans—to being a region in which they're now among the lowest. They're down just a little bit higher than the US rate. Why? Because everyone's on contraception.

So I'm with Julia, in that—that sense of, like, we still need to figure out what the relationship piece of it is, and how's that whole campus casual sex thing working out, in terms of the connection between the experience of intimacy and the desire for connection. But I'm not willing to walk away from the gift that I think is there in modern contraception.

[DD (1:06:50)] Question here picks up—has come up already, but sort of forecasting ahead, what might happen if *Roe v. Wade* is overturned. So the particular question is, “Do you think the American healthcare system is prepared to deal with the number of women who would be carrying unwanted pregnancies to term if *Roe v. Wade* were to be overturned?” I'd like to actually ask if you might expand your answers, each of you, kind of looking ahead—what you think might happen with *Roe* and what you think the kind of consequences will be for women involved in this matter.

[JH] You want to start?

[MO (1:07:30)] I'll do the little law professor thing. So the Roe v. Wade—the demise of Roe v. Wade, sort of much forecasted, people vote based on it—I don't think that anyone believes that it will cause abortion to become illegal throughout the country. So that even if tomorrow we get a fifth Supreme Court Justice, and they run right away up a law—there's an old Iowa law, for example, that has it illegal after six weeks, which is not enforced right now because of Roe v. Wade. But if we were able to lickity-split get rid of Roe, and allow states to restrict abortion as much as they would want to, we would still have 15-20 states—probably closer to 20—in the country that would stay with abortion being legal. And we know that because states like California have actually found a right to abortion in their own state constitution.

So what that means is that people living in Texas who became pregnant and wanted to terminate—and wanted to terminate legally—would need to get on a plane, or a bus, or get in a car, and get themselves to a blue state. And for women with money and time, legal abortion will remain a reality here. It's just not going to go away.

So the real change of a post-Roe America will be how women who don't have money or time terminate unwanted pregnancies. And we know from El Salvador and we also know, frankly, from what's going on on the border in Texas—and you could find it out yourselves if you wanted to pick up your phone and Google it—we know that it's really easy to buy these drugs, right? So it's going to be really easy to go online, plug in “abortion drugs,” plug in “Plan C,” plug in whatever you want, and as long as you've got a place you can have them sent to, you'll be able to terminate.

Where it gets complicated and messy and horrible, and where the healthcare system question was really smart, is that the problems that are likely to turn up are going to be among women who take the wrong drugs at the wrong time in their pregnancy. And those are going to be women who end up hemorrhaging and ending up in the hospital, and there is where I think there is an open question about how prepared the system is to deal with those cases. They are going to be the most marginalized women; they'll be the women who are already struggling to access abortion.

Because for a whole bunch of women in this country, it's not like it matters that it's legal. They can't afford it, the clinic is too far away, there's only one clinic in the state, they don't have three days to take off from work, they're already juggling a baby—because 60% of Americans who have abortions already have a kid. So it's gonna be those women who end up in the hospital, and there'll be this, I think, pretty intense reckoning with whether doctors become arms of the state, willing to turn them over to police, or whether doctors guard their confidentiality and treat them and send them home.

[JH (1:10:39)] Yeah, and I think that—I do think it's unlikely that anybody in this country is going to be prosecuted for abortion. It's something that would be hugely counter-productive and is unlikely to happen. I think that absolutely, it is, well, I just think it's super important for our healthcare system to provide good maternity care for everybody, regardless of their circumstances, and that needs to be a priority. That should be something where pro-lifers and progressives are completely united. So, yeah, that seems to me to be a no-brainer. And it's distressing when what I would consider to be a functionally pro-life policy, like decent maternity

care, is taken away at the same time that the restrictions on abortion are put in place. I think Michelle and I are pretty much in complete agreement on that one.

[DD (1:11:59)] Question here that takes us back to the larger theme of this evening. The question is, “Is the fight between the pro-life and pro-choice sides becoming a political slug-fest over scoring brownie points, rather than allowing a gradual evolution of health and reproductive rights for all women, regardless of economic, educational, racial, or political affiliation?” This is posed to both of you, and, sort of, why is this happening? Why is our discourse so utterly broken on this topic?

[JH (1:12:37)] Why is our world so broken? That’s a big question. Yeah, I mean, one thing we can acknowledge though it that it is—it has become a political slug-fest, there’s no question that discord is running rampant.

[MO (1:12:58)] I mean, I feel like it’s the easier thing to do, and we’re all a little bit lazy when it comes to doing an easier thing or a harder thing. The easier thing is actually to just, like, all I need to do is say, “Go team!” Right? I’ve got my team and all I need to do to be a good person is to say, “I’m voting pro-choice, I would never vote for a pro-life candidate!” Right? That’s all that’s asked of me, is to just check the box, and that’s all I ask of my candidates, right? Like I ask nothing more of them.

So the slug-fest is one in which we’re all complicit, right? Because we’ve stopped asking them to do anything more than just give us their checkbox. And this is for people who are deeply invested in the issue, and to be sure there are people who are out there voting for candidates on issues other than that. But Julia and I are kind of single-issue voters at some level. We’re thinking about the world as in, like, “What would actually best advance my position?”

What’s happened is that I think through our conversations we’ve come to understand our positions as being more nuanced than they’re presented to us as being. The slug-fest presentation is really like, I mean, that’s how we do everything these days. It’s not just abortion. Honestly, to be able to look forward to coming here tonight, in a week like this, where I’m feeling like we’re just headed down that road to war, and to be able to say, “Wow, we can do this differently!”

I know it’s harder—I know there’s something very easy about the slug-fest—but it’s just so futile. I don’t want to live in that world anymore. I just don’t want to be using my great position of privilege, and all the work that all my family members did to get me into this position of privilege, to just get a bigger megaphone. That can’t be it.

[JH (1:14:54)] Yeah, and, well, maybe I need to bring this up. This is probably not something you’re used to hearing in public venues, but as a Catholic, I need to kind of make clear that the human race from its beginning has been under attack by a spiritual being of pure malice whose goal is to separate us from God and from one another. And his talking point is that God is a patriarchal bully whose will conflicts with our freedom and happiness, and his strategy is to seduce us with lies that are very close to the truth. And he appears to be having a field day these days. I will say that the only weapon in spiritual warfare that is invincible is humility.

[MO (1:16:09)] See what I mean? Right? Just to hear that? I don’t get to hear that, in my world of my abortion radicals. And it changes the way I think about things, so thanks.

[JH (1:16:25)] Another thing, I think, to keep in mind: that of all God's lovable qualities, one of his most lovable, in my view, is his sense of irony. He's got great comic timing and he's always full of surprises. For instance, at the time when the entire world had its eyes on Caesar Augustus—the first emperor of Rome, the most powerful man that the world had ever known—back in a little outpost of his empire, a teenaged Jewish girl alone in her bedroom was crushing the head of the serpent and defeating our final enemy. The things that we think are important are not necessarily the things that actually are important.

[MO (1:17:31)] What's been super interesting to me, as a Jew, talking to Julia is when things get quiet enough between us, I'm able to actually—and I don't know if it actually irritates you or you're indifferent to it—but, like, she'll talk about Satan, and rather than occasioning a sense of, like, "Whoa, Satan? Really?" Or even a "I don't really believe in Satan"—but what I hear is the message beneath her words, which is very familiar to me.

I hear—in the language of a Jew, you talk about the inclination toward evil and the inclination toward good, and I think about how tempting the inclination toward evil is because it is just so easy, right? There's just the impulse, whether it's like, when I come home and I want to eat the caramel corn rather than chopping up my vegetables for dinner, or whether it's on this massive scale of what's tempting to do today. It's like, "I want to sign this petition about blah, blah, blah!" Right? Or do I want to actually try to have a conversation across an aisle? And so the options available to me become bigger because of our conversation.

[JH (1:18:49)] One of the things that I love about Michelle is that she's willing to listen, and she's actually kind of intrigued when I start talking about these things.

Another important thing that we have talked about a little bit where I think we actually agree: God does not see us as we do. God works—his base is Infinity Math. The reconciliation of a single soul to God through grace is a greater good than the entire created universe.

He also works in terms of absolutely mind-boggling paradoxes: that the very best thing that ever happened was the murder by torture of a completely innocent man while his mother looked on. And that the deepest happiness that we can achieve as human beings comes not from avoiding suffering but from entering into it and joining it with theirs. Kind of throws a monkey wrench in utilitarianism.

[MO] Yeah.

[JH (1:20:11)] And that Christianity is grounded in historical truth. That these things actually happened—that at a particular point in time the uncreated Creator of the universe actually became a human zygote, the most helpless of creatures. And he grew, and was born, and lived among us for about 33 years, and allowed himself to be killed, and two days later he rose from the dead and appeared to a small number of people, and—here we are. Those things actually happened and were actually a part of human history, just as much as Julius Caesar or Martin Luther King or any of us.

And that the purpose of everything that has ever happened, from the Big Bang to this moment, is to prepare the heart of every person to accept God's invitation to intimacy with himself. That is what everything is for, that is what we are created for. That is the only thing that can possibly satisfy the cravings of our hearts.

And the person that lived that relationship perfectly, from the very first moment of her life, was Mary. And if we could experience for just one second what it felt like to be her, we would gladly sell all we had for one more second.

And what faith is, in fact, is saying yes to God the way she did. With her yes, with her complete and unconditional yes to God's proposal of marriage—that at that moment, with her *fiat*, the Word was made flesh. And what faith basically is is our attempt to recapitulate that moment, so that the divine life of Christ can begin to grow within us.

And I think this is why I am so particularly pained to see the way the abortion war has unfolded, and how it's always conceived in terms of coercion. That what faith is—and this is true whether you're male or female—is basically giving your free consent to an unplanned pregnancy initiated by God. That is what it's all about.

So, where does that leave us? When the abortion war is carried out in terms of coercion and bullying, and sort of reinforces the “patriarchal bully” narrative, it can be extremely damaging. It can be something that has consequences that are far more important in terms of hardening people's hearts.

Because the purpose of everything, actually, is for every single person to say yes to God, so that we can all feast together at the great wedding banquet and drink the wine of pure joy for all eternity. That's the highest good, that is the thing for which we were created. And the abortion war is part of that great war, but—ending abortion is a part of that. And if we aim for a world in which every human life is treasured and seen as infinitely valuable, then abortion will fall away of its own.

[MO (1:24:27)] So, for a long time, in between phone calls with Julia, I would become convinced that she was trying to convert me and I would dread the next phone call, because I would be afraid that what would happen when we started to talk would be that she would reveal herself to be a person who needed me to adopt her worldview in order for us to continue to talk. And what instead manifests, time and again, is a sense of her telling me how she sees the world and her saying, “I think there is common ground here.”

And to be sure, I don't see the world that way—I mean, Jews live with the questions, we don't have answers—but it is really clear to me that that common ground is there, that her desire to see a world in which there is less abortion is met by my desire to see a world in which women have more robust choices. Because you can't look at those numbers in our country and say, “Oh yes, what happens in our country is that poor women, they like to have more abortions.” It's—no! I mean, if half of the abortions are going to women below the poverty line, it's not about that they just like having abortions, it's about they don't have other choices. And I don't want that world, and in fact it's not just that I don't want that world: it's I don't want that world as a Jew.

And so what's become really clear for me is that in our abortion discourse, where you've got one side that owns all of the religious momentum—there's actually room for another side. That for me as a Jew, my obligation to love your neighbor as yourself, my obligation to repair the world, the notion of *Tikkun Olam*, and that each of us has a unique thumbprint, because there's only one of you and you have a job to do in putting your thumb to the world and repairing it—that my job here is also religiously commanded of me, and it's in that shared moral urgency that I find myself calming down and not worrying about the conversion. I mean it's true, it still comes up for me though. I'm like, okay, a couple weeks will go by, and I'll be like, okay, she's going to want to talk to me about lah-di-dah.

[JH] One other thing that we wanted to address, I think, that is important, is that your view of when personhood begins is also grounded in your faith.

[MO (1:27:09)] Yeah, yeah. So, in Judaism, life doesn't begin until the baby takes its first breath. And it's such an intense position that if a woman has a stillborn child, that baby is not buried in a Jewish cemetery, there is no funeral or mourning period. And I know this not just because I know Jewish law, but because my mother was in a car accident, when she was nine months pregnant, with what would've been a baby brother of mine, and she lost the pregnancy, and there was no funeral, there was no public mourning, there was no sitting shiva—the rituals of the house in Judaism. The baby was not buried in a Jewish cemetery, because until it's born alive, it's not a human being.

So my faith doesn't demand of me the complicated math that would say, "Okay, it's a human being, and yet if it's a rape then it's not a human being," that many pro-life people are able to do. So, yeah, it does simplify things, I think.

[JH (1:28:12)] Yeah. And I think that her position, although obviously I don't agree with it—I find it to be scripturally grounded, because God breathed the breath of life into Adam, right? It's philosophically robust, and it's even psychologically plausible, and it's grounded in a faith tradition. And I think that you would say the same about mine. Where we actually agree is that everything in between is not those things. It certainly does not withstand the light of reason to say that whether the being in the womb is a person or not depends on how the mother feels about it, or how other people's opinion—

[MO] Or whether the sex was voluntary.

[JH (1:29:05)] Right—I mean, as if you flicker in and out of personhood based on your mother's mood, or the mood of the people who did the deed! And it certainly doesn't make sense to say that viability is the criterion, when viability is completely fluid. I mean, it's dependent on our medical technology. So something that would have been viable—would not have been viable, you know, in a rural village in 1960 is completely viable in a big city now.

So those really are the only options. Either personhood begins with life or personhood begins with breath, and in that we are actually in complete agreement.

[DD (1:29:51)] Well, may this conversation go on, and all, and I'm thinking in closing tonight, because our time is very regrettably up—but what comes to mind is in a sense the way that Professor Oberman and Professor Hejduk got us started: the prayer of Saint Francis, and the line, "Where there is despair, let us bring hope." And you have certainly brought hope to us tonight about how we might engage in this conversation. So thank you both so much and please join me in thanking Professor Oberman and Professor Hejduk.

Also, we have had this evening videotaped, so we'll have that videotape available for viewing. If you're interested, please get in touch with me at the Ethics Center. Happy to provide that information for you. So please fill out your evaluation forms. That would be a huge help. And I don't know if there's any food left out there, but if there is, you're totally welcome to it. And we'd love to talk to you anyhow if there's food or not. So thank you all so much for coming.