

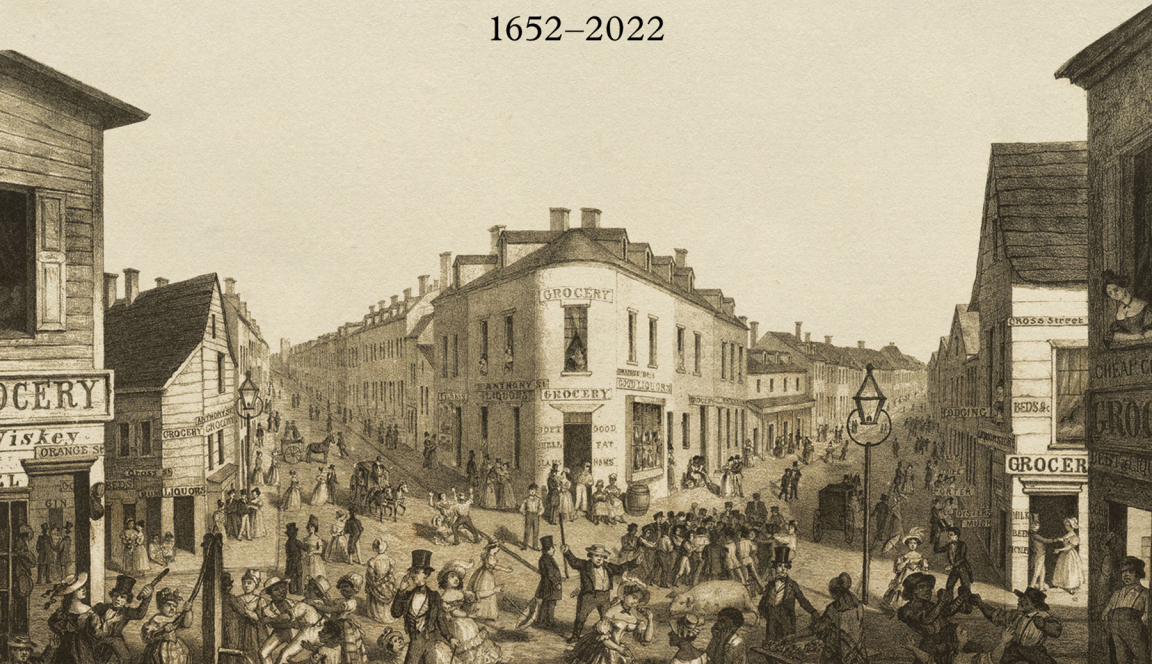
MARVIN OLASKY & LEAH SAVAS

Foreword by Robert P. George

**THE
STORY OF
ABORTION
IN AMERICA**

A Street-Level History

1652–2022



“A riveting story of the history of abortion by two ‘street-level’ researchers who tell us real stories of real people who have sought abortions, provided abortions, and lobbied for change in the abortion laws. Spanning nearly four hundred years of abortion history, Olasky and Savas transport us back in time to help us understand that there has always been abortion among women ‘seduced by men, money, or the religion of self.’ Many of these abortions were coerced, and the chilling narratives of these coercions throughout history are not for the faint of heart. Readers will be moved to tears by the stories, many of them transcribed from published accounts of the very words of the women who have been victims of the abortion industry and those who support it. We meet many of the craven abortion providers on these pages—the infamous Madame Restell, as well as a long list of lesser-known profiteers who have grown rich by ending the lives of unborn children. It is a tragic history, but Olasky and Savas do not leave us bereft of hope.”

Anne Hendershott, Professor of Sociology and Director of the Veritas Center for Ethics in Public Life, Franciscan University

“Under the reign of *Roe v. Wade*, abortion became ‘normal.’ But it wasn’t always that way in our nation, as this book explains. Now that the Supreme Court has removed its imprimatur from abortion-on-demand for any reason through all nine months of pregnancy, how do we restore respect for the tiniest among us and care for their mothers? Olasky and Savas provide crucial historical context for this effort, and everyone from the newly minted pro-life student to the battle-worn anti-abortion veteran will glean valuable insight from these pages.”

Kristan Hawkins, President, Students for Life Action and Students for Life of America

“What an amazing work! Olasky and Savas have made an important contribution on a topic that is both so controversial and also so essential to the understanding of what America has become and what it will be as a nation in the future. Indeed, this book is a reminder that our nation’s abortion history is linked to its destiny, especially if we seek to offer compassion, hope, and help to those at risk for abortion and their vulnerable unborn children.”

Roland C. Warren, President and CEO, Care Net; author, *Raising Sons of Promise: A Guide to Single Mothers of Boys*

“Olasky and Savas convey a largely unknown, and as yet unfinished, account of the deep struggle between individual and human rights, worldviews and wickedness. *The Story of Abortion in America* captures the real and raw nature of the battleground over, and for, the unborn. In these pages you’ll find selfless servants and the profiteering powerful. Just as other great moral issues have stretched and torn the fabric of America, so has abortion. This work should be read by everyone concerned for the soul of America.”

Jor-El Godsey, President, Heartbeat International

“The Story of Abortion in America is a tour de force providing a chronicle of the history of abortion that is impeccably documented with near-cinematic realism. The facts are compelling, the human beings—including the unborn—are vividly portrayed, and the interpretations are invariably thoughtful. There is enough in this landmark work to upset easy conclusions about abortion across the full spectrum of opinion. Anyone who wrestles with this topic, as Olasky has done for a lifetime and Savas now follows, must grapple with this account on an issue that will not, and must not, go away.”

Chuck Donovan, President, Charlotte Lozier Institute

“This remarkable and timely book should become the go-to narrative for anyone seeking to understand the tragic history and innumerable human costs of abortion in America. I recommend it enthusiastically.”

Thomas S. Kidd, Research Professor of Church History, Midwestern Baptist Theological Seminary; author, *Thomas Jefferson: A Biography of Spirit and Flesh*

“In this book that is more than just a history of abortion in America, Olasky and Savas have amassed an impressive account through real-life stories of how abortion has impacted everyday people over the centuries. The detailed stories were often tragic and heartbreaking and remind us that, truly, it is everyday people who matter most in the abortion debate. It is astonishing to read how much has changed about abortion over the centuries, but also how much really has not. Those who face unplanned pregnancies and those who seek to help them are the ones who write the real life-and-death stories of abortion and are also the ones who can change the world for the better, one life at a time. This captivating book will certainly help cultivate some of that needed change.”

Anne O’Connor, Vice President of Legal Affairs, National Institute of Family and Life Advocates

“The Story of Abortion in America is a big story, a momentous story, that extends to the most consequential of human experiences. The story of the past three hundred and seventy years, told here so clearly and deeply sourced, is largely a tragedy; it is up to us to determine what the rest of the story will be.”

Frederica Mathewes-Green, speaker; author, *Real Choices: Listening to Women, Looking for Alternatives to Abortion*

The Story of Abortion in America

The Story of Abortion in America

A Street-Level History, 1652–2022

Marvin Olasky
and Leah Savas

Foreword by Robert P. George

 **CROSSWAY®**
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For Susan Olasky, founder of the Austin Crisis Pregnancy Center, with thanks for 46 years of marriage, and for CareNet president Guy Condon, who died in 2000 driving home from a pro-life event when a van broadsided his 1990 Honda. Guy, see you again, sometime.

For Stephen Savas, Leah's encourager, and for faithful readers Bonnie Hickman and Janice Main, both young mothers around the time of Roe v. Wade. Thanks for choosing life and for being my Grandmas.

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Foreword

MARVIN OLASKY AND LEAH SAVAS tell the story of abortion in America by telling the stories of abortion in America.

These are the stories of people who have over the past 370 years sought abortions; performed abortions—lawfully and unlawfully; were pressured or even coerced to have abortions; pressured or coerced mistresses, daughters, domestic servants, or other women to have abortions; worked to prohibit abortion or strengthen existing prohibitions of abortion; enforced the laws against abortion; sought to circumvent abortion laws, or weaken or overturn them in legislatures and courts; changed their minds about abortion—in one direction or the other; provided alternatives to abortion; made small livings or vast sums of money from abortion; and others.

Olasky and Savas thus provide what they describe, aptly in my view, as a “street-level history” of abortion, in contrast with the formal, academic, and often rather abstract historical (or other) treatments of the subject with which all of us today are more than familiar.

The Story of Abortion in America, then, is the story of abortion as seen through the eyes of a pair of smart, well-informed, independent-minded, truth-seeking journalists—writers who bring to life the flesh-and-blood human beings who made the history. They try sympathetically, and remarkably successfully, to understand not only *what* these people thought, said, and did, but *why* they thought, said, and did

it. The authors adopt what the great academic philosopher of law and social science H. L. A. Hart called “the internal point of view”—that is, the perspective of the actors whose behaviors constitute the phenomena they seek to understand and explain.

The success of the volume that you, the reader, hold in your hands does not mean that the work of professional historians and social sciences is irrelevant or unnecessary. Nor do Olasky and Savas claim that it does such a thing. Indeed, in certain important respects Olasky and Savas draw and rely on “suite-level” scholarship for their “street-level” work. But their contribution adds something missing in more formal scholarship—it is not simply the “dumbed-down” version of academic historiography. Indeed, just as Olasky and Savas draw on the work of “suite-level” scholars, I predict that such scholars writing on abortion over the next few decades will draw on their “street-level” history.

Olasky and Savas have a point of view—a moral and political perspective—and they do not try to hide it. They are pro-life, as I myself am. And they recognize that their moral convictions on the question of the sanctity of all human life, including the lives of children in the womb, influence certain of their understandings and judgments even when it comes to the description of historical facts. Admirably, however, they avoid allowing their accounts of the facts to degenerate into propaganda. To the extent possible, they let the facts speak for themselves. Acknowledging, as we all should, that there is not, and can never be, strictly “value free” or “value neutral” historiography or social science, Olasky and Savas at the same time recognize the obligations of the historian or social scientist to provide as refined and accurate an account as possible, uncolored *to the extent possible* by judgments of value, or personal or political morality, on which reasonable people can and do disagree.

As a result, *The Story of Abortion in America* is a book for everyone, and not just a book for people who share the authors’ moral convictions on abortion and the sanctity of life. It can and no doubt will be

read with profit by people whose moral convictions are quite distant on these matters from those of the authors. And it can and will certainly be read with profit by the many people, in America and beyond, who experience ambivalence on the question of abortion and/or who do not fit neatly into one category or the other when asked, “Are you pro-life or pro-choice?”

One thing is certain. If we are to think well about the question of abortion—and America’s future when it comes to the question—we need a sound understanding of the history of abortion in America. Supplementing the good work that has been done on the topic by some suite-level historians (alongside, I regret to say, notoriously shoddy work done by some others), Olasky and Savas’s “street-level” story of abortion contributes substantially to meeting that need.

Robert P. George
McCormick Professor of Jurisprudence and Director of the
James Madison Program in American Ideals and Institutions
Princeton University

Introduction

The Life or Death of Innocent Life

LEAH SAVAS AND I WROTE THIS BOOK in anticipation of the 50th anniversary of *Roe v. Wade* on January 22, 2023. Crossway scheduled it for January 3 publication with that date in mind. The 50th anniversary now is likely to be a day of pro-life appreciation rather than lament, and the opposite for abortion supporters.

Roe reversal made the timing of this book moot but increased the need for historical understanding. From 1973 to 2022 pro-life laws could only trim the edges of a beard or the tips of a ponytail. Now legislators can decree a full shave or even a bald head, but will street-level conduct reflect the new judicial reality?

For 370 years, this book shows, laws and their enforcement have depended on public opinion. As Abraham Lincoln said in 1858, “In this country, public sentiment is everything. With it, nothing can fail; against it, nothing can succeed. Whoever molds public sentiment goes deeper than he who enacts statutes, or pronounces judicial decisions.”¹

This book reports on shifting public sentiment over the centuries, and the sentiment in crucial subsets: journalists, pastors, doctors, and others. We also look at records of private opinion, since the views of a woman and her boyfriend or husband are still more influential than any law.

¹ Abraham Lincoln, *Complete Works* (New York: Century Company, 1907), 1:422.

The Supreme Court majority in the crucial case, *Dobbs v. Jackson*, gave two main reasons for its decision: a re-analysis of the Fourteenth Amendment, and a re-reading of American history.²

I'll look at the Fourteenth Amendment issue in chapter 18, but the central question for this book is what Justice Samuel Alito asked, quoting a unanimous Supreme Court opinion from 25 years before: Is a right not mentioned in the Constitution “deeply rooted in this Nation’s history and tradition”?³

Some thought the answer was an obvious “yes,” since in the 1990 lead-up to the Court’s *Casey* decision, numerous American historians in an Amicus Curiae brief had said so.⁴ And yet, few of those historians had themselves delved into abortion history: I saw in twenty-five years as a professor at The University of Texas at Austin how social pressures influence judgment.

Alito, in his *Dobbs* majority opinion, after disposing of the Fourteenth Amendment contentions, offered fourteen pages of legal history and noted that “*Roe* either ignored or misstated this history. . . . It is therefore important to set the record straight.”⁵

He concluded, “a right to abortion is not deeply rooted in the Nation’s history and traditions. On the contrary, an unbroken tradition of prohibiting abortion on pain of criminal punishment persisted from the earliest days of the common law until 1973.”⁶ That’s true about the common law that judges and prosecutors applied, but what about common practice outside the courtroom?

2 *Dobbs v. Jackson Women’s Health Organization*, 597 U.S. ____ (2022).

3 In *Washington v. Glucksberg*, 521 U.S. 702 (1997), 721, the Supreme Court declared 9-0 that the Fourteenth Amendment does not establish a right to assisted suicide. Chief Justice William Rehnquist’s opinion acknowledged that the Amendment guarantees some rights not mentioned in the Constitution, but they must be “deeply rooted in this Nation’s history and tradition,” and assisted suicide is not.

4 “Brief of 281 American Historians as Amici Curiae Supporting Appellees,” *The Public Historian* 12 (Summer 1990), 57–75. The brief notes, “Numerous additional historians joined the brief after it was filed, bringing the total number to over 400.”

5 *Dobbs v. Jackson Women’s Health Organization*, 597 U.S. ____ (2022), 16.

6 *Dobbs*, 25.

National Public Radio in June 2022 stated this as fact about abortion: “In colonial America, it was considered a fairly common practice, a private decision made by women and aided mostly by midwives.”⁷ True? Other common generalizations: In the nineteenth century, abortion laws were a way for men to put midwives out of business. True? In the twentieth century, coat-hanger and Lysol abortions were frequent. Are those and many other assumptions about the history of abortion true? That’s what this book attempts to assess.

Justice Alito dealt with legal history rather than social history, as is proper for a justice, but we should recognize that law is the 10 percent of an iceberg visible from a cruise ship: This book reveals the 90 percent below the ocean’s surface. Throughout, Leah and I pay particular attention to what makes this issue different from others the Supreme Court has faced: Abortion is about both the life or death of innocent life and the liberty of young women and men.

The fictional Sherlock Holmes solved a case because a dog did not bark. The 66-page dissent in *Dobbs* was well-written but it skipped one supremely vital matter: Is the creature in the womb human life?⁸ That question underlies this book, which makes it unusual among books about abortion history. It’s also an unusual book in three other ways.

First, it lays out the history of abortion in America not at “suite level,” as a law journal might, but at street level, where human beings make life-or-death decisions.

What difference does that make? A 1976 *New York Times* column by Linda Bird Francke contrasted her abstract thinking during a pro-choice march with her “panic,” moments before she was about to abort:

⁷ Sacha Pfeiffer on *All Things Considered*, June 6, 2022, 4:29 p.m. ET.

⁸ There is no neutral nomenclature for the creature in the womb. “Fetus” is a medical term that became common in news coverage only in 1962, as chapter 33 will show. Some favor the word “preborn,” which makes sense because “unborn” now sounds like a horror film term, but since “preborn” is not commonly used it draws attention to itself and away from the facts surrounding it. In this book we’ll use the words used throughout most of American history, “unborn child.”

“Suddenly the rhetoric, the abortion marches I’d walked in . . . peeled away, and I was all alone with my microscopic baby.”⁹

That’s the existential moment. Francke’s tale ended poignantly: “It certainly does make more sense not to be having a baby right now. . . . But I have this ghost now. A very little ghost that only appears when I’m seeing something beautiful, like the full moon on the ocean last weekend. And the baby waves at me. And I wave back at the baby.”

Second, this book favors neither a “Shout Your Abortion” nor a “Shun the Aborting Woman” approach. Abortion is a tragedy that often produces grief, as one recent book of poems about abortion shows. Publicists for *Choice Words* say it will “renew our courage in the struggle to defend reproductive rights.”¹⁰ Maybe so, but the bones cry out.

The collection includes the 1945 poem “The Mother,” by Gwendolyn Brooks, the first African American to win a Pulitzer Prize for poetry. Brooks wrote that abortions “will not let you forget.” She described how she has “heard in the voices of the wind the voices of my dim killed children.”¹¹

Two generations later, Teri Ellen Cross Davis told her aborted child, “science tells me / inside my bones / you are still whispering.”¹² Many writings regarded as pro-choice reveal pro-life yearnings, and that’s one reason partisan books and out-of-context binary polling—“Are you pro-life or pro-choice?”—often oversimplify the issues.

Third, the authors bring to this work diverse experiences. I’m a 72-year-old man who’s been through the abortion wars for nearly four decades. Leah reverses my age: She’s 27 and has covered *World* magazine’s life beat for four years. We each use “I” at times, so you should know that I wrote the first forty chapters, Leah the last ten.

9 Linda Bird Francke, initially writing as “Jane Doe,” “There Just Wasn’t Room in Our Lives Now for Another Baby,” *New York Times*, May 14, 1976, 21.

10 See Annie Finch, ed., *Choice Words: Writers on Abortion* (Chicago: Haymarket, 2020).

11 Gwendolyn Brooks, “The Mother,” in *A Street in Bronzeville* (New York: Harper & Brothers, 1945), here quoted from Finch, *Choice Words*, 161.

12 Teri Ellen Cross Davis, “Haint,” in *Haint* (Arlington, VA: Gival Press, 2016), 67, here quoted from Finch, *Choice Words*, 226; other poems from *Choice Words* were quoted in *World*, October 9, 2021, 26; and January 29, 2022, 26.

Throughout, we'll look at five considerations affecting views of abortion:

Anatomy: Does that creature in the womb have human characteristics?

Bible: Is its teaching on the sacredness of human life binding on us?

Community: What kind of advice and support do vulnerable women receive from boyfriends or husbands, parents and friends, employers or government, or anyone to whom a woman might look for emotional or financial help?

Danger to women: What is the likelihood of an abortion ending with not just one victim but two?

Enforcement: In what informal and formal ways do those with influence and resources protect the most vulnerable?

Some readers may be familiar with my book *Abortion Rites: A Social History of Abortion in America*, which I researched at the Library of Congress in 1990 and '91: Crossway published it in 1992. My original intent in 2020 was to do a new edition of that work. I quickly learned that many old records and newspaper accounts now available in archives and online throw so much new light on the subject that I needed to write a new book, which Leah's writing and perspective greatly helped.

Readers of the earlier book will recognize some major characters like John McDowall and Madame Restell, but they'll make many new acquaintances as well: Jane Sharp and Anne Orthwood, Sarah Grosvenor and Amasa Sessions, Sarah Cornell and Ephraim Avery, Eliza Sowers and Hugh Hodge, James Jaquess and Andrew Nebinger, Cora Sammis and Jennie Clark, Will Myers and Eliza Levassy, C. H. Orton and Kittie O'Toole, Scott Jackson and Pearl Bryan, Mary Hood and Inez Burns, Frederick Taussig and Robert Dickinson, Edgar Keemer and Ruth Barnett, and others who over the centuries infiltrated dreams and nightmares.

Read on, please.

Marvin Olasky

July 4, 2022

Street Level vs. Suite Level

*“INDIVIDUALS AND GROUPS that seek to restrict access to abortion often use sonograms, photos, and plastic models of prenatates [unborn children] to play on people’s emotional associations with newborn babies.”*¹

Journalists for centuries have wrestled with how much attention to pay to the creature in the womb. Here’s a headline at the top of page one of the *New York Times* on the first day of summer, 1883: “TWENTY-ONE MURDERED BABIES.” The story showed a detective pushing his shovel through basement dirt and finding tiny skulls, ribs, and leg bones: the remnants of 400–500 unborn children killed by Philadelphia abortionist Isaac Hathaway.²

Was it right for the *Times* to report that, when a district attorney shook the cigar box containing the twenty-one corpses, the bones rattled like “hard withered leaves”? Or how about the specific detail in a Philadelphia newspaper: The bones had “their natural shape.” The pieces included “the outer-line of an eye-socket. . . . remnants of arms and hands, shoulder-blades.”³

1 Rebecca Peters, *Trust Women: A Progressive Christian Argument for Reproductive Justice* (Boston: Beacon, 2018), 42. Peters worries that “a prenatate looks like a baby long before it is viable, and our improved technological capacity in the last thirty years has brought prenatal images increasingly into our consciousness.”

2 *New York Times*, June 21, 1883, 1.

3 *New York Times*, June 24 and 28, 1883, 1; *Philadelphia Times*, June 28, 1; June 24, 3. See also *Chester Times*, June 21, 4, and June 28, 4; *Philadelphia Inquirer*, June 21, 2, and June 28, 3; *Oil City Derrick*, June 28, 3; *Lancaster Daily Intelligencer*, June 21, 2, and June 23, 3.

Back then a judge exclaimed, “It was murder.” Newspapers across America ran with the story, including its specific detail. In Anderson, South Carolina, *The Intelligencer* lamented, “A Philadelphia Golgotha.” In St. Louis, the *Globe-Democrat* screamed, “Philadelphia’s Ghoul . . . The Men Had Hardly Dug Down Six Inches when They Struck THE SKULL OF A BABE.” In Cedar Rapids, Iowa, *The Gazette* front-paged “A Philadelphia Abortionist Makes a Babies’ Cemetery in His Cellar.” In Mineral Park, Arizona, the *Mohave County Miner* moaned about “A Ghastly Discovery.”⁴

And that was not all. In 1883, via the new Associated Press and other press collaboratives, readers across the United States read sensational stories about abortionist Hathaway in colorfully named newspapers like *The Public Reaper* (Farmer City, IL), the *Santa Cruz Surf*, *The Biblical Recorder* (Raleigh, NC), the *Vernon County Censor* (Viroqua, WI), *The True Northerner* (Paw Paw, MI), *The Opposition* (Crete, NE), and *The Whisperer* (Portis, KS).

These newspapers were small but avidly read. Their cumulative circulation of these stories was immense. I traced the Hathaway coverage in 1883 across one state, Kansas, the geographic center of the contiguous United States, and imagined a salesman on a dirt road taking a break from his labors by reading the local newspaper, then jumping up and down, yelling “baby-butcher!” That’s what headlines—in the *Garden City Irrigator*, the *Morris County Enterprise*, *The Bronson Pilot*, and *The Pleasanton Herald*—called Hathaway.⁵

A song popular in the 1960s and still broadcast, “I’ve Been Everywhere,” features a rapid-fire “Reno, Chicago, Fargo . . . Boston, Charleston, Dayton . . . Louisville, Nashville, Knoxville . . . Pittsburgh, Parkersburg, Gravelbourg . . . I’ve been everywhere, man.” Try putting to

4 *Globe-Democrat*, June 21, 1883, 6; *Gazette*, June 21, 1, and June 22, 1; *Intelligencer*, June 28, 2; *Miner*, July 1, 1. See also *San Francisco Chronicle*, June 21, 3.

5 *Garden City (KS) Irrigator*; *Morris County Enterprise* (Parkerville, KS); *Bronson Pilot*: all June 28, 1883, 1; *Pleasanton (KS) Herald*, June 29, 1.

that tune the 1883 Kansas abortion stories in Wichita, Salina, Topeka, Oneida . . . Leon, Atchison, Holton, Hutchinson . . . Concordia, Emporia, Arcadia . . . Hays City, Mound City, Elk City, Strong City. That's one state. The message—abortion equals horror—went “everywhere, man.”⁶

Some reporters and editors spared readers the grisliest detail, but other newspapers piled on. In Illinois, the *Monmouth Evening Gazette* ran a “BURIED BABIES” headline followed by “Infant Bodies for Dog Meat—A Ghastly Recital.” Readers learned about Hathaway’s “voracious dogs in the cellar. Sometimes when pressed for time he did not go to the trouble of dismembering the bodies of his little victims, but tossed them into the cellar, where they would be quickly devoured.”⁷

6 As reported (in chronological order, June and July, 1883), in (JUNE 21) *Atchison Daily Patriot*, 1; *The Daily Commonwealth* (Topeka), 1; *Emporia Weekly Republican*, 1; *The Evening News* (Emporia), 3; *Leavenworth Times*, 1; *Topeka Daily Capital*, 1; (JUNE 22) *The Ottawa Daily Republic*, 1; *The Parsons Daily Sun*, 1; (JUNE 27) *The Elk City Globe*, 3; *Kansas People* (Osage), 2; (JUNE 28) *The Belleville Telescope*, 1; *The Blue Rapids Times*, 4; *Cedarville Telephone*, 4; *Chanute Weekly Times*, 4; *Chase County Leader* (Cottonwood Falls), 4; *Clyde Herald*, 2; *The Great Bend Register*, 4; *The Hays City Sentinel*, 3; *Hepler Leader*, 1; *The Junction City Tribune*, 4; *The Kansas Jewelite* (Mankato), 3; *The Kinsley Graphic*, 4; *Leon Indicator*, 1; *Oberlin Herald*, 4; *Osborne County News*, 2; *Pratt County Press* (Iuka), 4; *The Semi-Weekly Republican*, 2; *The Weekly Herald* (Fort Scott), 1; *The Western Herald* (Girard), 1; *Wichita New Republic*, 2; (JUNE 29) *The Cherokee Sentinel*, 4; *The Douglass Index*, 2; *Erie Record*, 2; *Garnet Republican Plaindealer*, 3; *Greenwood County Republican* (Eureka), 3; *The Hanover Democrat and Enterprise*, 1; *The Lindsborg News-Record*, 4; *Linn County Clarion* (Mound City), 1; *Neodesha Free Press*, 1; *The Sedgwick Pantagraph*, 4; *Washington Weekly Post*, 4; *The Whiting Weekly News*, 1; *The Wilson County Citizen* (Fredonia), 1; (JUNE 30) *The Danville Courant*, 6; *The McCune Times*, 4; *The Oneida Chieftain*, 2; *The Salina Semi-Weekly Journal*, 2; *Western Kansas World* (Wakeeny), 3; *The Wetmore Spectator*, 1; (JULY 3) *The Dodge City Globe*, 1; (JULY 4) *Abma News*, 1; *Ellsworth Messenger*, 2; *Harper County Times*, 6; *Holton Signal*, 2; *The Independence Kansan*, 1; (JULY 5) *The Alliance Herald* (Stafford), 2; *The Alton Empire*, 2; *Anthony Journal*, 6; *The Arcadia Reporter*, 1; *The Beloit Courier*, 2; *Burden Saturday Journal*, 1; *Cawker City Public Record*, 2; *Chetopa Advance*, 2; *Colony Free Press*, 1; *Greenwood County Democrat* (Eureka), 1; *Harper Sentinel*, 2; *Kansas Reporter* (Warnego), 2; *The Kirwin Kansan*, 2; *The Onaga Democrat*, 1; *Topeka Mail*, 6; *The Valley Falls New Era*, 2; *The Wellsville News*, 1; *Westmoreland Recorder*, 6; *Yates Center Argus*, 6; (JULY 6) *Barber County Index* (Medicine Lodge), 2; *Cherryvale Globe and Torch*, 6; *The Courier Tribune* (Seneca), 1; *Delphos Carrier*, 1; *The Frankfort Bee*, 2; *Greenleaf Independent*, 1; *The Grenola Hornet*, 6; *The Iola Register*, 1; *Kansas Critic* (Concordia), 3; *Labette County Democrat*, 2; *The Lawrence Tribune*, 2; *Strong City Independent*, 1; (JULY 7) *The Cresset* (Clay Center), 3; *Hutchinson Herald*, 1; *The Sun* (Glasco), 2.

7 *New York Times*, June 21, 1; *Monmouth (IL) Evening Gazette*, June 21, 2. See also June 21 issues of *Sturgeon Bay (WI) Weekly Expositor Independent*, 4; *Janesville (WI) Daily Gazette*, 2; *Middletown (NY) Daily Argus*, 2; *Norwalk (OH) Daily Reflector*, 2 (all 1883).

An angry Mrs. Hathaway said her husband sometimes threw the tiny corpses into their cooking-stove, “preparing the dinner from the heat from the human fuel.” She said Hathaway even aborted their own twins and planned to turn them into fuel, but she was “not quite hardened enough to see her own flesh and blood burned before her eyes.” They buried the bodies in their yard.⁸

The Hathaway arrest in 1883 received more nationwide attention than any other abortion case in the 1880s. As we’ll see, abortions that resulted in the deaths of a mother and a tiny victim received broad attention in 1890, 1893, 1896, 1907, 1910, and other years, but the next discovery of numerous corpses in one place did not come until ninety-nine years after the discovery in Hathaway’s basement.

That’s when the owner of a Los Angeles pathology lab failed to make payments on a container in which he had stored 16,500 dead unborn children. Workers emptying the container on Thursday, February 4, 1982, discovered the bodies packed in formaldehyde-filled jars stuffed into boxes stacked eight feet high.

Two days later, the *Los Angeles Times* ran on page 27 a headline, “500 Fetuses Found in Metal Container,” and reported that “health and safety code violations may be involved.” *Times* reporter Judith Michaelson included in her story the reaction of forklift operator Ron Gillett: “I saw one fetus with legs 2½–3 inches long, and the body and head were demolished. I was scared, frightened, and had tears in my eyes.”⁹

Was it right that the *Los Angeles Times* and its news service on subsequent days avoided any further description and went up the “ladder of

- 8 *The Ogden Standard*, June 29, 1883, 2; *Montgomery Advertiser*, June 26, 1883, 3. Hathaway himself received vivid description: *The New York Times*, June 24, 1883, 1, called him “a shabby-looking old man, stooping and weak, attired in a very dirty shirt, and with hair and voluminous beard dyed in raven black.”
- 9 Michaelson, on February 6, 1982, also quoted Gillett’s boss, Nick Martin, saying “They’re just fetuses, but they sure look like bodies to me.” A United Press International story the next day ran the same quotation from Martin but included two words at the beginning that gave Martin’s words a different twist: “*They say* they’re just fetuses, but they sure look like humans to me” (*Pacific Daily News* [Guam], February 7, 9; italics added).

abstraction”? Headlines emphasized the detective aspects: “LA County Tries to Unravel Fetus Mystery,” “LA Officials Studying 500 Fetuses to Check whether Crime Occurred,” and (on page 54) “Secret Meeting Set in Fetus Discovery Case.”¹⁰

An Associated Press story on February 6—“500 Fetuses Found in Huge Metal Container”—made its way onto page 26 of the *Tacoma News Tribune* and received similar placement in newspapers such as the *Clarion Ledger* in Mississippi and the *St. Cloud Times* in Minnesota. AP stories on subsequent days ran under headlines like those in the *Los Angeles Times*: “Fetuses Are Probed for Abortion Status,” “Fetuses to Be Examined,” “Fetuses under Guard during Disposal Probe,” “Probe Continues in LA Fetus Case,” and “Fetus Disposal Probe Continues.”¹¹

The stories could have been different, as they were in one small newspaper. *The News-Pilot* of San Pedro, California, close to the disposal site, ran its story at the top of page one. Staff writer Rex Dalton, unlike his counterparts in 1883, used the word “fetus,” but he humanized the “hundreds of fetuses, some more than five months developed, with expressions on their faces. . . . They varied in development from a few weeks to more than five months, officials said. Larger fetuses—some weighing more than 3 pounds—were in 1-gallon, ice cream-type containers, while smaller ones were in jars marked ‘dentures.’”¹²

10 *Honolulu Advertiser*, February 7, 1982, 15; *Miami Herald*, February 8, 145; *Los Angeles Times*, February 11, 54. Linguist S. I. Hayakawa developed the “ladder of abstraction” concept in his 1939 book *Language in Thought and Action*. The bottom rung is concrete detail, and every rung higher is more abstract.

11 The initial AP story on February 6, 1982, included a quotation from Mel Grussing of the California Department of Health saying of the workers, “They noticed a foul odor, and what looked to them to be body parts.” Further AP stories—*Fresno Bee*, February 7, 16; *Alabama Journal*, February 8, 20; *Burlington Free Press*, February 9, 4; “Probe Continues in LA Fetus Case,” *Santa Monica Times*, February 11, 18; *Santa Cruz Sentinel*, February 17, 33—did not include even that small amount of specific detail.

12 Dalton, “Fetuses Found in Wilmington Container,” *News-Pilot*, February 6, 1982, 1.

Dalton also quoted Nick Martin, owner of the company that repossessed the container: Martin believed that “abortion is wrong. Anybody seeing what is in that container would, too.” But other reporters did not give readers specific detail about what was in the container. Hank Stolk, one of the truck drivers who repossessed the corpse-filled container, later told the author of a pro-life book about the discovery, “We kept trying to get the reporters to talk about . . . these babies that were killed. But they wouldn’t listen or ask any questions about that.”¹³

In mid-February Nick Thimmesch, a columnist syndicated by the *Los Angeles Times*, wrote about “the ghastly container” and criticized the way some officials and reporters referred to its contents as “medical waste”: Thimmesch asked, “But what is medical waste? An amputated leg, a cancerous growth, an unborn child?” The *Times* itself, though, did not run that column, and it apparently appeared only in small newspapers. By the end of February the story seemed dead.¹⁴

The story had a brief revival late in May, when headlines such as “Caskets Ready for 40 of the 17,000 Aborted Fetuses” appeared, and President Ronald Reagan endorsed the desire of pro-life advocates to have a burial service for them. The *Central New Jersey Home News* quoted Hank Stolk’s description of what he saw back in February: “a leg with a little foot on it . . . a hand and part of an arm.”¹⁵ But larger newspapers ran neither descriptions nor photographs, and the *Los Angeles Times* quoted abortion advocate Gloria Allred’s contention that showing photos of the dead was “a sleazy, callous, and cheap political trick at the expense of women who have already suffered enough.”¹⁶

13 Hank Stolk, quoted in S. Rickly Christian, *The Woodland Hills Tragedy* (Westchester, IL: Crossway, 1985), 76.

14 Nick Thimmesch, “A Ghastly Backyard Scene,” *Victoria (TX) Advocate*, February 16, 4; and *Carlsbad (NM) Current-Argus*, February 22, 16; “Life and Death in Woodland Hills,” *The Desert Sun* (Palm Springs), February 23, 14.

15 Headline and quotation from *Central (New Brunswick) New Jersey Home News*, May 28, 11.

16 Marita Hernandez, “Allred Calls for Probe in Fetus Pictures,” *Los Angeles Times*, June 8, 34.

That put the issue well. Was reporting at street level cruel, and an indication of bias? Did abortion advocates have to stay at suite level and push an abstract term: pro-choice?

Not necessarily. Magda Denes was a 42-year-old Holocaust survivor in 1976 when her extraordinary *In Necessity and Sorrow* hit the bookstores. She classified herself as “pro-choice” and apparently remained so until her death 20 years later, but she researched her book for months inside a New York City abortion center because she hated “the evasions, multifaceted, clever, and shameful, by which we all live and die.”¹⁷

Here’s one description of how she did not run from reality: “I look inside the bucket in front of me. There is a small naked person in there floating in a bloody liquid—plainly the tragic victim of a drowning accident. But then perhaps this was no accident, because the body is purple with bruises. . . . I lift the fetuses, one by one. I lift them by an arm or leg. . . . I carry on the examination, whose sole purpose by now is to increase the unbearable anguish in my heart.”¹⁸

Denes, in the course of her research, got to know the abortionists (and protected them by changing their names). One said, “You can feel the fetus wiggling at the end of that needle and moving around, which is an unpleasant thing.” The director of nursing said her nurses “feel a little repulsed when you get a big fetus. It is very traumatic for the staff to pick this up and put it in a container and say, ‘Okay, that’s going to the incinerator.’”¹⁹

Furthermore, Denes empathized with women waiting for abortions: “Their pinched faces are full of determination and terror. Big-eyed,

17 Magda Denes, *In Necessity and Sorrow: Life and Death in an Abortion Hospital* (New York: Basic Books, 1976), xv, xvi.

18 Denes, *In Necessity and Sorrow*, 60–61.

19 Denes, *In Necessity and Sorrow*, 141, 144, 154. Denes on 67 quotes one doctor saying, “You have to become a bit schizophrenic. In one room you encourage the patient that the slight irregularity of the fetal heart is not important, everything is going well, she is going to have a nice baby, and then you shut the door and go into the next room and assure another patient on whom you just did a saline abortion, that it’s fine if the heart is already irregular, she has nothing to worry about, she is *not* going to have a live baby.”

bird-like, pale, hawk-handed in fright, they seem like lost souls before the final judgment.” Denes said one patient’s “drained face is indistinguishable from the white sheet on which she lies.” Denes portrayed women coming out of anesthesia and asking, “Has it been done?” A nurse answered, “It is finished.”²⁰

20 Denes, *In Necessity and Sorrow*, 136. Denes does not state the Christian reference (Gospel of John 19:30), but says of the patients, “It hardly matters into which eyes I look, which face becomes focal. Only the convent of calvary differs; the stations of the cross remain the same: bewilderment, guilt, helplessness, recurrence, blame, astonishment, shame, and grieving, grieving, grieving” (91).