Ashcroft Stands Up To The Abortionists

by Phyllis Schlafly Mar. 10, 2004

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Abortion has been legal for over thirty years, yet little is publicly known about the practices of this billion-dollar industry. American taxpayers foot many of the costs but are left in the dark about what they fund.

That may soon change, thanks to the courageous defense by Attorney General John Ashcroft of the Partial-Birth Abortion Ban. His Department of Justice is battling three lawsuits that seek to overturn this statute, which President Bush signed into law last November.

First, liberals pretended that partial-birth abortion does not exist, and now they claim the practice is medically necessary. If Bill Clinton or John Kerry were president, the abortionists would win by default, but Attorney General Ashcroft is now the man in charge.

He is the former Attorney General, Governor and Senator from Missouri, the Show Me state. To the abortionists he says, Show me why you claim it is "medically necessary" to terminate the life of a partially born child.

His Department of Justice has issued subpoenas for records about abortions performed by plaintiffs and their witnesses. When they ultimately take the witness stand to argue "medical necessity" for their abortions, U.S. attorneys can cross-examine them based on their own records.

No patient names will be revealed, as the government has already agreed to delete personal identifiers from the records. The issue is the conduct by the doctor, not the patient.

Requiring disclosure of material central to a lawsuit is Litigation 101, basic to the Anglo-American legal system. For hundreds of years, trials have relied on this adversarial system to sift fact from fiction.

Most people accept these rules of fairness. But abortionists are accustomed to withholding information about abortion, like its correlation with breast cancer.

Planned Parenthood, a large provider of abortions, opposes the subpoenas. Last year it received $254.4 million in taxpayers' money, but it does not want to disclose medical details of its abortions performed by potential witnesses at affiliated facilities.

Planned Parenthood pulled in another $228.1 million from corporations, foundations and other donors. The Packard Foundation, endowed by the late founder of Hewlett-Packard (which now owns Compaq computers), gives many millions annually to pro-abortion groups.

Above all are the profits from the abortions themselves. The former Republican counsel to the U.S. Senate Judiciary Committee, Manuel Miranda, recently observed that clinics derive an average of $1,000 for each abortion performed.

In its 2002-2003 annual report, Planned Parenthood reported a hefty operating gain of $36.6 million. At a time when most companies are struggling to remain profitable, Planned Parenthood reported a 200 percent increase over last year's $12.2 million gain.

In a riveting interview, Miranda explained that the political fight over abortion is about "profits," not just "rights." The national Democratic party is increasingly dependent on contributions from abortionists and their allies to fund campaigns for federal office.

"The abortion clinics' lobby is an industry as large as any industry that lobbies in Washington," Miranda added. "What would be truly shocking to the American people is the profit motive that is involved."

Partial-birth abortions are likely the most profitable operation of all because much higher fees can be charged late in pregnancy, and a dead but nearly full-term baby can be exploited for body tissue and parts. Disclosure of details about these abortions, often performed at taxpayer-funded facilities, would allow the public to take a new look at this industry that profits from causing death.

"The Congress has enacted a law with the president's signature that outlaws this terrible practice," Ashcroft said in discussing the subpoenas. "We sought from the judge authority to get medical records to find out whether indeed the allegation by the plaintiffs, that it's medically necessary, is really a fact."

Yet a Chicago federal judge appointed by President Jimmy Carter, Charles Kocoras, allowed Northwestern University to withhold the abortion records for a doctor-plaintiff operating at its facility. The doctor, Cassing Hammond, is a member of Northwestern's staff and medical school faculty and is one of those suing to overturn the ban on partial-birth abortions.

If Kocoras's ruling stands, then Ashcroft may move to prohibit this doctor from testifying. At any rate, the ongoing cover-up of partial-birth abortions cannot last.

District Judge Richard Conway Casey, presiding over the lawsuit in New York, ordered compliance with the medical record subpoenas. "I will not — hear me out loud and clear — I will not let ... the doctors hide behind the shield of the hospital," he said at a hearing on the issue.

"Is that clear? I am fed up with stalls and delays," he told the abortion proponents. "The information relevant to this case will be produced. Otherwise, I will entertain whatever actions the government wishes to seek."

Disclosure of the information may prove to be the lawsuits' greatest influence. It is long overdue for the American people to learn the truth about the abortion industry.