

Statement of

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National Right to Life Committee is the largest pro-life, grassroots organization in America. We may have set-backs and bumps in the road, but we will never stray from the road we are on until the right to life of all Americans is, once again, secure. To understand what motivates pro-lifers we need to look no further than the Declaration of Independence. And we also need to look at the damage that the U.S. Supreme Court has done to the principles expressed in that document.

Let me quote from the declaration of Independence:

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness.

That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed...

Consider the above words, and this is what we learn:

The right to life is a (quote) "self-evident truth." It is not based on the speculations and shifting opinions of men and women.

The right to life is (quote) "unalienable" and an essential part of us. It exists independently from what others want. It is not a grant from government. It exists, whether there is a government or not. And it certainly can't be ruled out of existence by unelected judges.

The government derives its (quote) “just Powers from the Consent of the Governed,” namely us. The Founding Fathers believed in “the capability of a people to govern themselves,” as Abraham Lincoln put it.

The reason for government is (quote) “to secure these Rights.” So the Constitution is, to use the words of political scientist Paul Rahe, the “instrument for the implementation” of the Declaration of Independence. Thus, judges are not free to ignore the principles laid down in the declaration of Independence.

Instead of being guided by the declaration of Independence, the pro-abortion majorities in the Supreme Court’s abortion cases since 1973 have blocked out the bright light of the Declaration of Independence and groped around in the resulting twilight and made up a new “right” to suit their purpose. To grasp how far down we have come from the rights enumerated in the Declaration of Independence, try to reconcile this so-called constitutional ‘right” of the mother to kill her unborn child with the concepts of a “self-evident truth” or an “unalienable right.”

A look at the major abortion cases provides a litany of the Court majority’s contempt for the Declaration of Independence.

First, there was *Roe v. Wade* thirty-four years ago on January 22, 1973. As a consequence of that ruling, the child in the womb is no longer “created equal,” but receives effective legal rights only after birth. There is no “unalienable right to life”; nor is that right a “self-evident truth.” Instead, we have the feelings of the mother. As pro-abortion columnist Ellen Goodman put it: “We call (the unborn child) a baby when it’s wanted and a fetus when it isn’t.” Indeed, in the world of *Roe v. Wade*, a pregnant woman can change her mind tomorrow about having the baby and schedule an abortion. In that world there is no place for the right to life as an unchanging and inherent attribute of a human being.

Doe v. Bolton was decided at the same time as *Roe* and goes even further: The elastic “health” exception in *Doe* provides the cover for any abortion. To top it off, the abortionist, once considered a most disreputable criminal, has now, in the words of Justice Harry Blackmun, “the room he needs to make his best medical judgment.” The

self-evident truth is, of course, that in the abortionists' "best medical judgment" there is no unalienable right to life.

Do the *Roe* and *Doe* decisions represent (quote) "just Power derived from the Consent of the Governed"? No. Dissenting Justice Byron R. White denounces these decisions as "an exercise in raw judicial power."

Is there a right to abortion in the Constitution, the "instrument for the implementation" of the Declaration of Independence? No. "The Court simply fashions and announces a new constitutional right for pregnant mothers," again wrote Justice White.

In the latest major abortion case, namely *Stenberg v. Carhart* in 2000, the extreme nature of the Court's abortion rulings is now clear for all to see.

In a partial-birth abortion, the abortionist may deliver a child—except for the baby's head—force a cannula into the base of the skull, and suck his brains out. Rather than securing the "unalienable right to Life and the Pursuit of Happiness," the Court is now shielding the butchers profiting in the bloody traffic of so-called "choice." The Constitution, the "instrument for the implementation" of the Declaration of Independence, is now revoltingly perverted into a tool for its denial.

Thomas Jefferson worried about men making the Constitution into (quote) "a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please." We have arrived at that point.

And Abraham Lincoln warned us (quote) "that if the policy of the government, upon vital questions, affecting the whole people, is to be irrevocably fixed by decisions of the supreme Court...the people will have ceased, to be their own rulers, having to that extent, practically resigned their government, into the hands of that eminent tribunal."

Our labors to regain constitutional sanity are met with the court's petulant assertion in the *Casey* decision that the *Roe* decision (quote) "has a dimension not present in normal cases, and is entitled to rare precedential force to counter the inevitable efforts to overturn it and to thwart its implementation."

In contrast, pro-lifers think that it is the Declaration of Independence that is

entitled to rare precedential force, despite that Court's efforts to deny its principles.

So here is why we are opposed to the Supreme Court's abortion rulings.

In *Roe vs. Wade* and its follow-up decision, the Supreme Court has dealt us two devastating blows: one blow to the individual human being, because in the Court's view there is no unalienable right to life; and another blow to the whole republic, because the Court's unelected majority, an oligarchy, now makes the law of the land.

And this is why we continue to work to save lives by passing laws to ban the gruesome partial-birth abortion procedure and to provide protection to unborn children from the pain of abortions. We continue to fight to prevent the killing of living human embryos for access to their stem cells and, instead push for increased funding of more promising experimental and therapeutic uses of adult stem cells. And we are working to protect the elderly from physician assisted suicide.

Some have argued that we should work to find a "middle ground" on abortion so the pro-life and pro-abortion factions in Congress can find agreement on the issue of abortion. The idea of a "middle ground" on abortion has a superficial appeal because the words "middle ground" or "compromise" sound so reasonable. In politics, for example, opposing groups of politicians might have different ideas at what level taxes should be. Either side can most likely offer social, economic, and sometimes even moral arguments in favor of its position. A compromise somewhere in the middle could satisfy both sides as adequate, because the two positions are more or less equally defensible.

There is however no comparable moral equivalence in the case of the political ploy for a "middle ground" on abortion.

Is it "middle ground" to say that there is a "constitutional right" to abortion? That means the pro-abortionists get to keep everything, and pro-lifers would be left to make inconsequential noises at the margin. Where is the "middle ground"?

The pro-abortionists say you legally can kill an unborn child for any reason. We say the child should live. Where is the "middle ground"? Leave the child half dead?

On the one hand, there is the intrinsic, "unalienable" right to life of an innocent fellow human being—an attribute that is permanently "endowed by the Creator" and

independent of the preferences and conveniences of someone else. And, on the other hand are the preferences and conveniences of the mother or her partner or a welfare bureaucrat---preferences which may very well change over time. Where is the middle ground?

Who else would surrender his fundamental right to life to the preferences and conveniences of another person? There is no moral equivalence between the two opposing positions.

Certainly, we have supported and do support measures that achieve limited, worthwhile public goals that save lives. But that is something quite different from agreeing to acquiesce in the continuation of abortion on demand and the dehumanization of the unborn child in perpetuity.

Since 1973, more than 48 **million** living unborn Americans have died from abortion. This is many times more than the number of lives lost in all of the wars we have ever fought since our founding. About 95% of these deaths occurred because the babies were inconvenient to someone. Human life has become cheap. Indeed, in accepting abortion we not only declare the unborn child to be worthless, we render the same judgment about ourselves.

It is for this reason that the National Right to Life Committee will continue to work to create a "culture of life".