

Dobson Thanks God for Brutally Wicked Ruling

High Court Actually Keeps “Partial Birth” Abortion Legal

Focus on the Family Makes False Claims About PBA Ruling

An Open Letter to Dr. James Dobson

Dear Dr. Dobson, because you have led many people to trust in Jesus Christ, it is with love and great sadness that we admonish you.

On April 18, the U.S. Supreme Court ruled on *Gonzales v. Carhart*, the Partial-Birth Abortion Ban. This PBA ruling is one of the most barbaric opinions ever issued by an American court.

In reaction, Focus on the Family proclaimed that “the Supreme Court has affirmed the value of human life” and that this PBA effort will “protect children.” At www.Family.org, you applauded the “pro-life Justices” nominated to the Court by pro-life Presidents. The Justices you called “pro-life” did not “affirm” the life of the unborn, but ruled that “an injection that kills the fetus is an alternative” (*Gonzales*, p. 34).

In fact, these Justices concur that “The medical profession [abortionists] may find different and *less shocking methods to abort the fetus*” (p. 30). The decision is a virtual PBA manual that instructs abortionists on how to murder innocent late-term children using various partial-birth abortion methods to be in compliance with this “law.” (Please see SupremeCourtUS.gov to read the ruling itself, and see our excerpts here.)

Therefore, we, the undersigned, grieve at your celebration of the Supreme Court’s PBA ruling because the Justices actually promote murder in this decision as they endorse variations of partial-birth abortion:

- Their ruling permits a textbook partial-birth abortion if the mother is over “dilate[d]” (p. 24) and the baby, by “inadvertence,” is delivered up to the neck as in typical PBA. Then the abortionist can kill him by “intact D&E,” (p. 24) in exactly the cruel manner that you have condemned.
- The abortionist may tear apart the child since “D&E will often involve a physician pulling a ‘substantial portion’ of a still living fetus, say, an arm or leg, into the [birth canal] prior to the death of the fetus”(p. 21) since “*the removal of a small portion of the fetus is not prohibited*” (p. 22).
- The Court endorses “reasonable alternative procedures” (p. 33) for killing “late-term” children, such as “a leg might be ripped off the fetus,” “friction causes the fetus to tear apart,” “evacuating the fetus piece by piece continues,” “10 to 15 passes with the forceps,” “ripping it apart,” and “dis-memberment” (pp. 4-6).
- “If an abortion procedure does not involve the delivery of a fetus... past the navel [in breech, feet-first position] *the prohibitions of the Act do not apply*” (p. 24).
- An abortionist only needs to maintain that his original “intent” was to deliver the baby up to the navel before killing him. “*If a living fetus is delivered past the critical point [bellybutton] by accident or inadvertence [and is then killed] no crime has occurred*” (p. 18).
- The abortionist may use “an injection that kills the fetus” (p. 34).

Moral Relativism

Dr. Dobson, after we launched our Open Letter campaign, you admitted in the Focus on the Family newsletter that this Partial-Birth Abortion ruling “does not save a single human life.” However, you followed that by saying: “For now, let’s bask in the victory for life given to us by the Court...”

Dr. Dobson, you have become a moral relativist and a legal positivist, along with virtually all our “pro-life” conservative judges over the last quarter century. This was the predictable result of following National Right to Life’s strategy of regulating child killing, which inherently undermines the child’s God-given right to life.

Dr. Dobson, you and National RTL mislead Christians. Trusting you, pro-lifers falsely believe that judges are pro-life even when they actually deny the child’s right to life. Justice Antonin Scalia said on Feb. 4, 2002 at a *Pew Forum*, “I will strike down *Roe v. Wade*, but I will also strike down a law that is the opposite of *Roe v. Wade*. ... One [side] wants no state to be able to prohibit abortion and the other one wants every state to have to prohibit abortion, and they’re *both wrong*...” All Christians should grieve at this. No state and no subdivision of government whatsoever has the authority to set up extermination camps or abortion clinics.

Dr. Dobson, we will use your words to document that you have rejected God’s enduring command “Do Not Murder” as the most fundamental and inviolable of all legal principles. On February 24, 2006, you wrote in response to the concerns we posted at KGOV.com, and it grieves us to even report this, but you actually *defended* decisions of judges who rule to kill the innocent, as long as they bow to *process*. Specifically in 2000, federal judge Samuel Alito struck down New Jersey’s partial-birth abortion ban and *voted to keep PBA legal* in *Planned Parenthood v. New Jersey* and

Groups Celebrating this Evil Ruling

National Right to Life Committee
Americans United for Life
Christian Law Association
Family Research Council
Concerned Women for America
Christian Coalition
U.S. Conference of Catholic Bishops
Fr. Frank Pavone and Priests for Life
Jay Sekulow’s American Center for Law and Justice (ACLJ)
Focus on the Family

you approved of that ruling writing that Alito was merely following “the long-established principle” of “precedent.”

But there is an older legal precedent, “*Thou shall not murder*.” And when judges violate that standard, the nation has become lawless. After World War II, the Allies convicted German judges whose defense for ruling to kill the innocent was that they had followed precedent and the law. Moral relativism and legal positivism are no defense. And setting aside God’s prohibition of murder is humanism. Over the years Dr. Dobson, you have slid to where you now advocate the legal theory of the defendants at Nuremberg.

Imagine the horror to come now that our greatest Christian leaders are willing to call good evil and evil good.

False Claims from Focus

Our Open Letter campaign has led many leaders in the pro-life movement to concede that this ban has no authority to save a single child. However, your organization has made one similar admission, but has not retracted the false claims quoted in this letter.

When we learned that Focus on the Family staff was falsely informing supporters that this so-called PBA ban has *outlawed abortions in the third trimester*, we recorded our own call to 800-A-FAMILY and posted online that call with Susan from your correspondence department. She told us that with this PBA ruling, “The U.S. Supreme Court made it illegal for women to have an abortion in the last trimester.” Online at KGOV.com, we also document other pro-life media outlets misrepresenting this vicious ruling.

Following your example, many national ministries have spent years using the PBA ban to motivate financial donations, all the while *misrepresenting* the legal effect of the ban. Today millions of Christians, including your own staff, have been deceived.

As a member of the Evangelical Council for Financial Accountability, Focus on the Family commits to practice “Truthfulness in Communication: All representations of fact... must be current, complete, and accurate. There must be no material... exaggerations of fact or use of misleading... communication which would tend to create a false impression or misunderstanding.” Yet your many claims contradict what the Court explicitly stated, that the PBA ban “does not on its face impose a substantial obstacle” to “late-term” abortion (p. 26). In fact, this ruling presents no obstacle at all.

As the founder of Focus on the Family, you are responsible for the truth of your organization’s statements. In truth, there is no good in this ruling: no precedent, no defense of life—only brutality and death.

More Wicked than *Roe*

Some pro-life leaders, when pressed privately, have long admitted this ban would not save lives, but that it would “keep the issue in the news,” as your vice president of Public Policy Tom Minnery has said.

This wicked ruling trivializes the dreadful account of killing a child whose arms and legs are wiggling outside the mother. Justice Anthony Kennedy quotes a nurse and then an abortionist (pp. 8-9). The nurse said, “The baby’s little fingers were clasping... his little feet were kicking. Then the doctor stuck the scissors in the back of his head... the baby’s arms jerked out.” The abortionist said, “For the staff to have to deal with a fetus that has ‘some viability to it, some movement of limbs, [is] always a difficult situation.’” And with wickedness, the “pro-life Justices” observe: “Some doctors may prefer not to disclose precise details of the means that will be used... Any number of patients facing imminent surgical procedures would *prefer*

Leaders Condemning this Evil Ruling

Ambassador Alan Keyes, RenewAmerica
John Archibold, founder, Nat’l Right To Life
Prof. Charles Rice, Notre Dame Law School
Dr. Patrick Johnston, ProLifePhysicians.org
Jim Rudd, Covenant News
John Lofton, The American View
Chris Mohr, Board member, Ohio RTL
Cliff Zarsky, Corpus Christi Texas RTL
David Brownlow, Life Support Oregon
Cal Zastrow, Michigan Citizens for Life
Louis Wein, former Ass’t Mayor NYC
Erik Whittington, Rock for Life
Jim Anderson, LifeCommercials.com
Matt Trehwella, Missionaries to the Preborn
Brannon Howse, Christian Worldview Net
Steve Curtis, former Chair, Colo. Rep. Party
Ken and Jo Scott, ProLife Colorado
Chuck Baldwin, Crossroad Baptist Church
Rev. Clenard Childress, L.E.A.R.N.
Judge Roy Moore, Foundation for Moral Law
Many more including all the signers below...

not to hear all details, lest the usual anxiety... become the more intense. *This is likely the case with the abortion procedures here in issue*” (p. 29).

Dr. Dobson, you should be appalled. Focus on the Family and many organizations celebrate this wicked ruling to justify 15 years of wasted effort. Pro-lifers gave tens of millions of dollars in responding to countless fundraising pleas that mention the PBA ban. A major pro-life fundraising firm, MDS Communications of Mesa, Arizona, told Colorado Right to Life’s vice president Leslie Hanks, “The PBA script gets the best results.” So the PBA ban does not end a single abortion, but has funded the pro-life industry.

Twenty million children have been killed in America during this long distraction, all in pursuit of a law that from the beginning *never had the authority to ban a single abortion*. Dr. Dobson, you and these other leaders should have warned Christians of all this, but instead you join together in calling evil good. Evil? Yes evil. The unborn child killed by the “reasonable alternative” procedures now coded into law by our own pro-life politicians will suffer

even greater horror. For even this wicked court noted the objection, “that the standard D&E is in some respects *as brutal, if not more*, than the intact D&E [PBA].”

What a mockery of the goodwill of rank-and-file pro-lifers. The concern of these “pro-life Justices” has nothing to do with the brutality against the child but with improving “the public’s perception” (p. 30) of late-term abortion. Focus on the Family should not hide this truth.

Incrementalism is fine, but compromised incrementalism violates God’s enduring command, “Do not murder.” When you compromise on this fundamental law, you undermine the pro-life goal of re-establishing the personhood of the child and you cannot possibly foresee all the negative consequences. As some congratulate themselves, children suffer more horrifically with this ruling. And you “applaud the court.”

Beyond the children, your praise helps *destroy the souls* of the wicked Justices who enjoy the approval of Christian leaders. Then with hubris, these Justices demand that abortionists follow *their* new regulations of *how* to murder a child. We expect such evil from humanists. But for a Christian leader to give this false sense of security to judges and government officials is an affront to God.

For a quarter century, the pro-life movement with your support, has adopted moral relativism and legal positivism, obsessing on process and *overlooking fundamental justice*. You celebrate *Gonzales v. Carhart* which unequivocally affirms the “killing” of children as long as one follows its guidelines, for the end now justifies the means, and right and wrong have become negotiable. *God did not design the Body of Christ to follow lawyers, talk show hosts or anyone who puts politics ahead of righteousness*. We want to follow your lead, Dr. Dobson, but not in the direction you now head. We want to follow the standard in the 1990 pledge you made before hundreds of thousands at the Rally for Life in Washington, D.C.—the pledge to never support any effort that will intentionally “kill one innocent baby.”

Call to Action

Dr. Dobson, we ask you, your staff at Focus on the Family and all readers to do three things:

- 1) Please take up the standard from your famous 1990 pledge and withhold support from any effort that would intentionally kill even one innocent baby.
- 2) Learn to recognize and then oppose moral relativism in law, called legal positivism.
- 3) Please go to ColoradoRightToLife.org and sign their pledge entitled:

40 Years / 50 Million Dead / One Commitment

to never compromise on God’s enduring command “Do not murder.” “There is a way that seems right to a man,” warns Proverbs 14:12, “but its end is the way of death.” Please repent, Dr. Dobson.

Signed,
- Brian Rohrbough, president, Colorado Right to Life
- Flip Benham, director, Operation Rescue / Operation Save America
- Bob Enyart, pastor, Denver Bible Church
- Father Tom Euteneuer, president, Human Life International
- Judie Brown, president, American Life League

Please ask the **American Family Association** to join the leaders condemning this evil ruling by contacting them at AFA.net or by calling **Don and Tim Wildmon** at 662 844-5036 and press 3 to comment.

Get tools to fight this abortion battle at ColoradoRightToLife.org or by calling CRTL at 303 753-9394.