

Abortion: The Government's Choice? Women's Reproductive Rights in the New America

By [William John Cox](#)

Global Research, October 27, 2008
27 October 2008

Region: [USA](#)

Theme: [Women's Rights](#)

Any government having the power to prohibit abortions also has the power to require abortions. Any government having the power to prohibit birth control also has the power to forcibly sterilize women (and men).

The pregnant woman is forcibly strapped to a Gurney and wheeled into the treatment room where her fetus is aborted and her fallopian tubes are tied. Why? A test has shown that the fetus has Down syndrome and she already has one living child. Where? Somewhere in the United States. When? Sometime in the future. Was it her choice? No. Was the procedure legal? Yes.

With a population of almost 1.4 billion people, the Chinese government has enforced strict population control laws for 25 years restricting families to one child and prohibiting unmarried mothers from giving birth. Women are still being forced to undergo abortions as late as the ninth month of pregnancy, and forced sterilizations continue to occur. Considering the program to be a success, China intends to continue its birth control policies, and officials will have to meet rigid family planning goals in every province.

Russia, where abortions continue to be the top birth control method, faces an opposite population problem. In just the first six months of 2008, deaths outnumbered live births by more than 250,000. With Prime Minister Putin reasserting centralized control of the economy, how long will it take for the government to outlaw birth control or abortions, not for religious reasons, but to increase production of its human capital?

With an overall population growth rate of less than one percent, the United States is not facing a decline in its worker or consumer base, nor is it experiencing out-of-control population growth. Currently, with the availability of effective birth control methods and the choice of legal abortions, at least in the early stages of a pregnancy, women are allowed to exercise some control over having children. However, the freedom of choice by American women is under a relentless and increasingly successful attack.

Trampling on the First Amendment's separation of church and state, a powerful religious minority has been aggressively pursuing a broad range of worldwide restrictions on the availability of birth control and on the privacy rights of American women to terminate unwanted or dangerous pregnancies.

On November 4, South Dakotans will vote on a ballot measure to prohibit practically all abortions, allowing exceptions only for rape, incest or the mother's health. Colorado voters are being asked to go even further and officially define any fertilized human egg as a "person" under the state constitution, conceivably prohibiting even widely-accepted birth

control methods.

Republican presidential candidate John McCain opposes legal abortions, believes Roe vs. Wade should be overturned and wants to appoint like-minded Supreme Court justices. During a recent debate, he ridiculed the idea of a mother's "health" exception to the criminalization of late-term abortions. Going even further, his running mate, Sarah Palin, believes abortions should be prohibited even for pregnancies conceived during forcible rape or incest.

Acting on her religious beliefs, Palin recently chose to give birth to her fifth child, whom she knew to be suffering from Down syndrome. Although, as governor, she slashed state funding in Alaska for schools for special needs children by 62 percent, she promised this week that, "In a McCain-Palin administration ... the parents and caretakers of children with physical or mental disabilities will be able to send that boy or girl to the school of their choice - public or private." She went on to say that "federal funding for every special needs child will follow that child."

Sarah Palin made a choice to give birth to a child likely to have expensive "special needs" throughout its life, and she now wants to require tax payers to provide for her child's private education. Not that there's anything wrong with governments helping parents care for their special needs children, but what if there is an economic crisis? For example, in contradiction to Palin's promises, McCain has proposed an across-the-board freeze on all discretionary federal spending.

We do not know what the future holds for the people of the United States. We are being told we now face the most severe economic crisis since the Great Depression and that things will get worse before they get better. It is not difficult to imagine that the time may come when there are insufficient tax revenues to pay for the more expensive care and education of children with special needs.

Might the government, in its infinite wisdom, decide it is better for society that such children are never born? As a matter of policy, would the government have the power to force a woman to abort a Down syndrome baby? Using genetic testing, would the government also have the power to force the sterilization of those women (and men) most likely to procreate children with mental or physical impairments? Unfortunately, the answer is yes. Once a government attains the power to prohibit abortions, it also gains the power to demand them. It becomes a matter of might, not right.

Setting aside all religious considerations, shouldn't we adopt government policies that ensure the greatest freedom of choice for women, who must decide for themselves whether or not to bear children? Mothers, alone, endure the greatest emotional suffering when ending a pregnancy. Mothers, more than anyone, including fathers, religious advisors, or the government, will always have the greatest burden of caring for those to whom they have given life.

Once a government is given the power to decide who can and who cannot have an abortion, all women are at the mercy of the shifting economic, religious and political winds. Perhaps only women should be allowed to vote on issues regarding reproductive rights.

Sarah Palin had the legal and constitutional right to chose whether or not to give birth to her

child. Shouldn't all women have the same freedom of choice?

William John Cox is a retired supervising prosecutor for the State Bar of California. As a police officer he wrote the Policy Manual of the Los Angeles Police Department and the Role of the Police in America for a national advisory commission. Acting as a public interest, pro bono lawyer, he filed a class action lawsuit in 1979 on behalf of every citizen of the United States petitioning the Supreme Court to order the other two branches of the federal government to conduct a National Policy Referendum; he investigated and successfully sued a group of radical right-wing organizations in 1981 that denied the Holocaust; and he arranged in 1991 for publication of the suppressed Dead Sea Scrolls. His 2004 book, You're Not Stupid! Get the Truth: A Brief on the Bush Presidency is reviewed at <http://www.yourenotstupid.com>, and he is currently working on a fact-based fictional political philosophy. His writings are collected at <http://www.thevoters.org>, and he can be contacted at u2cox@msn.com.

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