

Life Issues Forum

Counting Down to Partial-Birth Abortion by Deirdre McQuade

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Did you know that partial-birth abortions are still permitted in this country?

Three years ago, President George W. Bush signed into law the federal Partial-Birth Abortion Ban Act of 2003, a legislative victory widely celebrated by the pro-life community. But before the ink was dry, the new law was enjoined by federal courts, due to lawsuits filed by abortion practitioners challenging its constitutionality.

These physicians claimed they might have to perform partial-birth abortions in hypothetical, unspecified future cases to preserve women's "health." We know from past abortion cases that "health" in this context can encompass emotional, social and financial "wellbeing." Due in part to this overused loophole, no baby is safe from being killed in this brutal manner – whether she is in the womb or in the process of being born.

Two of those challenges have made their way through the federal court system, and now the United States Supreme Court will hear oral arguments on November 8. With these cases, the Court is taking an overdue second look at partial-birth abortion (PBA).

The Court missed the chance to allow some protection of unborn humans in 2000 when, in *Stenberg v. Carhart* it struck down a Nebraska law prohibiting this gruesome and inhumane late-term abortion procedure, effectively nullifying 29 similar state bans. Six years later, we have reason to hope that the Court will get it right this time.

At this crucial juncture, The Second Look Project, an initiative of the U.S. bishops' Secretariat for Pro-Life Activities, is raising public awareness with a five-week educational campaign called "Supreme Court Countdown: Partial-Birth Abortion." From the opening of the Supreme Court's fall term to the day it hears oral arguments (October 2 through November 8), the Project is emailing a PBA fact each weekday to Congress, news media, and opinion leaders, counting down from #27 to #1. One "e-card" quotes a policy statement of the American College of Obstetricians and Gynecologists (ACOG), an organization that favors legal abortion:

"A select panel convened by ACOG could identify no circumstances under which this [partial-birth abortion] procedure ... would be the only option to save the life or preserve the health of the woman." (ACOG Statement of Policy, Jan. 12, 1997)

Another features this stark – if incredibly distorted – admission regarding the humanity of the child, from PBA practitioner James McMahan, M.D.:

"I do have moral compunctions. And if I see a case that's later, like after 20 weeks where it frankly is a child to me, I really agonize over it because the potential is so imminently there. I

think, 'Gee, it's too bad that this child couldn't be adopted.'" (*American Medical News*, July 5, 1993, p. 22)

The countdown is updated daily on the Project's web site, where you may also download free radio ads questioning the extreme abortion license in our country. Please consider using the countdown facts and the thought-provoking radio spots to raise awareness in your own community. Journalists, bloggers, and others wishing to receive the remaining "Countdown" e-cards may send requests to mail@secondlookproject.org. For a more detailed discussion of the new PBA cases, see our fact sheet at www.usccb.org/prolife/issues/abortion/factsheetpba101306.htm.

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