

15/05/2019

## Remnants of Roe v. Wade

January 22nd, 1973. The Supreme Court of the United States of America, led by Justice Harry Blackmun, issued a 7-2 decision against Texas' ban on abortion—overwhelmingly classifying it as unconstitutional. It was a historic victory for reproductive and women's rights, ushering in an era of progressive legislation allowing a woman the right to an abortion during the entirety of the pregnancy and defining levels of state authority for regulating abortion post-first trimester. Forty-six years later, given the status quo consists of a dominantly conservative Supreme Court with the additions of Neil Gorsuch and the controversial Brett Kavanaugh, 13 Republican states have initiated bills against abortive practices. The ultimate goal is to pressure the Supreme Court into overturning Roe v. Wade; ending the federal legalization of abortion in America.

The most restrictive of all the bills is the newly redefined Alabama bill, which calls for the complete ban of all abortions unless a) the mother is in critical danger, b) the fetus has a lethal anomaly and c) a case of an ectopic pregnancy (embryo attachment outside of the uterus). Even an amendment to exempt victims of rape and incest failed to pass. Twelve other Red states' bills constitute of legislation aimed at preventing abortion after the detection of a heartbeat, which can be detected as early as six weeks into a pregnancy, an astonishing 18 weeks before the standard set by Roe v. Wade. These doctrines, much to the contrary of the outside world's perceptions of America's social outlook before the current administration, vilify and intend to criminalize doctors, medical professionals, institutions and organizations who stand firm and work for the pro-choice movement.

Aside from the aforementioned clamorous states, there are a few who are working towards extending the present rights for women. New York, introduced a bill in January, which protects some late-term abortions and abolishes any notions of congruity between abortion and criminality furthermore protecting doctors who

15/05/2019

perform abortions from prosecution. As with numerous momentous issues in modern American politics, there seems to be a cataclysmic divide in opinions between the government, and, more importantly, the people they represent.

To evaluate the morality of abortion, I would cite "A Defence of Abortion" by Judith Jarvis Thomson<sup>1</sup>. A ground-breaking paper, perhaps the most reprinted in contemporary philosophy, it defends abortion given the premise that a fetus is "alive" or a "person" from the very point of conception. Now, this is an extremely scary and an even morbid precedent. "Abortion should not even be considered, let alone legalized if the fetus is alive", or "The UDHR states that everyone has a right to life, liberty and security of person so this premise could never be defended", are understandable but inconsiderate and ultimately wrong arguments against the premise. Unfortunately, the entire topic of abortion is melancholic, and this fact should not dissuade the conversing of it. What propels a mother to so carnally discard her offspring? The consideration that society and politicians need to make is the insurmountable pressure upon the mother, which might force her to decide to abort. Furthermore, the fetus' right to life, regardless of its personage, does not exceed the mother's right to her own body, its functions, and its well-being. In the case of rape or endangerment of the mother's health, these facts make abortion morally permissible far beyond the limitations proposed by the Red states, and potentially even beyond the limitations of *Roe v. Wade*. In the case of incest, pregnancy at a very young age (without health-related repercussions), and consensual sex<sup>2</sup>, it is still purely the mother's decision because it has a tremendous impact on her life. The regrettable reality is that throughout history the people in charge of making these decisions and influencing the public discourse on abortion are overwhelmingly male who has never had to consider the burden of pregnancy and its implications and do not trust a woman's ability to make the right choice. A staggering 92% of the Republican party (House of Representatives and Senate) is male. Even more strikingly,

15/05/2019

25 members of Alabama's senate voted to pass the bill, each of them being male Republicans.

Coming back from the metaphysical arguments in defence of abortion, let us consider that before *Roe v. Wade* illegal abortions consisted of 17% of pregnancy-related deaths. Since the legalization of abortion, these abortive procedures are 99% effective, and people now have access to numerous consultation and support services to consider all factors before choosing to – or not to – abort. A progressive and equal society should overwhelmingly support and trust in its people to make the right decision and provide any infrastructure necessary to facilitate that process. Currently, there are 16 abortion cases one step away from the Supreme Court, and recent nominations threaten a safe and secure environment for people and generations to come.

To most citizens in other developed countries, and highly urbanized and coastal regions in America, the past five years must seem, for lack of a better word... ridiculous. Farcical. Nightmare-ish. Some sad, demented caricature. The emerging truth and an imperative lesson to be learnt for the future, not just in America, is the recognition of a torridly evolving landscape and the demonstrable polarization that is created by not addressing the needs and concerns of the many that feel—and rightly so—ostracized by these very changes especially when they are the ones often left behind. *Roe v. Wade* was passed nearly half a century ago. Immigration and free trade was a critical aspect of the boom of global economies. Now, these very principles are being challenged because they outpaced the rate of thinking for people who then, and still now, hold to their traditional values and thoughts. Legislation should be catered for the benefits of all and should be explained and outlined as so. The perversion of this rule, so fundamental to democracy, brings misinformation, misjudgment, and the regression into the medieval beliefs we see today. A less common fact is that Norma McCorvey (*Roe*) became a Roman-catholic

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15/05/2019

activist after the case, and stated that her involvement was “the biggest mistake of her life”. Everyone, including the original staunch defender of abortionism, has a right to a change of opinion. However, a system which blankets information with hypocrisy and misogyny is dis-serving the very people it was built to serve and protect.