

## The 2020 Election: Results and Analysis

This election has been a tale of two results. Democrats expected to take the White House, take the Senate, and increase its control in the House. With majorities in Congress they salivated over enacting progressive legislation: passage of the Green New Deal, end the filibuster in the Senate, pack the Supreme Court with liberal pro-choice justices, cancel student loans, grant free college education, approve statehood for D.C. and Puerto Rico, enact medicare for all, grant a pathway to citizenship for 12 million undocumented immigrants, repeal the Hyde amendment, and codify *Roe v. Wade*.

As we now know, Democrats' wish list has become a pipe-dream. While Joe Biden will very probably be the next president, Democrats did not take the Senate and lost at least a dozen seats in the House. Nancy Pelosi may return as Speaker but her power and ability to command majorities on key votes has been greatly diminished.

Control for the Senate will not be resolved until January 5 when Georgia will hold two run-off elections to determine which senate candidates will be heading to Washington.

As of this writing (November 22) the GOP has won 50 Senate seats and Democrats 48. If Republicans win one race then they control the Senate 51 to 49. If Democrats win both races then the 50-50 tie will be broken by Vice-President Kamala Harris to give them that 51st vote and control.

Even if Democrats were to win both senate seats and take control, not all is picture-perfect in liberal-progressive dream land. Since terms like "socialism" and "defund the police" became toxic for many voters, moderate lawmakers who want to be reelected in 2022 will think long and hard about passing radical legislation. Democratic senator Joe Manchin of West Virginia, a moderate with some pro-life leanings, has already commented that he would oppose most of paragraph one. Senate Democrats will need every vote to pass legislation. The loss one vote may make the difference between victory and defeat.

President-elect Biden has a tough road ahead, trying to pass himself off as a moderate, while hold at bay the radicals in his own party who want to take the nation too far to the left. If he rejects the progressive agenda he may face a mutiny. That will set the stage for massive losses in the 2022 mid-term elections.

### **Kalamazoo Prayer for Life Rally: January 24, 2021, 4 pm. Location: Kalamazoo Christian High School**

This year's Kalamazoo Prayer for Life Rally has many participants. They include the Catholic Diocese of Kalamazoo, Reformed Church of America, Lutheran Church-Missouri Synod, Alternatives of Kalamazoo, Kalamazoo RTL, Assemblies of God, Catholic Charities Diocese of Kalamazoo, Holy Family Healthcare, and Kalamazoo United. Donations of diapers or wipes will be distributed to Alternatives and Catholic Charities. Everyone is welcome. Everyone is welcome. As always, dress for the weather! Please park in the school parking lot and proceed on foot to the school sign area on the grass (or snow!).

## Amy Coney Barrett: Our Newest Supreme Court Justice

On October 27, 2020 Amy Coney Barrett, former Notre Dame law professor and appellate court judge of the Seventh Circuit, became the newest member of the Supreme Court. She becomes only the fifth woman to serve on the Court and clearly its first conservative, pro-life woman on the bench.

That last item frustrated and angered pro-choice Democrats who moaned that the passing of Ruth Bader Ginsburg (a justice committed to abortion rights) would result in a nominee who might vote to reverse *Roe v. Wade*.

During confirmation hearings senators attempted to extract from Barrett how she would vote on abortion-related cases. Wisely, she refrained from offering an opinion. Each case before the court is unique, said Barrett, and she would not pre-judge the matter. The role of judge is to interpret law, not approach a particular case with a pre-determined agenda.

Senator Amy Klobuchar of Minnesota, a member of the Judiciary Committee, tried to get the nominee to agree that *Roe v. Wade* was a “super-precedent.” When asked if *Brown v. Board of Education* was super-precedent, Barrett replied, “People consider it to be on that small list of cases that are so widely established and agreed upon by everyone, calls for its over-ruling simply don’t exist.”

Klobuchar turned to abortion stating that the Supreme Court in the *Casey* decision (1992) upheld *Roe*, the justices even referring to it as super-precedent. She asked Barrett pointedly, “Is *Roe* a super-precedent?”

“How would you define super-precedent?” Barrett replied. “People use super-precedent differently. The way it is used in the scholarship...is to define cases that are so settled that no political actors or people seriously push for their over-ruling.” She admitted to answering many questions concerning *Roe* and added, “which I think indicates that *Roe* does not fall into that category. And scholars across the spectrum say that doesn’t mean that *Roe* should be over-ruled but descriptively it does mean that it’s not a case that everyone has accepted and does not call for its over-ruling.”

Klobuchar returned to *Brown* (that Barrett agreed was super-precedent) and *Casey*. Barrett basically gave the same answer: legal scholars, not just conservative but progressive ones, say that *Roe* is not super-precedent “because calls for its over-ruling have never ceased” and does not fall into the category of a small handful of cases that no one questions anymore.

What does a Justice Barrett on the high court portend for future abortion-related cases. We can be cautious and hopeful that she brings great scholarship and reasoning to these difficult cases and rules on behalf of the unborn child. If she believes that the unborn are persons according to the Fourteenth Amendment then we can almost guarantee that she will vote to over-turn *Roe*. There is good historical evidence that the framers of the 1868 Amendment were already well aware of anti-abortion legislation and would have logically included the unborn in their definition of “person.” If Barrett is an originalist in her judicial philosophy, those historical moorings will play a role in her abortion-related decisions.

***Merry Christmas and Happy New Year!***

- The Board of Kalamazoo Right to Life, Inc.

## Pro-Life News Round-Up

### **Planned Parenthood Drops Lawsuit in Arizona**

On November 17 Planned Parenthood of Arizona dropped its lawsuit challenging a 2019 state law that required a 24-hour waiting period for women seeking abortions. The law also required that only physicians perform abortions and also banned the use of webcam video conferencing in which abortionists could distribute chemical abortifacients without the doctor ever meeting the woman. According to the *National Right to Life News*, pro-lifers have speculated that this stunning reversal was in response to a “changing legal environment.” That change came, no doubt, when Justice Amy Coney Barrett replaced Justice Ruth Bader Ginsburg on the Supreme Court.

### **Louisiana Voters Approve Pro-Life Amendment**

On election day, voters in Louisiana overwhelmingly added the Love Life Amendment to its state constitution. The amendment protected pro-life laws and states that judges cannot “find” a right to abortion funding in the Louisiana Constitution. The vote was 62 to 38 percent. Said Benjamin Clapper, Executive Director of Louisiana Right to Life, “With the passage of this amendment, our citizens have mandated that state judges can never use our Constitution to enshrine abortion or the taxpayer funding of abortion.” One of the authors of the amendment is State Rep. Katrina Jackson, a pro-life Democrat. She has become one of the nation’s most visible pro-life Democrats, willing to buck her own party in defense of life.

### **The Year of the Pro-Life Republican WOMAN!**

The conventional wisdom that Democrats would overwhelm Republicans in down-ballot races did not materialize in the November, 2020 election. In fact, the opposite occurred. It is very likely that the GOP will win 212 seats, a gain of 13 in the House. Even more impressive, 19 new Republican women will be heading to Washington as congresswomen. All 19 are pro-life and were endorsed by the National Right to Life PAC and the various state affiliates.

Some of these women replaced retiring colleagues, but in the main, they defeated pro-choice opponents, including many incumbent Democrats. A few more pro-life women are still battling for victory in some of the undecided races. If they win, the number of new pro-life

women in the House could rise to 20 or 21. Though Democrats retained control of the House, Speaker Nancy Pelosi will have a much smaller pro-choice majority. In the Senate, Democrats were expected to defeat vulnerable Republicans and take control of the chamber. While two Republicans lost reelection, Cynthia Lummis, a pro-life congresswoman from Wyoming, defeated her pro-choice Democratic candidate and will replace retiring Senator Michael Enzi.

### **Georgia Senate Races of Huge Importance**

On January 5, 2021 voters in Georgia will head back to the polls to decide who will be their next two US senators. State law stipulates that winners must garner at least 50 percent of the vote. If less, the top two contestants will face each other in a run-off election. Senator Kelly Loeffler and Senator David Perdue, both strong pro-life Republicans, square off against two committed pro-choice Democrats. What makes these races so important is that the outcome will determine which party controls the Senate. Right now the GOP holds a very narrow 50 to 48 lead. If both Loeffler and Perdue lose in January, Democrats and Republicans will share 50-50. However, in such ties, the vice-president (in this case probably Kamala Harris) would cast the tie-breaking vote giving Senate control to the Democrats. If the GOP takes just one race then they will control the Senate 51-49. If Republicans retain control they will be able to block much of the very liberal legislation that is highlighted in paragraph one on the front page of this newsletter. Pray for God’s will.

### **High School Speech Contest: March 6, 2021**

#### **Attention high school students,**

Kalamazoo Right to Life, Inc. announces its Oratory Speech Contest. Prepare a 5-6 minute speech on topics as abortion, euthanasia, infanticide, or stem cell research.

The date is March 6, 2021 at a yet undetermined location.

Cash prizes are awarded!

For more information call office number at 269-372-8123 or Rob Karrer 269-599-4954.

**President's Corner    Rob Karrer**

Here are some random thoughts as we conclude 2020. Zoom has become part of the lexicon. Whether for business meetings, or bible studies, or school sessions, or birthday greetings, Zoom has allowed us to remain connected during this very disconnected year. COVID has been the great disrupter for nine months and I know I speak for everyone wishing that 2020 be cast into outer darkness, hoping and praying that 2021 will be a year of God's blessing. And 2020 has been a monumentally historic year, primarily because of the political or social upheavals that transpired: a presidential impeachment in January, the presidential primaries in the winter and spring, COVID in March, a economic shut down in April, the George Floyd killing in late May, peaceful protests and violent disturbances for months, 100 straight days of isolated rioting in Portland, Oregon, Black Lives Matter and Antifa, the non-presidential campaign of Joe Biden (from my study of history the last candidate who did not campaign but stayed home was William McKinley in 1896...and he won too!), the debates in September and October, the death of Ruth Bader Ginsburg and the confirmation of Justice Amy Coney Barrett in October, and the election of Joe Biden as our new president. As I write this in late November, Biden's victory has not yet been certified and the Trump attorneys have filed lawsuits challenging the election results claiming voting irregularities, improper mail-in ballots, etc. Yet, we must face the honest truth. Even if there were problems, if ballots arrived late or without postmarks, even if some mail-in ballots are rejected because voters neglected to sign their names, even if some voting machine software malfunctioned, even if all these things happened and Trump closed the gap, Biden's lead is too great for Trump to catch up in those key contested states. I close with this: the pro-life movement has not been vanquished. We are as strong as ever and the 17 pro-life women newly elected to the House attests to our strength and resolve. Continue to pray, continue to trust, and continue to believe that God will see us to victory. Merry Christmas! Welcome the new year 2021!

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