

Down Syndrome Diagnosis is Often a Death Sentence for Unborn Children

by Marie-Celine Farver | LifeNews.com | 5/29/14 4:03 PM

There is a certain inborn genetic condition for which this country heavily promotes the death penalty.

Supreme Court Justices defend and uphold the right of the mothers of such victims to exercise the death penalty for their children. Where, I ask, are the lawyers to defend their right to live?

These persons destined for the death penalty are not your typical occupants of death row: mass-murderers, serial killers, child molesters, rapists, and kidnapers. No, these are tiny, unborn children who earned their place on death row by being bestowed a third chromosome #21. That's all. Unlike the usual occupants of death row, who earned their place there through premeditated and grotesque acts of carnage, or brutal acts of violence against innocent parties or peace officers, these occupants did nothing at all.

There is another aspect in which these tiny occupants of death row are unlike the usual guilty suspects. The criminals who occupy death row have noisy lobby groups decrying the use of the death penalty to take their lives; people who work tirelessly to get these guilty felons freed from death row and continue their life here on earth. These tiny victims, however, have no one fighting for their lives. Usually, a mother will act to safeguard her child should no one else intervene. But in these cases, it is the mother's hand that enlists the killer of her own child.

On Death Row before Being Born

In America, over [90 percent](#) of women whose prenatal tests show they are carrying a baby with Down Syndrome choose to abort.

Spared from death row.

Supreme Court Justices will defend their mothers' right to kill them, but where are the lawyers who will speak for the right of Down Syndrome



children to live? They are speechless and have no one speaking for them. How can they, when even their own mothers call it their “right” to kill them?

A father made this comment about a caller after listening to a radio talk show:

“Today, the 28th of March, I was listening to you talk to one of your callers. She had recently terminated the life of her child in her 20th week of pregnancy and I believe the child’s 20th week of life.

The child’s life was ended when it was diagnosed with Down Syndrome. This really struck a nerve and infuriated me, as I and my wife have the honor of being parents to our 22 month son, Conner, with Down Syndrome, that along with our other 2 children (a daughter 8 and a son 5) the joy and light of our life. I would hate to think of life without Conner, he is the light in our families lives. Our other children think the world of him and I feel are gaining a greater understanding and acceptance of “ALL” people, unlike the caller today. She has missed a wonderful opportunity to learn and grow.”[1]

Apparently there is a lengthy process by which a crime is deemed to be a capital offense, that is, there is much deliberation before a crime is deemed punishable by death. In light of this, we must ask: when did having a third 21st chromosome became a capital offense? Tell me, what was the process by which it was deemed worthy of the death penalty?

Down Syndrome and the Death Penalty

Convicted death row criminals, if they get past all the appeals and lobby groups fighting for their lives, will face a humane death of the electric chair, or gas chamber, or lethal injection. The Down Syndrome babies, however, must endure a most heinous death: no one considers their pain and agony as they are injected with a hypertonic saline solution to cause the baby to die and be aborted.

There is, however, the commentary of one baby who survived a botched attempt at a saline abortion: “The saline solution injected into the mother is to burn the baby, which gulps it in the womb,” she said. “But after being literally burned alive for 18 hours I was delivered live. “It says on my records that I was born after a saline abortion. “I was not expected to be delivered live but fortunately for me the abortionist was not in the clinic when I arrived alive instead of dead.”[2]

That is the story of Gianna Jensen, now afflicted with cerebral palsy as a result of the attempt to take her life.

Other ways these victims must suffer the death penalty, ways of utmost cruelty that no convicted death row inmate would ever have to endure:

Suction Curettage: between 6 to 14 weeks after LMP

This is the most common surgical abortion procedure. Because the fetus is larger, the doctor must first stretch open the cervix using metal

rods. Opening the cervix may be painful, so local or general anesthesia is typically needed. After the cervix is stretched open, the doctor inserts a hard plastic tube into the uterus, and then connects this tube to a suction machine. The suction pulls the fetus' body apart and out of the uterus. The doctor may also use a loop-shaped knife called a curette to scrape the fetus and fetal parts out of the uterus. (The doctor may refer to the fetus and fetal parts as the "products of conception.")

Dilation and Evacuation (D&E): between *13 to 24 weeks* after LMP

This surgical abortion is done during the second trimester of pregnancy. At this point in pregnancy, the fetus is too large to be broken up by suction alone and will not pass through the suction tubing. In this procedure, the cervix must be opened wider than in a first trimester abortion. This is done by inserting numerous thin rods made of seaweed a day or two before the abortion. Once the cervix is stretched open the doctor pulls out the fetal parts with forceps. The fetus' skull is crushed to ease removal. A sharp tool (called a curette) is also used to scrape out the contents of the uterus, removing any remaining tissue.

Being sucked out alive, torn in pieces by the suction equipment.

Being chopped up by a sharpened instrument, then sucked out; having the head cut off and crushed to fit out the birth canal in cases where the baby happened to grow too big to fit.

There will be no amnesty for the death row occupant who bears a third chromosome #21. There is no lobby group, no lawyers, and certainly no Supreme Court Justices. No one will stay the hand of the one administering the death penalty to these tiny victims; in fact, it is considered "healthcare" and comes paid through "health" insurance.

It is not a penal system, nor a prison officer, It is healthcare delivering the lethal blows. The hand that diagnosed the beginning of this life in the womb, the system that guides and monitors the health of the mother and growing child, then brutally murders it.

How we treat the weak of our society is an indicator of that society.

What does that say of a society when it preys upon its handicapped and its most helpless and vulnerable individuals (the unborn baby)?

Various philosophical and religious leaders have made poignant comments regarding this issue:

- Dietrich Bonhoeffer, "The test of the morality of a society is what it does for its children."
- Mahatma Gandhi, "A nation's greatness is measured by how it treats its weakest members."
- Pope John Paul II, "A society will be judged on the basis of how it treats its weakest members and among the most vulnerable are surely the unborn and the dying."

A Threat To Society?

When a criminal is given a death sentence, or a time is designated worthy of capital punishment, this determination comes about based on the premise that the presence of this criminal is deemed a threat to society. They must be eliminated for society to be kept safe. What way is a baby with Trisomy 21 a threat to the safety of society? Or is it that they may impose an inconvenience upon the parents' lifestyle, pursuits, comforts, and reputation? Let us consider the quote by Kittie Franz, one of the founders of La Leche League International:

“Remember: you are not managing an inconvenience, you are raising a human being.”

And it was Mother Teresa who said, “But I feel that the greatest destroyer of peace today is abortion, because it is a war against the child, a direct killing of the innocent child, murder by the mother herself. And if we accept that a mother can kill even her own child, how can we tell other people not to kill one another? How do we persuade a woman not to have an abortion? As always, we must persuade her with love and we remind ourselves that love means to be willing to give until it hurts. Jesus gave even His life to love us. So, the mother who is thinking of abortion, should be helped to love, that is, to give until it hurts her plans, or her free time, to respect the life of her child. The father of that child, whoever he is, must also give until it hurts.

By abortion, the mother does not learn to love, but kills even her own child to solve her problems. And, by abortion, that father is told that he does not have to take any responsibility at all for the child he has brought into the world. The father is likely to put other women into the same trouble. So abortion just leads to more abortion. Any country that accepts abortion is not teaching its people to love, but to use any violence to get what they want. This is why the greatest destroyer of love and peace is abortion.

Many people are very, very concerned with the children of India, with the children of Africa where quite a few die of hunger, and so on. Many people are also concerned about all the violence in this great country of the United States. These concerns are very good. But often these same people are not concerned with the millions who are being killed by the deliberate decision of their own mothers. And this is what is the greatest destroyer of peace today – abortion which brings people to such blindness.” [8]

Abortion is justified on the grounds that the unborn baby is not fully human. There was a horrific time in our history when black people were not considered fully human. The rationale was that if they weren't human, white people could 'own' them, abuse them, kill them, etc. Why would it matter if they weren't human anyway? Does this sound familiar? The dehumanization of black people led to hideous crimes against them. In the same way, the dehumanization of the unborn leads to our accepting and advocating the killing of innocent lives.

From the beginning of time, there was no question that an unborn baby is a person. This was not a question until the decision on Roe v. Wade, January 22, 1973.

In Roe v. Wade, the state of Texas argued that “the fetus is a 'person' within the language and meaning of the Fourteenth Amendment.” To which Justice Harry Blackmun responded, “If this suggestion of personhood is established, the appellant's case, of course, collapses, for the fetus' right to life would then be guaranteed specifically by the 14th Amendment.”

However, Justice Blackmun then came to the conclusion “that the word ‘person,’ as used in the Fourteenth Amendment, does not include the unborn.” There is no constitutional text explicitly holding unborn children to be, or not to be, “persons,” writes GJ Roden in his article “Unborn children as constitutional persons.” [4] Mr. Roden continues: “As an effect of the unanimity of the states in holding unborn children to be persons under criminal, tort, and property law, the text of the Equal Protection Clause of the Fourteenth Amendment compels federal protection of unborn persons. Furthermore, to the extent Justice Blackmun examined the substantive law in these disciplines, his findings are clearly erroneous and as a whole amount to judicial error. Moreover, as a matter of procedure, according to the due process standards recognized in Fifth Amendment jurisprudence of the Supreme Court, Roe v. Wade should be held null and void as to the rights and interests of unborn persons.”

Only after Roe v. Wade did unborn babies cease to be “persons.” Only to allow the free exercise of their murder.

In his dissenting minority opinion regarding Roe v. Wade, Justice Byron C. White, with whom Justice [William H. Rehnquist](#) joined, asserted: “With all due respect, I dissent. I find nothing in the language or history of the Constitution to support the Court’s judgment. The Court simply fashions and announces a new constitutional right for pregnant mothers [410 U.S. 222] ... with scarcely any reason or authority for its action...” He states that “The Court apparently values the convenience of the pregnant mother more than the continued existence and development of the life or potential life that she carries. Whether or not I might agree with that marshaling of values, I can in no event join the Court’s judgment because I find no constitutional warrant for imposing such an order of priorities on the people and legislatures of the States. In a sensitive area such as this, involving as it does issues over which reasonable men may easily and heatedly differ, I cannot accept the Court’s exercise of its clear power of choice by interposing a constitutional barrier to state efforts to protect human life and by investing mothers and doctors with the constitutionally protected right to exterminate it. [5]

Grounds for the Death Penalty?

The next comment in our examination of Down’s Syndrome and the death penalty came from a political leader of a middle eastern region from the first century AD. As the current ruler, he had jurisdiction over the judicial proceedings of his precinct, with the authority to administer the death penalty to sentenced criminals who warranted such a punishment. Addressing a large crowd who had been demanding the death of an individual who was not only completely innocent, he had also neither been sentenced nor given a fair trial, he declared the results of his own investigation into alleged crimes of the accused person. “He has done nothing to deserve death...I have found in him no grounds for the death penalty.” Pilate, fifth [Prefect](#) of the Roman province of [Judaea](#), from AD 26–36.[14]

What of our current American judicial system? What do we hear from them? Unlike Pilate, who made a genuine investigation into the worthiness of the death sentence for the accused, our own judicial system neither investigates nor speaks to protect the individuals so undeservedly given this death sentence. As was discussed in the beginning of this article, it is rather quite to the contrary: our own judicial leaders legislate it.

“Wrongful Birth”

What if a baby with a trisomy survives prenatal testing, is allowed to gestate, and then is delivered? Our justice system then allows the parents to declare it a “wrongful birth.” These parents must be able to prove that they would have aborted the child, and that the obstetric care provider and/or lab somehow didn’t perform or provide the proper testing.

Wrongful birth lawsuits can net the parents several million dollars.

For example, in December, 2013, a jury in Washington awarded a \$50 million settlement to a couple that sued for the “wrongful birth” of their son, saying they would have aborted their five-year-old son had they known he had a genetic defect. He was born with [“unbalanced chromosomal translocation.”](#) a condition in which the child inherits mismatched chromosomes from his parents, resulting in extra or missing genetic material. He cannot walk and has an IQ of less than 70.

The couple had their child tested in utero for genetic abnormalities and were told the child had a 50-50 chance of being born without any issues. But the parents claimed their medical provider did not send the lab information about where to look for the genetic defect, causing the company to miss the condition he was born with. The parents said, had they known, they would have had their child aborted. A jury in King County decided Valley Medical had to pay for the family’s lifelong inconvenience, awarding the couple \$50 million.

“Wrongful Parents”

“What is most troubling to me is not that the test results were inaccurate, but that the purpose of the test itself was so that the parents could decide whether or not to kill their own child,” Father Shenan Boquet, president of [Human Life International](#), told LifeSiteNews.com. “This case, and those like it where ‘wrongful birth’ is used as justification for a lawsuit, really exposes the eugenic mindset which has crept into our culture that some lives are not worthy of life.”

“This beggars the moral imagination,” Rod Dreher [wrote](#) at *The American Conservative*. “What parent goes to court to contend that justice requires that their baby, however damaged, should be dead?”^[12]

A mother, commenting on this lawsuit, said “We have an adopted son with an IQ under 70 and he would certainly know if he was unwanted. The tragedy lies in the fact that the parents didn’t appreciate the gift of their son, with all his human frailties. My son has taught us so much about love and humility and what is most valuable in life.”

Another mother, whose child with Down Syndrome was not diagnosed prenatally, says it is hard for her to even think about the fact that these children are killed in the womb. “It’s murder. The callousness and heinousness of the crime is especially revolting to my senses. Yes, we work very hard to provide for, teach, and train our son. But in turn, he has given us way more joy in life than I ever would have expected. My

husband loves him, his sisters love him, and he has some very good friends.....friends born “normal” and friends born with some anomalies.”

She continues, “I would rather be around a person with Down Syndrome, than to have to spend time with a so-called “perfect” person who is in fact demanding, self-absorbed, and so self-consumed that they wouldn’t even consider giving a weaker human being a chance to live.” She went on to say that the challenges of dealing with her older “normal” daughters are much harder than dealing with the issues of her son. In fact, she declared, “of all one’s children which God may grant you, your child with this syndrome will be your easiest.” “Normal,” she concluded, “is a cycle on your washing machine.”

“Wrongful Death”

Did you know that 0.5-1% of babies undergoing amniocentesis will be killed by the procedure? ^[10,11]

Yes, in the testing for Down syndrome, normal babies will die needlessly, sacrificed in the murderous rampage against Down syndrome babies. For every diagnosis by amniocentesis of Down syndrome, of which an estimated 90% of babies will be aborted, approximately 3 normal healthy babies will be lost due to the testing process itself. Would the FDA approve a test in which 0.5-1% of persons undergoing the test would die? Of course not. Not only would the test be banned, but no cognizant person would willingly undergo such a test! Yet this is taken as a matter of course, an “acceptable risk,” for the unborn, who have no say in the matter where their own life is at stake.

Millions, perhaps billions, of dollars are spent developing tests specifically targeting the elimination of Down syndrome babies. (This would also include two other trisomies, 18 and 13.) For instance, there is a new test developed now called NIPT (Non-Invasive Prenatal Testing). Maternal blood is drawn during pregnancy and is screened for DNA from the fetus. “Unlike intact fetal cells in maternal blood, which can persist for years after a pregnancy, circulating cell-free fetal DNA (ccffDNA) results from the breakdown of fetal cells (mostly placental) and clears from the maternal system within hours. Fetal DNA detected during a pregnancy, therefore, represents DNA from the current fetus,” according to their own literature. ^[3] They state, “NIPT is highly sensitive and specific for trisomies 21 and 18; positive results are ‘near diagnostic’.” However, false positives have been reported so at this time *it is recommended that positive results be followed with confirmatory testing by CVS or amniocentesis.*”

However, according to a recent interview with a genetics counselor, “without a doubt, some women are making pregnancy termination decisions on the basis of screening results alone. One laboratory presented some preliminary outcomes data at a genetics meeting recently showing that some women were terminating on the basis of noninvasive screening results alone.” She goes on to say, “I am concerned that the laboratory reports often make this testing sound more diagnostic than it is and that some women are making pregnancy termination decisions without confirming the diagnosis. In some cases, the chance of a false-positive result is much higher than people expect.” ^[6] In this scenario, it is not even a matter of death by diagnosis, rather it is death simply because of prenatal testing; that is, children dying because of false-positives.

A physician who is the director of reproductive genetics for a New York hospital states, “although it is highly sensitive and specific, noninvasive prenatal screening is not a diagnostic test. It is a screening test. That means that if the test is positive for a fetal trisomy, the woman will have to undergo invasive testing if she wants confirmation. Noninvasive screening does not provide the same information as tests done on samples obtained from amniocentesis or CVS. False-positive results are possible, so these women should be offered invasive testing to confirm or rule out the aneuploidy suggested by the noninvasive screen. On the other hand, women need to understand that a negative screening test doesn’t guarantee that everything is normal and nothing else will go wrong.” [7] After undergoing the noninvasive screening, patients would still have to undergo amniocentesis. Also, there is still the possibility of abnormalities not detected on the screening.

Yet, the director of Medical Ethics at a university hospital says, “This is clearly going to be a technique that replaces amniocentesis.” [8] The fact that this testing is a screening tool and not conclusive is already being forgotten. He goes on to state that “unfortunately, there are some potential ethical problems. Amniocentesis is a test performed on perhaps 5% of pregnancies. The ability to draw cells from the mom’s blood will quickly become a test that is used on 100% of pregnant women. I would be surprised if it does not become the standard of care.”

“More testing means that more women may find problems with their fetuses. This test can be performed much earlier than amniocentesis, possibly enabling fetal screening at 7 to 9 weeks. Many people worry that this will lead to more pregnancy terminations. Women who would not have had testing before this will undergo testing, and some may discover things about their fetus that they will not accept, be it a birth defect or some other disease risk factor. Because it is earlier, the burden of abortion may seem morally more acceptable to women than having an abortion much later in pregnancy.”

Dr Eric Topol, Editor-In-Chief of Medscape, comments regarding this noninvasive fetal testing, that in a sample of maternal blood there is “cell-free DNA from the fetus in that 1 tube of maternal blood, from which we can determine chromosomal aberrations and gender as well as a whole lot more in terms of sequencing the fetal genome.” [9] “Beyond the fact that this is extraordinary and represents one of the biggest impacts that genomics has had in medical practice today, the question I really want to bring up is, where do we draw the line? Now that we can sequence a fetal genome, when are we going to start doing that and not just screen for big chromosomal aberrations of trisomies and aneuploidy? This is something that will perhaps engender the biggest bioethical issues of the future. What do we say is an appropriate finding from sequencing — whether it is an exome of the fetus or whole genome — that constitutes criteria for early termination of pregnancy?”

The very marketing of these tests is converting society to normalize the deviance of murdering innocent children because they will be retarded. We ought to be shocked and dismayed at such callous disregard, even cruelty, against an unrepresented and helpless population.

LifeNews Note: Marie-Celine Farver is an obstetric nurse.