

Inside Philanthropy

Crusaders: the Philanthropic Funders that Helped Bring an End to Roe v Wade

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“I have a very simple rule, which is, I’m engaged in the battle of ideas, and I care very deeply about our Constitution and the role of courts in our society. And I don’t waste my time on stories that involve money and politics because what I care about is ideas.”

That was Leonard Leo, the conservative legal activist and master networker who did far more than most to bring an end to *Roe v. Wade*. As a key figure at the Federalist Society, where he’s now co-chairman, Leo helped preside over a multi-decade push to remake America’s courts — and especially its highest court — into a judicial infrastructure capable of consistently ruling in ways contrary to majority opinion in the United States.

Leo’s words in the above quote belie the fact that his crusade has been one of the most successful instances of the application of money to politics in American history. It’s also one that has involved not only political funding in the technical sense, but also copious quantities of patient, long-term 501(c)(3) philanthropy.

Leo’s insistence on maintaining the high ground in a sanitized “battle of ideas” also belies the fact that the ideas he’s referring to aren’t just about the Constitution. They’re about religion. A devout Catholic, Leo is part of a constellation of deeply religious grantmakers and grantees who’ve channeled their uncompromising dogma into a long philanthropic campaign to end *Roe* and restrict abortion in America — as much as possible, as soon as possible, and in as many states as possible.

From that group’s perspective, their recent victory comes as a positive development in an underdog struggle against powerful forces shaping the U.S. into an increasingly ungodly nation. That story goes back to the 1960s and 1970s, a time when many of the philanthropic godparents to today’s nonprofit right saw America’s traditional values (as they defined them) slipping away, perhaps for good.

The conservative philanthropic movement that gave rise to institutions like the Federalist Society emerged in response, and went on to encompass both a Christian, socially conservative side as well as a libertarian, free-market side. In terms of both funding and nonprofit activity over the years, there is some distinction between the two, but also plenty of overlap.

Crucially for the anti-abortion movement, that nonprofit funding infrastructure came to embrace, and often weave together, funding for specific anti-abortion activities as well as funding to boost

the conservative project at large. That approach helped lay the groundwork for the success of Leo's project, and ultimately, for the assault on human rights and freedom that the *Dobbs v. Jackson* decision represents.

Light and dark

Taking them at their word, most of the philanthropic funders who've backed specific anti-abortion activities are motivated by their Christian beliefs. While it can be debated to what degree other factors drive that funding, including reactionary impulses around gender and race, how right-wing funders frame their anti-abortion giving underscores the crucial role religion plays in this arena.

Take hedge fund investor Sean Fieler, another devout Catholic who started the Chiaroscuro Foundation in 2009. In an interview with the Philanthropy Roundtable, Fieler said the foundation's name reflected "God's light in a dark world" (referring as it does to the contrast of light and dark in artistic composition). As we explored in a deep dive into anti-abortion funding two years ago, Fieler's religion-centric grantmaking spans anti-abortion as well as anti-LGBTQ positions, and promotes his expansive concept of religious liberty — the right, as he put it, "to bring religious principle outside, into your life, your business, the public square." In the same interview, Fieler addressed the question of right-wing philanthropic opacity head-on, saying, "Either you can be confident and willing to articulate your beliefs in the public square, and live and give in accordance with that framework, or you can adopt a strategy of keeping your head down, and give in a surreptitious way so that people can't track funding back to you because you're worried about getting negative press." Nevertheless, in 2019, the Chiaroscuro Foundation morphed into the Chiaroscuro Fund, a DAF administered by the Catholic-oriented Knights of Columbus Charitable Fund. Light and dark indeed.

For that matter, it's hard to get a clear picture of many of the funders backing anti-abortion nonprofits simply because so many hide their identities behind DAFs. The ones who don't, like Fieler when he started out, tend to be unapologetically religious, moving most of their non-policy philanthropy to places of worship, religious schools and the like. It's important to note just how Catholic many of these folks are — a tendency that has also applied to many arch-conservative figures in the judiciary. The Christian right in the U.S. is often thought of as an evangelical Protestant movement, but in the case of anti-abortion advocacy, hardline Roman Catholicism also looms large.

DAF sponsors and community foundations often top the lists of funders supporting major anti-abortion advocacy groups. One standout name is the National Christian Foundation (NCF). NCF is a behemoth on the DAF sponsor scene, and unlike even larger DAF shops like Fidelity Charitable, it identifies with blatant religious and ideological positions, including the notion that the Christian Bible contains "the inerrant Word of God."

DAF holders at NCF have helped bolster pretty much every anti-abortion group out there, including National Right to Life, Concerned Women for America, Focus on the Family, the Family Research Council and Campus Crusade for Christ, just to name a few. NCF funds also back numerous conservative legal groups that have sought to roll back abortion rights — places like Liberty Counsel, the Pacific Justice Institute and Americans United for Life.

NCF is the largest overtly Christian DAF sponsor in the U.S., but it's not the only one. I've mentioned the Knights of Columbus Charitable Fund above, and there are also places like the Colorado Springs-based Christian Community Foundation, which also goes by the name "Waterstone," claiming that "giving transforms assets into living water to build the Kingdom." That's pretty out there, but many of the other non-transparent anti-abortion funders aren't so theologically overt. They include funds at pretty much all the major non-ideological national DAF sponsors (Fidelity, Schwab, Vanguard, etc.) as well as at a laundry list of community foundations, including red-state institutions and unexpected funding sources like the California Community Foundation.

Crusaders

Now we come to the more transparent cohort of anti-abortion funders. As mentioned, many of these figures — and they do tend to be living donors — are out in the open about their religious and political motivations, having chosen not to hide their support for controversial positions. In light of the *Dobbs* decision, it's tempting to focus only on these funders' giving in the policy and advocacy realm. But that's not the only way they've deployed their money against abortion care. As we explored back in 2020, anti-abortion funders have been backing so-called "crisis pregnancy centers" since the late 1960s that urge women to carry pregnancies to term. These organizations number in the thousands across the U.S. and abroad, and are often affiliated with networks like Care Net, Birthright International and Heartbeat International. They've been subject to criticism for providing inaccurate medical information and engaging in misleading advertising.

The cohort of anti-abortion funders who publicly back crisis pregnancy centers overlaps with those who've bankrolled the longstanding campaign to end *Roe*. Some of those names are well-known.

For instance, there's the Richard and Helen DeVos Foundation and the Edgar and Elsa Prince Foundation, two philanthropies associated with an interconnected pair of ultra-wealthy families known to back far-right causes. The Family Research Council got its start in part with funding from Edgar Prince, and Focus on the Family has benefited from both families' largesse. The Mercers, another famous far-right philanthropic clan, are also in the mix with funding from the Mercer Family Foundation benefiting the national anti-abortion organization Susan B. Anthony Pro-Life America (formerly Susan B. Anthony List).

There are also less-familiar donors with prominent roles in anti-abortion funding, many of whom have been open about their intensely religious motivations. Texas-based fracking moguls Dan and Farris Wilks, for instance, fund anti-abortion activities via the Heavenly Father's Foundation and the Thirteen Foundation, respectively. The two billionaire brothers are both devoutly religious: Farris Wilks is a pastor at the Assembly of Yahweh 7th Day Church in Cisco, Texas. They're also active political donors, and have been known to back right-wing media figures like Ben Shapiro and Dennis Prager.

On the Catholic side, another name to know is Thomas Monaghan, the founder of Domino's Pizza. After he sold the company, Monaghan pledged to devote the majority of his wealth to

Catholic causes and has since worked to deliver on that promise, moving money to and through the Ave Maria Foundation, the Ave Maria School of Law, Legatus and the Ave Maria List PAC. Opposing abortion has been a major priority for Monaghan, including through another institution he helped found: the Thomas More Law Center. Named after the English statesman and philosopher who lost his head opposing King Henry VIII's departure from the Catholic Church, the nonprofit law firm has spent the past two decades litigating high-profile "family values" and "religious liberty" cases.

Several other funders to note along similar lines include Montana's current uber-wealthy governor Greg Gianforte, James and Joan Lindsey, the Arthur S. DeMoss Foundation and the Bolthouse Foundation, among others.

A full-court press pays off

Although the above funders have been among the most active and visible in the philanthropic movement to oppose abortion, they're only part of a much larger field of grantmakers that helped bring about the end of *Roe*. That is, all the names we typically associate with conservatives' broader multi-decade push to elevate their priorities in Washington, D.C.

Looking specifically at the set of grantmakers who've backed the Federalist Society over the past 20 years or so, we see lots of familiar names, from major living donors like Mercer and the Kochs to key players in the conservative foundation world like the Bradley Foundation, the Sarah Scaife Foundation and the Searle Freedom Trust. And don't forget DonorsTrust, which sits alongside the National Christian Foundation as one of the leading DAF sponsors on the right. What's notable here is that these aren't overtly Christian funders to the same degree as the vocally anti-abortion grantmakers discussed above. While there's certainly overlap, many funders in the mix here tend to position themselves less as crusaders for Christ and more as defenders of traditional American values — and often as libertarian champions of free markets. Increasingly, some are also defining themselves in opposition to "woke" politics and philanthropy. Just look at the Philanthropy Roundtable's ongoing Trumpist turn.

What these funders recognized early on is that to win against a better-resourced liberal philanthropic establishment — but also a habitually distracted and politically timid one — they needed to fund efforts to capture key levers of power, the judiciary being a prime example. The Federalist Society is one piece of that puzzle, and so are conservative and libertarian Beltway institutions like the Heritage Foundation, the American Enterprise Center, the Cato Institute and others.

Still often better-funded than their counterparts on the left, these groups laid much of the groundwork for presidents Bush and Trump to install a lasting conservative majority on the Supreme Court. As Leonard Leo and his allies have long hoped, it's one that isn't just willing to strike down *Roe*, but also to look askance at corporate and environmental regulations, LGBTQ rights, voting rights, and federal power in general.

For progressive philanthropy, the only way back to federal protections for abortion care may be to emulate the right in achieving synergy between funding for specific priorities, like reproductive rights, and for a broader program of progressive power-building that doesn't take a

“bend toward justice” for granted. Even then, the other ingredient it’ll take is time, and on scales far longer than a foundation’s five-year plan or a billionaire’s whim of the moment.