

# Following Christ, **Trusting Women**

Reconciling Faith and Politics  
in the Reproductive Choice Debate

BY FORMER KANSAS STATE REP. NANCY LUSK

House Federal & State Affairs Committee

Topic: HCR 5003 / SCR 1602

Hearing Date: January 15, 2021

Room: 346-S

Opponent

**"Ms. Lusk-**

***For 40 years I have been firmly Pro-Life. I have waited with all the open-mindedness I have to hear someone explain the Pro-Choice position with philosophical clarity.***

*That kind of discussion is so rare that I had concluded it was not possible.*

*But your piece, which led me to the link you provided, showed that the*

***Pro-Choice position *\*can\** be defended philosophically and intellectually.***

***I'm not sure what I think now. But I don't mind being uncertain.***

***I sincerely thank you for your effort to bridge the divide."***

*Michael S.*

**Email received in reaction to Rep. Lusk's 1/29/20 editorial in KC Star.**

# Background

## WHY THIS DEBATE MATTERS NOW

- With three new pro-life judges now on the bench, the **U.S. Supreme Court is expected to overturn Roe v. Wade**, leaving the issue to the states to decide. In April of 2019, the **Kansas Supreme Court ruled that women have the right to an abortion** under the state's Constitution Bill of Rights in a 6-1 decision.
- “. . . the Kansas Constitution Bill of Rights protects all Kansans' **natural right of personal autonomy . . . This right allows a woman to make her own decisions regarding her body, health, family formation, and family life—decisions that can include whether to continue a pregnancy,**”
- House Concurrent Resolution 5003 will **amend the bill of rights of the Kansas Constitution by adding a new section stating that there is no constitutional right to abortion.**
- The prohibition of any abortion right would apply to all circumstances, including cases of rape, incest, or to save the life of the mother – **NO EXCEPTIONS.**
  - It is of note that when the KS Senate passed out the same proposal last year, **they rejected an amendment to include exceptions for rape, incest, and the life of the mother.**

There is no decisive basis in scripture to support the absolute stance that life begins at conception and that abortion is murder.

Only one passage in the Bible speaks directly about the value of a fetal life compared to the value of the life of a born person, Exodus 21:22-24:

22 When people who are fighting injure a pregnant woman so that she has a miscarriage, but no other injury occurs, then the guilty party will be fined what the woman's husband demands, as negotiated with the judges.

23 But if the woman herself is injured, the punishment shall be life for life, . . .

24 . . . an eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot, a burn for a burn, a bruise for a bruise, a wound for a wound."

If a pregnant woman dies, the offender must pay with his life – a life for a life. But if a miscarriage results, the offender would only pay a fine for the loss of the fetus. ***Apparent meaning of Exodus 21:22-24: The value of the fetus is not equal to the value of a born person.***

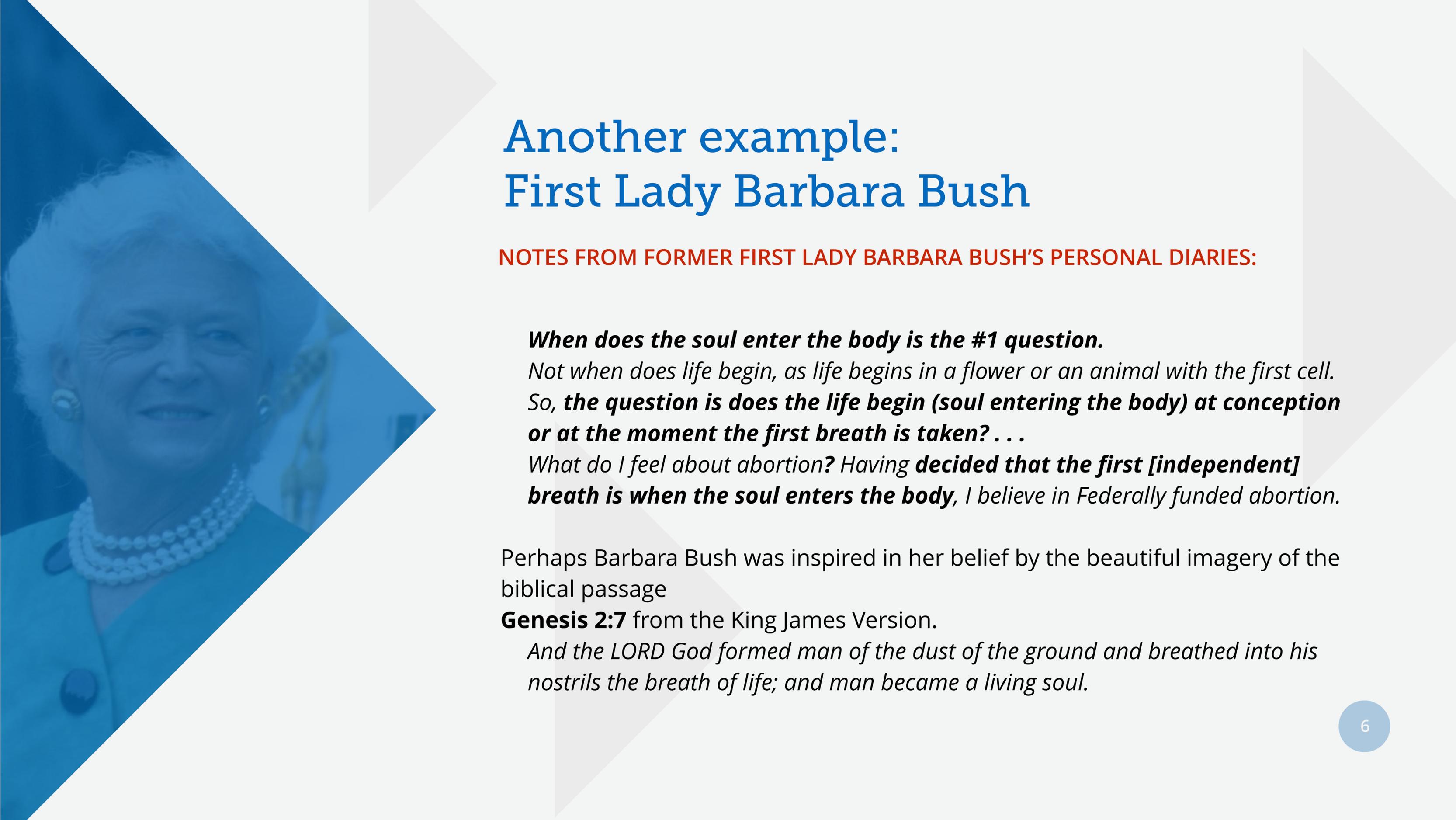
# Religious doubt that “life” begins at conception

THROUGH THE WRITINGS OF MARGARET KAMITSUKA, REV. SCOTTY MCLENNAN, KATHA POLLITT AND OTHER PRO-CHOICE CHRISTIAN AUTHORS, I HAVE FOUND THAT THIS POINT OF VIEW HAS A FAIR AMOUNT OF JUDEO-CHRISTIAN COMPANY.

- Some popes and other leaders of the early Catholic Church, like Saint Augustine and St. Thomas Aquinas, **held that ensoulment did not happened before the stage of the “quickenig,”** when a woman first feels fetal movement.
- **Many mainline Protestant denominations have issued pro-choice proclamations** in the past four decades.
- **The mainstream Jewish religious belief is personhood begins at birth.**

And consider other faiths:

- There is a **unanimous consensus among Muslim religious scholars** in the Islamic tradition that ensoulment takes place 120 days from conception.
- **Many Native American faith traditions believe personhood begins at birth.**



## Another example: First Lady Barbara Bush

NOTES FROM FORMER FIRST LADY BARBARA BUSH'S PERSONAL DIARIES:

***When does the soul enter the body is the #1 question.***

*Not when does life begin, as life begins in a flower or an animal with the first cell. So, **the question is does the life begin (soul entering the body) at conception or at the moment the first breath is taken? . . .***

*What do I feel about abortion? Having **decided that the first [independent] breath is when the soul enters the body,** I believe in Federally funded abortion.*

Perhaps Barbara Bush was inspired in her belief by the beautiful imagery of the biblical passage

**Genesis 2:7** from the King James Version.

*And the LORD God formed man of the dust of the ground and breathed into his nostrils the breath of life; and man became a living soul.*

# Pro-life criticism of Exodus 21:22-24 interpretation

THERE ARE ONLINE PRO-LIFE CRITICS WHO ARGUE AGAINST THIS INTERPRETATION OF THE EXODUS 21 VERSES.

- In one instance, a single cherry-picked word from a cherry-picked translation of the Exodus 21:22-24 is used to discredit the non-pro-life interpretation.
- However, if one looks at the three dozen translations of the Exodus verses available online, the predominate meaning of the verse translations is that the fetus does not meet the “life for a life” standard.

**The critics counter with other Bible verses, often out of context,** to defend their belief that scripture supports the idea that a fertilized egg is a human being.

**A common example is Jeremiah 1:5:**

*Before I formed you in the womb I knew you, before you were born I set you apart; I appointed you as a prophet to the nations.*

**Such verses need to be examined in their full context to legitimately understand their meaning.**

Here the verse specifically emphasizes God’s exceptional mission for an individual, Jeremiah. It’s a stretch to presume God is addressing the moral status of all fertilized eggs, zygotes or fetuses, especially when the verse speaks of God knowing Jeremiah’s unique soul from a time that precedes conception.

# Not alone

**There are other Biblical scripture stakeholders** in this debate besides Christians whose faith is also based on the Old Testament – *those of Jewish faith*.

**Many Jews have a strong adverse reaction to the pro-life interpretations** of verses like Jeremiah 1:5 and Psalms 139:13. Chicago Rabbi Danya Ruttenberg finds such interpretations problematic and even insulting (from *USA Today*):

*It makes me apoplectic. Most of the proof texts that they're bringing in for this are ridiculous. They're using sacred text to justify taking away my rights in a way that is just so calculated and craven. . . It's not just that the U.S. shouldn't be deriving law from poetic language. It's that the **Jewish tradition has a distinctly different reading of the same texts**. While conservative Christians use the Bible to argue that a fetus represents a human life, which makes abortion murder, **Jews don't believe that fetuses have souls and, therefore, terminating a pregnancy is no crime.**"*

**Traditional Jewish law holds a fetus does not have the status of personhood based on several key texts including Exodus 21:23 and Genesis 2:7.**

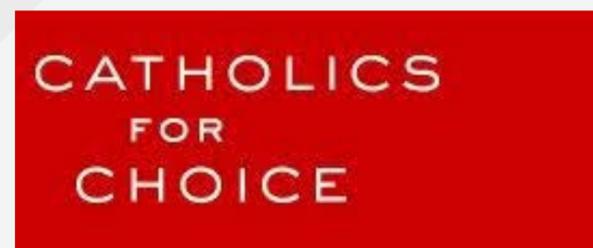
# Pro-choice religious belief is legitimate

Israel has some of the most liberal abortion laws in the world in allowing the individual woman the freedom to decide. Each woman in the Israeli military is given a free abortion at taxpayer expense if she wants one. *(In deciding who may have the superior edge in interpreting the Bible, it is good to remember that Israel has Hebrew as their national language).*

**The point is a pro-choice position based on religion is a valid belief position** – despite pro-life efforts to be dismissive of it. Pro-choice and Christian is not a contradiction of terms.

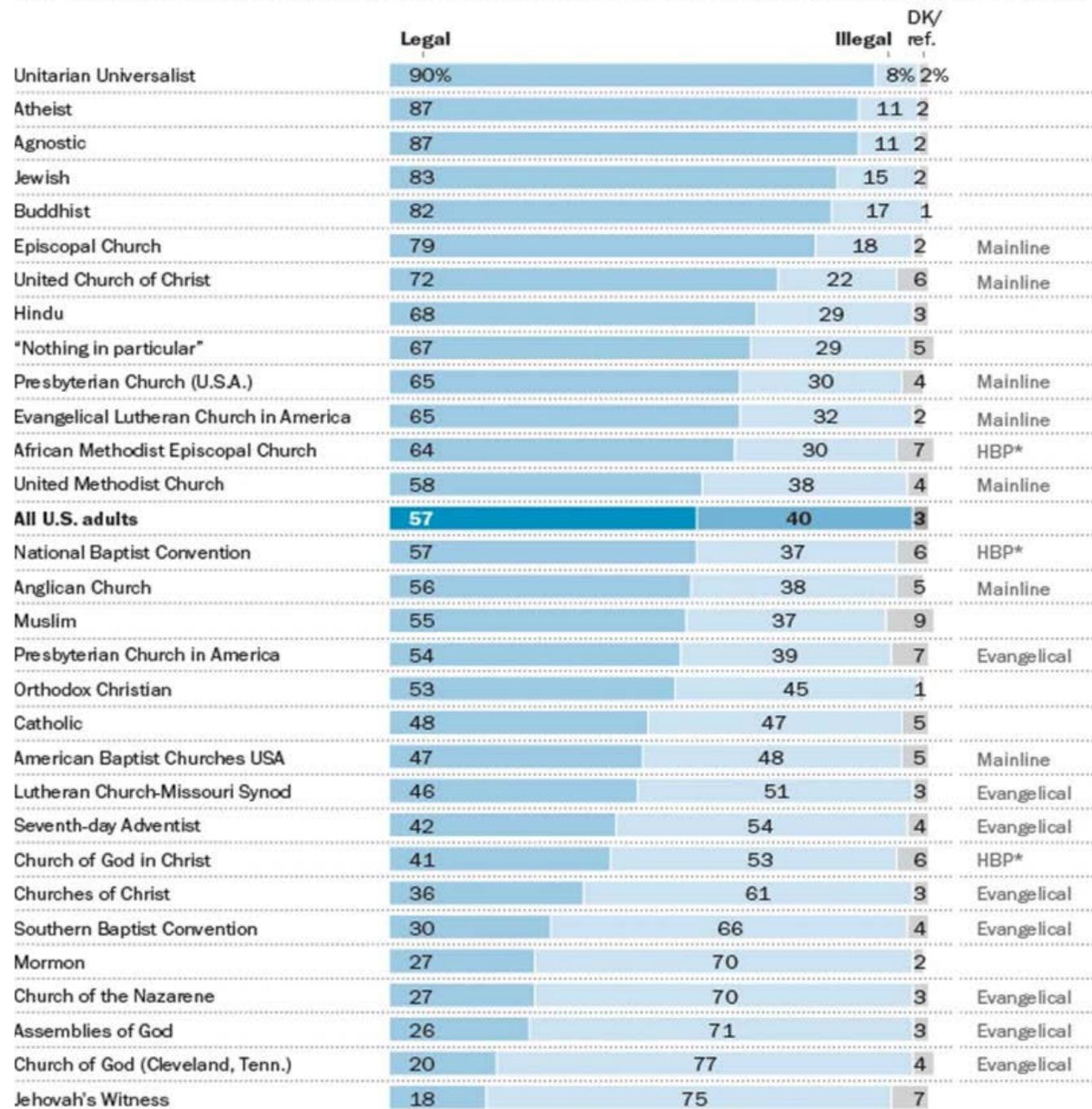
The interfaith movement Religious Coalition for Reproductive Choice and Catholics for Choice are two examples of national faith communities that bring the moral force of religion in support of reproductive health rights .

The RCRC's slogan on their website is: Pro Faith. Pro Family. Pro Choice.



## Americans' views on abortion, by religious group

% of U.S. adults in each religious group who say that in all or most cases, abortion should be ...



\*Historically black Protestant tradition

Note: Figures may not add to 100% due to rounding.

Source: Data for all U.S. adults from survey conducted June 8-18, 2017. Data from all religious groups from 2014 U.S. Religious Landscape Study, conducted June 4-Sept. 30, 2014.

PEW RESEARCH CENTER

# No consensus on religious viewpoints

A chart done by the Pew Research Center: **American adult viewpoints on the legality of abortion by religious groups.**

The public debate in the media and on social media gives the impression that abortion is a settled question amongst those who are religious.

This chart shows, on balance, **that there is no definitive consensus among people of faith on the legality of abortion, not even Catholics**

# However...



But the question of whether “life” begins at conception cannot, should not, be settled with a battle of dueling Bible verse interpretations. **Religious arguments CAN inform our positions, but religious arguments alone cannot decide it.**

In my opinion, a solid indisputable scriptural basis for the absolute stance that abortion is murder does not exist. And without question, **NO religion or individual knows with certainty when ensoulment takes place.**

Religion deals with the abstract. The basis of our laws is tangible evidence.

**By the standard of REASONABLE DOUBT, religious beliefs alone cannot make the determination of when a zygote or fetus qualifies as a full legal entity.**

# Reasonable doubt

The law in the U.S. weighs on the side of innocence for the accused.

We have a **high evidentiary criminal law standard in the U.S.** – for a conviction in a jury trial to be decided all twelve jurists must agree, not a simple majority.

**Before imposing restrictions to take away reproductive choice away and deny a woman the ability to choose critical health care, government is responsible to prove guilt beyond a reasonable doubt – to prove a life is taken and the crime of murder is committed with an abortion.**

When an issue falls into the unknowns such as this, power should be left with the individual instead of allowing government to impose its will. The capacity to decide for oneself, to be self-governing without unnecessary interference from government, is an essential component of freedom.

# The “scientific proof” claim challenge

Interestingly, pro-life advocate and former Kansas state Senator Mary Pilcher-Cook apparently concedes abortion is not an issue to be settled by religious belief according to this tweet she posted on January 29, 2020.



**Mary Pilcher-Cook** @imwithmary · Jan 29

Abortion is not a "religious issue." It is a matter of science when human life begins -- when the sperm enters the egg. The debate is really about when human life has inherent value. If not at the beginning, then when?  
#ksleg

[Show this thread](#)

**Her statement aligns with a second pro-life argument – the so-called “scientific proof” claim** that makes no distinction between being biologically human and being a person by legal and moral status, but rather equates the two. They commonly use a concept that human biological life has “**inherent**” value.

# No authentic “scientific proof” exists to prove “personhood” doubt

**The Charlotte Lozier Institute** and **American College of Pediatricians** are two of the main entities online that make **the problematic claim of “scientific proof” that human life starts with conception.**

They use a biological concept (being human) as the equivalent to a psychological concept (being a person), but it doesn't hold up as scientific proof.

Their online thesis generally breaks down into four parts.

*A fertilized egg constitutes a human life because it:*

- 1) has a distinct set of DNA, thus is an individual,**
- 2) is living,**
- 3) is an organism,**
- 4) is human.**

While that is all true, how does their rationale that a fertilized egg is inherently human support their ultimate contention that it qualifies for full individual, unique “life” status?

# No authentic “scientific proof” exists to prove “personhood” doubt

While that is all true, how does their rationale that a fertilized egg, with a distinct DNA, is inherently human support their ultimate contention that it qualifies for full individual, unique “life” status?

- True, each individual human has a **distinct set of DNA, but every living thing that reproduces sexually meets that criteria.**
- Humans do not have a unique status by being “living organisms” because **even viruses, fungi, and tapeworms are living organisms.**
- The **sperm** and the **egg** which come together to make a fertilized egg **each qualify as a whole, individual HUMAN “living organism”** yet we do not consider them to be human beings.

**“Moral arguments get mixed in with biology and the result is a stew of passions, beliefs, and stubborn, illogical opinion.”** – from *The Ethical Brain/ the Science of Our Moral Dilemmas*

# Problems with identifying zygotes as distinct individuals

## BIOLOGY IS COMPLICATED

- Until a fertilized egg reaches the eight-cell stage of development, **the pre-embryo is divisible**: one or more cells can be removed, and the remaining cells will still grow into a whole fetus, and the separated single cell can grow into a complete fetus.
- **A zygote may develop into a tumor (hydatidiform mole), instead of a fetus. It may even become cancerous.**
- A fertilized egg may develop into **identical twins**, but it will take at least two weeks after fertilization; thus, the original single egg cannot be the definition of a single unique human entity.

(Source: *Every Third Woman/How Legal Abortion Transformed Our Nation* by David A. Grimes, M.D.)

# The reasonable doubt standard

A LIVING AND REPRODUCING SET OF CELLS WITH  
UNIQUE DNA CAN EXIST AND NOT BE A "PERSON"

- **The Vanishing Twin Syndrome challenges the idea of identifying personhood so completely with a prenatal set of "unique DNA" cells.** Rarely, but sometimes, parts of one twin fetus body are resorbed into the body of the twin sibling fetus in utero, but the cells from the first body parts retain their original DNA. **The surviving twin will be a chimera with two sets of "unique DNA."** Such a person could have one set of DNA for their hair and another for their liver.
- If two sibling zygotes that fuse are of opposite sexes, this can cause true hermaphroditism (an individual with both female and male sexual organs).
- Those who receive bone marrow transplants become chimeras when their donor's cells become established and their bodies start producing two separate sets of DNA in their blood and tissues.
- Organ transplants are another example.

**These sets of cells have not lost their "inherent" state of being human or their unique DNA, but they are not individual people.**

# The **reasonable doubt** standard

**Some suggest using brain development to determine when to assign the moral status of a human being, but that raises its own set of questions as to when and how.**

At the beginning of brain formation? Or later when the brain parts are fully formed and connected, and it starts to function? If human life begins at consciousness, how should consciousness be defined? How should consciousness be quantified and measured?

**“Many bioethicists have argued that the embryo is due an intermediate moral status . . . Fixing the beginning of life is a tricky issue that should depend on context. There is not a single answer.”**

*– The Ethical Brain/ the Science of Our Moral Dilemmas*

**REASONABLE DOUBT – The many variables and questions of this issue illustrate its complexity.** More reason why the issue of choice is best left to the individual pregnant woman and not government.

# Mother's life at risk

Some extremist pro-life advocates seek to prohibit abortions in any and all circumstances:

- Signers of The Dublin Declaration on Maternal Health Care
- The founder of Live Action, Lila Rose

They claim no legitimate medical situations exist where the mother's life would be enough at risk to warrant an abortion.

**Serious emergencies during pregnancies do exist that endanger the life of the mother.** Here is a statement from the **American College of Obstetricians and Gynecologists**:

***Abortions are necessary in a number of circumstances to save the life of a woman or to preserve her health.** Unfortunately, pregnancy is not a risk-free life event, particularly for many women with chronic medical conditions. Despite all of our medical advances, more than 600 women die each year from pregnancy and childbirth-related reasons right here in the US. In fact, many more women would die each year if they did not have access to abortion to protect their health or to save their lives.*

# Women have died when denied an abortion

**Savita Halappanavar** was a pregnant and living in Ireland in 2012. Seventeen weeks pregnant, she experienced back pain and she checked into a hospital for help. After midnight her water broke, but the fetus did not come out. **The medical staff refused to perform an abortion according to Irish law at the time. She then developed sepsis, had a cardiac arrest, and died at the age of 31.**

**Her death became a focal point of public outrage against the abortion law in Ireland.**

In 2018 the Republic of Ireland voted to repeal their law and to allow patients access to a free and legal termination if their pregnancy is no more than 12 weeks.

It is no longer seen as a black and white issue of protecting the “unborn.” **The Protection of Life During Pregnancy Act passed with a vote of 66.4% to 33.6% in a country that is 78% Catholic.**

# Pregnancy is not a “risk-free” event

## EXAMPLES OF MEDICAL CONDITIONS WHEN THE MOTHER IS AT RISK OF DEATH BY CONTINUING THE PREGNANCY

**Compromised heart** – including but not limited to:

- **Severe pulmonary hypertension** (high blood pressure in the blood vessels of the lungs)
- **Some heart birth defects**, including coarctation of the aorta
- **Marfan syndrome** (a hereditary connective tissue disorder)
- Severe aortic stenosis (narrowing of opening of aortic heart valve)
- **Mitral stenosis** (narrowing of opening of the mitral heart valve)
- **MAortic valve anomalies** with two instead of the normal three flaps and an enlarged aorta, heart damage (cardiomyopathy) that may have occurred in a previous pregnancy
- **Moderate or severe heart failure**

**Cancer** that requires immediate treatment. If diagnosed with cancer during pregnancy it is important to work with both an obstetrician who specializes in high-risk pregnancies and an oncologist who is comfortable treating women who are pregnant.

**Premature Rupture of Membranes** - Premature rupture of membranes is when a woman's amniotic sac breaks before the pregnancy reaches full-term. If it happens prior to 24 weeks gestational age, a physician may recommend a therapeutic termination because the lack of fluid will severely impair the normal development of the baby's organs. There is also a high risk of infection, with which ending the pregnancy may be the only cure.

**Severe Pre-Eclampsia** - Sometimes a woman can develop severe pre-eclampsia before a fetus is viable (can live outside the womb.) The only known “cure” for pre-eclampsia is delivery. Sometimes is necessary to end your pregnancy to save the life of the mother. Continuing a pregnancy with severe pre-eclampsia can lead to seizures, kidney failure, stroke, liver complications, and death.

**Serious psychological/psychiatric diagnosis** – medication is necessary for mother's well-being, but it may harm the fetus if mother continues to take medication.

**Systemic lupus erythematosus** An autoimmune disease in which the body's immune system mistakenly attacks healthy tissue in many parts of the body

# Pregnancy is not a “risk-free” event

## POSSIBLE REASONS FOR CONSIDERING AN INDUCED TERMINATION OF PREGNANCY – FATAL BIRTH DEFECTS:

**Bilateral Renal Agenesis** is the absence of both kidneys at birth. It is a genetic disorder characterized by an absence of amniotic fluid (the fluid or "water" that surrounds the baby inside the uterus) and by the failure of the kidneys and the lungs to develop in a fetus. 40% of babies with bilateral renal agenesis will be stillborn, and if born alive, the baby will live only a few hours.

**Iniiencephaly** is a rare birth defect caused by improper closure of the part of a human embryo that becomes the brain and spinal cord during fetal development. The prognosis for infants with iniiencephaly is extremely poor. Newborns seldom survive much past childbirth.

**Ectopic pregnancy** is a pregnancy in which the fetus develops outside the uterus, typically in a fallopian tube.

**Meckel Gruber Syndrome** results in a combination of congenital malformations that only occurs when both parents carry the recessive gene for it. The liver and lung development is impaired in this disorder, and it is always fatal. The liver and lung development is impaired in this disorder, and it is always fatal.

**Achondrogenesis** is a number of disorders that are the most severe form of malformation of bones and cartilage. Infants with achondrogenesis are usually born prematurely, are stillborn, or die shortly after birth from respiratory failure.

**Anencephaly** - A flaw in the formation of the neural tube (which eventually becomes the brain and spinal cord) can result in a failure of the brain, skull, and scalp to develop. With very few exceptions, infants with this disorder do not survive longer than a few hours or possibly days after their birth.

**Twin-to-twin transfusion syndrome** is a complication of disproportionate blood supply, resulting in high morbidity and mortality. It can affect multiple pregnancies where two or more fetuses share a single placenta. If the loss of a twin happens in the second or third trimester, complications with the surviving twin are more likely.

**Thoracic Ectopia cordis** A congenital malformation in which the heart the is abnormally located either partially or totally outside of the thorax. Results in death shortly after birth due to infection, hypoxemia, or cardiac failure.

**Limb body wall complex** Limb-body wall complex is a congenital condition that is characterized by abnormalities in the anterior body wall(chest and belly) and defects of the arms and legs. It is a lethal birth defect.

**Pentalogy of Cantrell** is a rare syndrome that causes defects involving the diaphragm, abdominal wall, pericardium, heart and lower sternum. This is a rare genetic disorder with five possible malformations that only occur when both parents carry the recessive gene for it. Most affected fetuses do not have all five, but the condition can be life-threatening even without all of them.

**Hydranencephaly** is a condition in which the brain's cerebral hemispheres are absent to a great degree and the remaining cranial cavity is filled with cerebrospinal fluid. Each case of hydranencephaly is unique. The condition may be so severe the baby doesn't survive pregnancy.

# Pro-life supporters distort the late-term abortion reality

Pro-life backers complain that women are being allowed to have elective abortions “right up until the day before delivery,” but the reality shows that is an unfair and offensive accusation.

**98.5% of abortions are done in the first 20 weeks, well before the fetus is viable.** Of those, 88% occur in the first 22 weeks. **Only 1.5% of abortions are done at 21 weeks or beyond – they are extremely rare.** Source: <https://www.guttmacher.org/#>

Emergency situations that necessitate an abortion may be:

- Because of a serious medical risk in the pregnancy to the mother
- Because the fetus has a severe condition certain to result in death either before or after birth

**Dr. Angela Martin** testified, “I have never seen a woman make the decision to terminate her pregnancy in the late second trimester without a lot of thought, tears, heartbreak, and often prayer.”

# Testimonials from Kansas OB-GYNs

In 2020, **eight OBGYNs submitted testimonies for the HCR 5019 committee hearing** of patient stories of the heart wrenching circumstances in which their patients had to make life and death decisions.

*“They were talking about the nursery design when I walked into the room to speak with them. Their baby had bilateral renal agenesis; no kidneys . . . a lethal diagnosis. I knew I was about to shatter their whole world.”*

**Dr. Angela Martin**



# Testimonials from Kansas OB-GYNs

In 2020, **eight OBGYNs submitted testimonies for the HCR 5019 committee hearing** of patient stories of the heart wrenching circumstances in which their patients had to make life and death decisions.

*“I faced the heartbreaking task of calling a patient to tell her that the baby she and her husband were so excitedly expecting had a fatal genetic disorder and would not survive after birth.”*

**Dr. Tara Chettiar**

# Testimonials from Kansas OB-GYNs

In 2020, **eight OBGYNs submitted testimonies for the HCR 5019 committee hearing** of patient stories of the heart wrenching circumstances in which their patients had to make life and death decisions.

*“This was difficult for Sarah, as this was a highly desired pregnancy, and she feared judgement from others. She was forced to make the impossible choice between her life and her baby’s life.”*

**Dr. Selina Sandoval**

# Testimonials from Kansas OB-GYNs

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*“Women who have a pregnancy complicated by fetal abnormalities, like my patient, are thinking of the suffering that their baby would endure if they delivered. They choose abortion out of compassion.”*

**Dr. Valerie French**



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In 2020, **eight OBGYNs submitted testimonies for the HCR 5019 committee hearing** of patient stories of the heart wrenching circumstances in which their patients had to make life and death decisions.

*“It is a situation like this that highlights the extreme complexity behind each individual patient experience.”*

**Dr. Stephanie Amaya**



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*“Patients should be allowed to make complex medical decisions that align with their faith, their family needs, and their health, without interference from the government.”*

**Dr. Mae Winchester**

# Testimonials from Kansas OB-GYNs

In 2020, **eight OBGYNs submitted testimonies for the HCR 5019 committee hearing** of patient stories of the heart wrenching circumstances in which their patients had to make life and death decisions.

*She said, "I am pro-life, I never dreamed I would ever make this decision." Her abortion was performed at 21 weeks and it saved her life.*

**Dr. Angela Martin**



# A question of self-defense

If an individual is in an **active gun shooter situation** and under a perceived threat, that person has the right to make a choice to defend his or her life. He or she may make their own judgement call as to whether the other person is a bona fide threat to their life or person. **He or she may take the life the other person, if it is an act of self-defense.**

*Do you see the parallel?*

**If a pregnancy condition threatens the life of a woman, she should have the same right of self-defense determination. She should have the ability to choose to continue to LIVE when her life is threatened.** HCR 5019/SCR1613 would have ban any such right. **The power of self-determination and individual liberty should remain with the individual, and not the government.**

*Another ironic parallel:*

- Second Amendment defenders *do not trust government with restrictions* on their gun rights.
- Pro-choice women *do not trust government with restrictions* on their reproductive rights.

# Summary: Trust Women

- Different religions have a range of beliefs regarding the timing of ensoulment and the point when a developing pre-natal body qualifies for personhood. Government should not impose a law based on a single ideology. Allowing only one religious belief to dominate is not true religious freedom.
- “Scientific proof” arguments for personhood status beginning at conception do not stand up to scrutiny.
- The responsibility to prove guilt beyond a REASONABLE DOUBT is on government – but this is a complicated issue – too many variables and too many unknowns.

**There is great reasonable doubt as to WHEN and IF a fetus qualifies for personhood.**

**But here is what we do know – we know with certainty that a woman is a person.**

As a Christian I absolutely value the sanctity of potential human life,  
but it is not on par with the sanctity of the mother’s life if it is threatened.

***GIVEN THE UNKNOWNNS AND THE MANY COMPLICATIONS OF PREGNANCIES THAT CAN ARISE, IT BEST TO TRUST THE INDIVIDUAL WOMAN TO BE SELF-GOVERNING WITHOUT IMPOSING INTERFERENCE FROM GOVERNMENT.***

**"Ms. Lusk-**

***For 40 years I have been firmly Pro-Life. I have waited with all the open-mindedness I have to hear someone explain the Pro-Choice position with philosophical clarity.***

*That kind of discussion is so rare that I had concluded it was not possible.*

*But your piece, which led me to the link you provided, showed that the*

***Pro-Choice position *\*can\** be defended philosophically and intellectually.***

***I'm not sure what I think now. But I don't mind being uncertain.***

***I sincerely thank you for your effort to bridge the divide."***

*Michael S.*

**Email received in reaction to Rep. Lusk's 1/29/20 editorial in KC Star.**

## ADDENDUM

Eight OBGYNs submitted opposition testimony to last year's joint committee hearing on the same amendment proposal. I strongly recommend reading their full testimonies which described the serious medical emergencies their patients sometimes face. The live links to the public records of their testimonies no longer exist online, but their testimonies may still be obtained by request. You can request them through the committee office assistant or ask me. My email address is [nancyluskforkansas@gmail.com](mailto:nancyluskforkansas@gmail.com).

*This is the editorial I did for the KC Star –*

### **Roe v. Wade will likely be repealed. That's why Kansans have to listen to one another**

BY REP. NANCY LUSK / JANUARY 29, 2010

<https://www.kansascity.com/opinion/readers-opinion/guest-commentary/article239725788.html>

A recent editorial in the KC Star flippantly dismissed as “boilerplate” and “not serious” testimonies given by both sides in a committee hearing on a proposed Kansas abortion amendment resolution last week.

The Star brushed off my testimony as “true, but irrelevant.” I presented the Christian Pro-Choice perspective, which has never been heard before in the legislature, so describing it as “boilerplate” is untrue. Calling it “irrelevant” shows a profound lack of understanding about how faith informs many policymakers' decisions on the abortion issue. It also casually shirks the editorial board's responsibility to thoroughly examine all facets of proposed legislation that deeply impacts women's lives.

Examining the rationales that underpin all perspectives on the abortion issue has never been more relevant. It is expected the U.S. Supreme Court will repeal Roe v. Wade, leaving the issue to the states.

With a federal repeal, the proposed amendment would permanently cancel out the right to abortion in all circumstances in the Kansas constitution, including cases of rape, incest, or to save the life of the mother. The proposal is cleverly written to suggest those exceptions could be added later.

This is important, because not every Christian believes life begins with conception. A decisive religious basis does not exist to support the absolute stance that life begins at conception and abortion is murder.

For instance, only one passage in the Bible speaks directly about the value of a fetal life compared to the value of the life of a person. Exodus 21:22-24 says if a pregnant woman is struck and dies, the offender must pay with his life – a life for a life. However if a miscarriage results, the offender would only pay a fine for the loss of the fetus. If personhood began at conception the punishment would have been equal in both instances.

Consider the diary notes of former First Lady Barbara Bush on abortion: “When does the soul enter the body is the #1 question. Not when does life begin, as life begins in a flower or an animal with the first cell. So, the question is does the life begin (soul entering the body) at conception or at the moment the first breath is taken? . . . What do I feel about abortion?” Ultimately, she decided she believed “life” began at birth with one’s first breath.

Many faith traditions do not support the belief of personhood beginning at conception. For example, Jewish tradition is clear: Until a child emerges halfway from its mother’s body, it does not constitute a full human being. That understanding is based on several key texts including Exodus 21:23 and Genesis 2:7.

My own belief is there is too much reasonable doubt for us to know for certain when ensoulment happens and thus, when a zygote or fetus qualifies as a full legal entity. With any issue where strong and reasonable doubt is present, I favor leaving power with the individual, not the government.

Here is what we do know: No reasonable doubt exists that a woman is a person. Of course, a fetus has value – that is why the third trimester protection of the fetus exists in Roe v. Wade. But my biggest worry is that we will get to a place where the fetus’s rights will cancel out the rights of the woman who carries it.

A woman should have the right to choose life if her life is threatened by a pregnancy complication. To deny her lifesaving help when she needs it would be immoral.

Second Amendment defenders do not trust government with restrictions on their gun rights. It is equally understandable that women do not trust government with restrictions on their reproductive rights.

There is much more to the Christian pro-choice rationale than I can share here. Presenting it at the hearing has opened civil, and thought-provoking discussions with pro-life friends in the legislature. My full testimony can be found online at <http://li.kliss.loc/Opponents/Lusk.pdf>.