



Written by [Steve Bonta](#) on November 11, 2022

Montana Refuses to Protect Newborns

Of all the unsettling results flowing from the 2022 elections, Montana's referendum on medical infanticide may top them all in shock value. Referendum item LR-131 would have required physicians to provide medical care for any child born prematurely, including those who survived abortion attempts. In a result that sent shock waves across conservative America, Montanans voted "No" by the astonishing margin of 52.4 percent to 47.6 percent. Translation: More than 50 percent of the people of Montana, which used to be one of the most conservative states in the Union, voted to permit doctors to allow newborns to die if it suited their whims or the wishes of the parents.



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It is difficult to overstate the ramifications of this result. Had it occurred in now-solid blue New England or somewhere on the Left Coast, perhaps we might have seen it coming. But Montana? Unthinkable, or so we would have thought only a few days ago.

The clarity of the ballot question would seem to preclude some kind of mass misinterpretation of the wording: "An act adopting the born-alive infant protection act; providing that infants born alive, including infants born alive after an abortion, are legal persons; requiring health care providers to take necessary actions to preserve the life of a born-alive infant; providing a penalty; providing that the proposed act be submitted to the qualified electors of Montana; and providing an effective date."

Opponents of the referendum were jubilant. "Today's win sends a clear message to state leadership: Montanans demand our right to make private health care decisions for ourselves and our families with the help of our trusted medical teams — and without interference from politicians," crowed Hillary-Anne Crosby, campaign coordinator for the unironically misnamed LR-131 opposition group Compassion for Montana Families. "Our coalition is immensely proud of what we accomplished together both in community-building and defeating the extreme, cruel, and unnecessary LR-131, and we will continue to fight any attacks made on Montanans' constitutional right to make personal, private health care decisions for our families."

Horrified reaction from conservative pundits across the country was swift in coming. Conservative filmmaker Robby Starbuck, for example, tweeted scathingly: "Montana voted to let babies die. Let that sink in. All this would have done is force doctors to give care to a living human baby, including if they're born alive after an abortion. What a dark, horrific day." As commentator Marina Medvin observed, "Police are required to give medical care to homicidal maniacs who shoot at them. Society demands that convicted serial killers be given medical care and food in prison. But Montana says that innocent babies should not be given milk or medical care. This doesn't compute." And March for Life sadly pointed out that "abortion has wounded our nation so deeply that we are refusing to ensure proper



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medical care for newborn infants.”

To these and many others we add our own concerns. For almost 50 years, *Roe v. Wade* imposed a one-size-fits-all pro-abortion legal requirement on the entire country, allowing what we supposed were a minority of Leftist extremists in the courts to impose their will on Congress, state legislatures, and the people. Now that *Roe* is gone, it has been left to the states to determine the bounds of abortion, as is proper in a federalist system.

In the wake of *Roe*'s overturn, a number of states — for the most part, the usual suspects on both coasts — have already passed, or will soon pass, legislation upholding the so-called woman's right to choose. If the day comes when grassroots America freely embraces abortion on demand, the wise would do well to recall the words of British ministers Andrew Reed and James Matheson, who wrote in 1835, “America will be great if America is good. If not, her greatness will vanish away like a morning cloud.”



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