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*Why is abortion a big deal? Isn't it a victimless crime, really?
Just a private decision? Besides, abortion is rare, isn't it?*

*The answers to these and other questions will surprise many who thought the
abortion issue was settled with Roe v. Wade. The debate continues, and
the Supreme Court has yet another abortion case before it.*



What's at Stake in the Abortion Debate

About the Author



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In June 2016, the Supreme Court will issue a major decision on abortion. The case is *Whole Women's Health v. Cole*, and in it, the Court will decide whether the voice of the American people will be allowed to be heard through the state legislative process, or not.

Back in 1973 the Supreme Court abruptly cut short a national conversation that was then occurring on the subject of abortion. The *Roe v. Wade* decision obliterated every single law and regulation in the country concerning abortion. Overnight, abortion became legal at any point in any pregnancy, right up to the moment of birth,¹ with no oversight allowed by health departments or medical associations.

But far from ending the conversation, *Roe* created a huge national polarization. Today, abortion is one of the most contentious issues on the political scene: the debate is often compared to the slavery question of the 19th century in terms of its profound implications.

Why is it such a big deal? Isn't it a victimless crime, really? Isn't it really just a private decision?

If a legitimate purpose of law is to protect those who cannot defend themselves, then abortion is not a victimless crime. As Dr. Seuss says, "a person's a person no matter how small." The tiny person inside a pregnant woman is not going to turn into a cabbage: it will

turn into a baby, albeit one who needs a very particular food and very particular shelter for nine months.

But the baby is not the only victim.

Abortion has serious health risks for the woman. Ten percent of women who undergo abortion have immediate medical complications, and about one-fifth of these are life-threatening:² blood clots, infection, injury to the cervix and other organs. Long-term physical complications include increased risk of subsequent premature birth, miscarriage, placenta previa, and some congenital diseases.

Over 100 studies³ demonstrate a connection between abortion and later mental health problems, everything from sleeping and eating disorders to clinical depression and suicide.⁴

And these are just the bad effects everybody agrees on! There are still arguments about a link between abortion and breast cancer: of 73 peer-reviewed studies of a link between aborting a first pregnancy before 32 weeks and the subsequent development of breast cancer, 57 studies found positive correlation, 34 of them statistically significant.⁵

Ponder this: if a possible link between smoking and cancer had a similar research picture, it would be headlines. As it is, the National Cancer Institute has been silent on the abortion/breast cancer link.

The question remains: should government protect those who are at risk of being exploited and damaged? If so, women in emotional and financial crisis need protection. Few crises are larger than an unwanted, unexpected pregnancy, and few exploitations have such dire consequences as abortion.

Before 1973, the will of the people was being expressed through arguments around the legislative process at the state level. But after *Roe*, it took twenty years for the high court to permit the voice of the people to be heard again, and then only to allow regulations on abortion in order to protect the public health.

When conservatives swept into state legislatures in 2010, many new laws were enacted along these lines. Today, 29 states protect the health of women inside abortion clinics to one degree or another.

Whole Women's Health v. Cole is about one of those new laws. HB2 is a Texas law that requires that abortion clinics meet the same regulations for cleanliness and safety as other outpatient surgical facilities, and requires doctors performing surgery in those clinics have admitting privileges at nearby hospitals. *Whole Women's Health* maintains such regulations interfere with a woman's constitutional right to abortion.

To understand why there is so much controversy about it, a 30,000-foot overview of abortion is needed.

What is abortion?

Abortion is an invasive medical procedure that kills a child before birth. It may be politically incorrect to say it so bluntly, but if it isn't a child, you aren't pregnant, right?⁶

How does abortion work?

There are two kinds of abortion: chemical (sometimes called medical) and surgical.

In a chemical abortion, a woman takes some pills that cause violent contractions, usually along with serious nausea and vomiting. Sometimes these are called "morning after pills" or, deceptively, "emergency contraception." Trade names include Plan B and Ella; another is RU-486.

In what are called "telemed" abortions, some states allow these pills to be dispensed over the telephone, or in an internet video session, without a doctor ever examining the woman or learning her medical history.

The pills cause the uterus to empty its contents. Because the process takes many hours and involves

much bleeding, typically a woman is at home when her body expels the child. Thus, she is likely to see it, and she may have to hold it and make a decision about what to do with it. In the later months of pregnancy, babies sometimes survive and are born alive.

Chemical abortion is not an easy process: in Australia, one in 30 women who took RU-486 still needed a surgical abortion.⁷ Hemorrhage is a serious risk, because abortion clinics in the U.S. typically do not follow the FDA protocol for RU-486.⁸ The FDA limits its use to 49 days' gestation, but Planned Parenthood administers this drug for up to 70 days' gestation.⁹ The FDA requires the drug to be used only when the prescribing physician and patient are within one hour of a hospital, but in telemed abortions this is not possible.

Between 2011 and 2014, Planned Parenthood, the nation's largest abortion provider, distributed 1.3 million chemical abortion kits, in addition to the 1.3 million surgical abortions it performed during the same years.¹⁰

In surgical abortions, the uterus is forced open and held open while sharp tools are used to tear apart and suck out everything that is in the womb. The longer the woman has been pregnant, of course, the more difficult and risky surgical abortion is for the mother. Sometimes the sharp tools cut blood vessels or perforate organs. Often, the baby body parts are sold for medical research.

Where do abortions happen?

The fact is, most doctors signed on to save life, not to take it. Most doctors don't want anything to do with abortion. Thus, abortions take place most commonly in freestanding clinics that are only now being regulated, and only in certain states. Planned Parenthood (PP), the largest conglomerate of clinics, performs just about half the abortions in the country. PP had 662 clinics in the United States as of October, 2015.

Many abortionists are circuit-riders, who travel from state to state to be at a certain place on a certain day. This kind of peripatetic system does not make for good health care.¹¹ Doctors may or may not be licensed by the state in which they are operating, may or may not have admitting privileges at a nearby hospital, and are very unlikely to be available for any followup care.

In just the last six years, more than 150 abortion providers in at least 30 states and Washington, D.C., have faced investigations, criminal charges,

administrative complaints and lawsuits related to their substandard operations. A Pennsylvania Grand Jury described the conditions at the Gosnell clinic in Philadelphia, a freestanding abortion clinic:¹²

There was blood on the floor. A stench of urine filled the air. A flea-infested cat was wandering through the facility, and there were cat feces on the stairs. Semi-conscious women scheduled for abortions were moaning in the waiting room or the recovery room, where they sat on dirty recliners covered with blood-stained blankets.

Dr. Gosnell was eventually convicted on numerous charges, some of which stemmed from being proven to have killed at least three babies born alive after late-term abortions.

What does it cost?

On its website, PP's baseline price is \$1500 for an abortion.¹³ It also offers "sliding fees" to clients. Insurance policies and ObamaCare cover abortion too, though states are supposed to have at least one abortion-free plan in their insurance exchanges.¹⁴

A great deal of the cost of abortion is paid by American taxpayers, courtesy of Medicaid. The total amount of taxpayer funds in federal programs that went to PP between 2010-2012 was over \$1.5 billion: \$344.5 million in federal grants, contracts, and reimbursements and \$1.2 billion in Medicaid. *This averages out to over \$500 million in federal dollars going to PP each year.*¹⁵

PP is not a conscientious guardian of the federal purse.¹⁶ Nor is it conscientious about following state laws which make it a mandatory reporter of suspected child abuse:¹⁷ numerous cases have been documented where PP clinics failed to report sexual abuse even of young minors.

In 2015 three committees in Congress began investigations into the operations of Planned Parenthood. One former clinic worker testified¹⁸ that:

Our leadership trained clinic staff to inform each client of the total amount of the bill for services rendered during a clinic visit, then asked clients to pay 50% of the amount. We were then told to ask, "How much are you planning to pay today? Will that be cash or credit?" Nearly all clients made some payment of \$10 or more either during a visit or later by mail. Planned Parenthood counted those payments as voluntary donations and billed the full amount to Medicaid.

One estimate is that the money skimmed from the taxpayers is about \$2500-\$3000 per abortion.

But abortion is rare...isn't it?

The best estimate is that 57,496,011 abortions have occurred in the United States since 1973.¹⁹

To put that into perspective: All the deaths in all the wars in America's history have added up to only 1,354,664.²⁰ Even Stalin killed only about 20 million people.²¹ Abortion has killed as many Americans as would live in seven New York Cities. Or twenty-one Chicagos.

White women have 167 abortions for every 1,000 live births, while black women have 503 abortions for every 1,000 live births.²² In other words, a black child is 2.33 times as likely to be killed before birth.

According to its 2014-15 Annual Report, Planned Parenthood aborted a baby every 97 seconds at one its facilities in 2014.

So no, abortion is not rare. And in order to maintain its profit margin, the industry works to ensure that it never becomes rare.

The politics of abortion.

Defense of innocent life and protection of women's health are firmly grafted onto the agenda of conservatives. While there are a handful of Republican Members of Congress who vote with the left on life issues, there are at most one or two Democrats who vote consistently pro-life.

Why the huge discrepancy?

Some of the same people who protested the loss of American lives in Vietnam now defend the taking of American lives in abortion clinics. Why this inconsistency? If a human life was sacred in Vietnam in 1968, why isn't it sacred in 2016 in the US?

The answer, of course, is politics. Follow the money: Abortion is a major industry, and a major supporter of politicians on the left.

In 2014, Planned Parenthood, a non-profit organization, reported \$1.3 BILLION in revenue, about \$127 million over expenses. *Fully 41% of its income came from government.*

In the past five years, PP has transferred at least \$21,567,629 to its political Action Fund.²³ Some of that went to state redistricting efforts and state battles. In 2012, \$11 million went into advertising—100% on behalf of Democrats.²⁴

OK, I get that this is a non-negotiable for the Left. But where do the American people stand?

The American people are not where the left is. Americans do not support any abortion for any reason at any time during any pregnancy.

A January 2015 poll found that only 9% of Americans want abortion available to a woman at any time during a pregnancy, and only another 8% want it any time during the first six months. Over 80% of Americans support some kind of restrictions on abortion.²⁵

The millennial generation is pro-life. They are better educated and have more choices than previous generations.

Today, there are more than 2,500 professionally-trained and supported pregnancy resource centers across the country, over a thousand of them ultrasound equipped. There's a national hotline (text "Helpline" to 313131 or call 1-800-712-4357) for any woman facing an unwanted pregnancy. Online for Life works 24/7 to connect women with support. College students run campaigns to create

child care on campuses so women don't have to drop out of college.

As more and more women become aware of their real choices and of the real risks of abortion, the number of abortions decreases steadily. According to the most recent data in the "Abortion Surveillance Report" of the Centers for Disease Control, there were approximately 699,000 in 2012, compared with 1.5 million a year in the late 1980's.

When the nation is keenly interested in reducing government spending, PP is anxious about preserving its future cash flow. No wonder it puts such a heavy thumb on the political scales to maintain the legal status quo of 1973.

The challenge to conservatives is to preserve the Constitution, protect the helpless, and ensure that taxpayer dollars are not spent to lobby Congress – especially in order to stifle a debate that the American people want to have about the protection of women's and children's health.

So when you hear about *Whole Women's Health v. Cole*, now you know what's at stake.

Endnotes

1. Indeed, as long as a baby's head is still inside the mother, she could be killed legally (since she wasn't officially "born" yet) until Congress enacted the Partial Birth Abortion Ban in 2003 and the Supreme Court upheld the ban in 2007. Today, 32 states have state bans on Partial-Birth abortions as well.
2. <http://www.dakotavoices.com/Docs/South%20Dakota%20Abortion%20Task%20Force%20Report.pdf>, pp 48ff
3. <http://www.hindawi.com/journals/scientifica/2012/980812/>
4. <http://www.aul.org/wp-content/uploads/2013/08/Summary-of-Known-Health-Risks-of-Abortion.pdf>
5. http://www.bcpinstitute.org/PDF/BCPI-FactSheet-Epidemiol-studies_2014.pdf
6. <https://lozierinstitute.org/a-scientific-view-of-when-life-begins/>
7. http://www.nationalrighttolifenews.org/news/2013/08/ru486-is-not-the-safe-do-it-yourself-method-for-women-it-is-claimed-to-be/#.VpAOO_krLIU
8. <http://www.usccb.org/issues-and-action/human-life-and-dignity/abortion/ru-486/>
9. <http://www.adfmedia.org/files/ThayerTestimony.pdf>
10. The Real Planned Parenthood: Leading the Culture of Death, 2016 Edition. Issue Brief No. 1F15F01; Family Research Council; <http://downloads.frc.org/EF/EF15F70.pdf>
11. See <http://abortiondocs.org/> for some examples.
12. <http://www.scotusblog.com/2016/01/symposium-ensuring-abortion-safety-in-a-declining-market-for-abortion-services/>
13. <https://www.plannedparenthood.org/learn/abortion/in-clinic-abortion-procedures>
14. <http://www.obamacareabortion.com/>
15. Ibid., Family Research Council
16. <http://docs.house.gov/meetings/IF/IF14/20150917/103957/HHRG-114-IF14-Wstate-MattoxC-20150917.pdf>
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