

## **ROE IN CRISIS AND THE BIG LIES**

BY Wanda Franz, Ph.D.

The pro-abortionists have had decades to make their case scientifically, morally, philosophically, and constitutionally. They have failed on all accounts.

The persistent failure of the pro-abortionists to make convincing arguments has been overshadowed by the fact that since 1973 we have had the most permissive abortion law among Western societies—Court-made law that has been imposed on the nation by unelected justices in the decisions of *Roe v. Wade*, *Doe v. Bolton*, *Planned Parenthood of S.E. Pennsylvania v. Casey*, and *Stenberg v. Carhart*.

Since 1973, science has in ever more detail revealed the humanity of the unborn child: Ultrasound images of unborn babies have become routine, and our genetic uniqueness is clearer than ever.

Morally, our nation is heading down the “slippery slope” invoked by pro-lifers in 1973: Infanticide, child abuse, and the killing of the disabled are becoming more prevalent. Add to that the physical and emotional hurt that abortion has placed on the aborting mothers.

Philosophically, the typical “pro-choicer” is stuck with primitive arguments: The unborn child is an “aggressor,” so the mother can kill him. Or he is not a person because he lacks the ability to think rationally, perceive or express conscious emotions, or interact meaningfully, i.e., he supposedly is not a sentient human being—a definition that would make a non-person out of a young child, a sleeping adult, an anesthetized patient, or certain disabled persons. No wonder that, perversely, some think a healthy pig is “worth” more than an ill newborn child.

Constitutionally, the legal underpinnings of supposedly constitutional “abortion rights” are at least as weak now as they were in 1973. The pro-abortion majority on the Supreme Court is, of course, aware of the fatal constitutional flaw underlying *Roe* and its successors. Bereft of a constitutional basis for their ruling, the pro-abortion majority in *Casey* was again forced to engage in “an exercise of raw judicial power,” just as it originally had done in *Roe*. Desperately (and pitifully) trying to command respect, the pro-abortion plurality in *Casey* wrote, “the Court’s interpretation of the Constitution calls the contending sides of a national controversy to end their national division by accepting a common mandate rooted in the Constitution.” Since the pro-abortion pressure groups had already gotten from the Court what they wanted in 1973, this arrogant statement could only mean that the pro-abortion majority on the Court wanted pro-lifers to shut up and go away.

Many proponents of the right to abortion are aware of the problematic state of so-called abortion rights in this country. Especially in the last ten years, the country has become more pro-life; the brutality of abortion is more evident than ever; the stranglehold of radical pro-abortionists on the national Democratic Party has seriously weakened that party; the young are increasingly pro-life; and the Court’s constitutional “interpretation” and “mandate” on the abortion issues are collapsing.

The personnel changes on the Supreme Court and the potential for more such changes have exacerbated the anxieties of pro-abortionists about the future of abortion rights. (Of course, there is still a majority for abortion rights on the Court—we only know that Justices Scalia and Thomas are sure opponents of *Roe*—but the “*Roe* is dead” hysteria makes for good fund raising.)

In any event, many pro-abortionists either perceive a “crisis” or are already preparing to fight pro-lifers in the state legislatures in case *Roe* and its successors should be overturned.

A small group of pro-abortion legal scholars wants to find an adequate constitutional basis for abortion

rights. Their problem is that there is “nothing in the language or history of the Constitution to support” an abortion right (Justice White dissenting in *Roe*). And, like Justice Blackmun, they don’t know how to get around the humanity of the aborted child. The Constitution and science are not on their side.

Other pro-abortionists, concerned about the damage done to the national Democratic Party and to the image of progressives in general, are ready to abandon *Roe* and its successors and fight it out with pro-lifers in the state legislatures. They admit that *Roe* is constitutionally unfixable, that it has seriously damaged “liberalism,” and that it has poisoned the political life of the nation. They are a small group of “progressive” opinion makers and intellectuals—but they do not represent the radical pro-abortion pressure groups.

In the real and manufactured versions of “the crisis” about *Roe*, the radical pro-abortion pressure groups—NARAL, NOW, Planned Parenthood, the extreme left wing of the Democratic Party, etc.—have resorted to what they know best when challenged on the merits of their case. They lie. And they will lie even more if the fight over abortion goes to the state legislatures. Be prepared for an onslaught of distortion and disinformation and “pro-choice” dishonesty.

They hope that the public has forgotten the embarrassment the pro-abortionists suffered when they repeatedly were caught lying during the campaign to ban partial-birth abortions. So you must remind the public.

They are already recycling some of their big lies of the 60s and 70s. Recall this passage from Bernard Nathanson’s *Aborting America* (1979 – p.193): “In N.A.R.A.L. we generally emphasized the drama of the individual case, not the mass statistics, but when we spoke of the latter it was always ‘5,000 to 10,000 deaths a year’ [before abortion was legalized]. I confess that I knew that the figures were totally false, and I suppose the others did too if they stopped to think about it. But in the ‘morality’ of our revolution, it was a useful figure, widely accepted, so why go out of our way to correct it with honest statistics?” Once again, the pro-abortionists are coming up with wild figures about how many women would die if *Roe* were overturned. They count on public amnesia about their lies in the 60s and 70s.

We are also hearing again Bill Clinton’s clever, but dishonest, phrase that abortion should be “safe, legal, and rare.” Aside from the fact that Bill Clinton’s actual policies were to keep abortion legal and as accessible as possible (remember Hillary Clinton’s health care plan), the phrase is fundamentally dishonest because what was once criminal will become anything but rare when you legalize it.

Start preparing now to unmask the pro-abortionists’ dishonesty.