

CALIFORNIA RIGHT TO LIFE EDUCATION FUND

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Roe v Wade and Doe v Bolton

On January 22, 2018 we commemorated 45 years of the infamous Roe v Wade (and Doe v Bolton) Supreme Court Decisions. What exactly are these decisions, and what would happen if they were overturned?

In 1868, in the wake of the Civil War, the Fourteenth Amendment was added to the U.S. Constitution. It affirms (in part): **“No State shall ... deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”**

Just over a century later, in 1973, this same amendment played the feature role in the U.S. Supreme Court’s *Roe v Wade* decision, which asserted a constitutional right to abortion and erased laws protecting unborn children nationwide.

One question at issue in *Roe* was this: Does the meaning of “person” in the Fourteenth Amendment encompass all members of the human species? Does it therefore encompass unborn children? If so, the Constitution guarantees them protection under the law.

Indeed, “If this suggestion of personhood is established,” *Roe* acknowledged, “the [case for a constitutional right to abortion], of course, collapses, for the fetus’ right to life would then be guaranteed specifically by the [Fourteenth] Amendment.”

The repeal of *Roe v Wade* would return to state governments the power to regulate abortion by making abortion always legal, or legal under certain restricted conditions. Adjoining states might have varying levels of allowed abortions.

How many states would pass restrictive laws?

There are a number of socially conservative states that would do so, but estimates are that probably half of the states would not – enacting such a law would require both houses of the state legislature

and the governor – which would leave America pretty much split in half, with the citizens of those states that oppose “abortion on demand” having state laws in tune with their values and the citizens of states that like easy abortion having the law in their states in tune with their values. Most likely nothing would change in California.

The Supreme Court, under the Equal Protection Clause of the Fourteenth Amendment, might determine that an unborn child is a “person” within the meaning of that clause. If so, then it could – indeed, it should – also rule that that person cannot be deprived of life without representation of court-appointed counsel and a hearing to determine if it is in the best interest of that person to be killed. The unborn “person” would also have a right to liberty protected under the Fourteenth Amendment.

Roe v Wade legalized abortion nationwide for approximately the first six months of pregnancy until the point of fetal viability and defined “viable” as “potentially able to live outside the mother's womb, albeit with artificial aid.” *Doe v Bolton* allows a woman to obtain an abortion after viability, if necessary to protect her health, and the Court defined “health” to include physical, emotional, psychological, familial, and the woman's age - relevant to the well-being of the patient. The health exception has sometimes been very liberally interpreted, to allow such far ranging arguments as “having this baby will make me depressed.” So in many ways *Doe v Bolton* is more dangerous than *Roe v Wade*, making abortion available for any reason, throughout the entire nine months of pregnancy, due to the broad interpretation of “health of the mother.”

Planned Parenthood 2016-2017 Annual Report Summary¹

Planned Parenthood recently released their annual report. Below are some highlights provided by analysts at the Susan B Anthony List.

Planned Parenthood's Financials

- During fiscal year 2016-17, Planned Parenthood reported a record **income of \$1.46 billion**.²
 - Nearly \$533 million came from private contributions.³
 - **Nearly \$544 million in taxpayer funding, or nearly \$1.5 million per day** ⁴came in the form of government grants, contracts, and Medicaid reimbursements – **37% of Planned Parenthood's overall revenue**.⁵
 - Planned Parenthood reported \$98.5 million in excess revenue and more than \$1.6 billion in net assets.⁶

Abortions and Non-Abortion Services: Change from Last Year and Long-Term Trends

- Planned Parenthood **performed 321,384 abortions**⁷ in 2016 and **more than 1.6 million abortions** (1,628,550)⁸ over the past five reported years (2012-2017).

1 1 Planned Parenthood 2016-17 Annual Report, https://www.plannedparenthood.org/uploads/filer_public/71/53/7153464c-8f5d-4a26-bead2a0dfe2b32ec/20171229_ar16-17_p01_lowres.pdf

2 Planned Parenthood 2016-17 Annual Report, p. 34.

3 Ibid

4 Ibid

5 Planned Parenthood 2016-17 Annual Report, p. 33

6 Planned Parenthood 2016-17 Annual Report, p. 35

7 Planned Parenthood 2016-17 Annual Report, p. 31.

8 According to annual reports, abortions performed by PP: 327,166 in 2012; 327,653 in 2013; 323,999 in 2014; 328,348 in 2015; 321,384 in 2016

- In 2016, **abortions made up 96% of Planned Parenthood's pregnancy resolution services**, while prenatal services, miscarriage care, and adoption referrals accounted for only 2.3% (7,762), 0.4% (1,182) and 1.2% (3,889), respectively.⁹
- Prenatal services **dropped nearly 18% in 2016** and **more than 60% over the past five reported years**.¹⁰
- **For every adoption referral in 2016, Planned Parenthood performed more than 82 abortions**.¹¹ Over the past five reported years, the ratio was approx. 126 abortions for every adoption referral.¹²
- According to the **last five years of data** from Planned Parenthood's own annual reports¹³
 - Total services are **down nearly 13%**.
 - Total cancer screening and prevention services have **dropped by more than 41%**, including declines of approximately **39% for breast exams and 43% for pap tests**.
 - Contraceptive services are **down nearly 28%**.
 - Unique patients have **dropped by 600,000 – a 20% decline**.
 - Approximately **100 (14%) of Planned Parenthood facilities have closed their doors**.

Amniotic Fluid as Source for Stem Cells

Niels-Bjarne Woods, Ph.D., Associate Professor of Molecular Medicine and Gene Therapy at Lund University in Sweden. and his team of researchers and clinicians have found that the answer for obtaining potentially curative cells lies not in aborted babies but in the amniotic fluid that comes

9 Planned Parenthood 2016-17 Annual Report, p. 31

10 According to annual reports, PP's prenatal services: 19,506 in 2012; 18,684 in 2013; 17,419 in 2014; 9,419 in 2015; 7,762 in 2016

11 Planned Parenthood 2016-17 Annual Report, p. 31.

12 According to annual reports, PP's adoption referrals: 2,197 in 2012; 1,880 in 2013; 2,024 in 2014; 2,889 in 2015; 3,889 in 2016

13 Planned Parenthood annual reports, 2012-13—2016-17

from Cesarean (C-section) deliveries. Lund University released this news in December:

Amniotic fluid, the protective liquid surrounding an unborn baby, is discarded as medical waste during caesarean section deliveries. However, there is increasing evidence that this fluid is a source of valuable biological material, including stem cells with the potential for use in cell therapy and regenerative medicine.

The new method is used in combination with full-term caesarean section deliveries, and with millions of caesarean sections performed worldwide each year, it opens the potential for an unexploited reserve of stem cells and valuable bioactive molecules in the fluid surrounding the baby to be utilized.

This “multi-step method” will include “a unique collection device and new cell harvesting and processing techniques that enables term amniotic fluid to be safely harvested for large quantities of cells.”

Much ado has been made about the potential of fetal cells because of the type of cells they are. One study noted: *These cells, human fetal mesenchymal stem cells (hfMSC), are true multipotent stem cells with greater self-renewal and differentiation capacity than their adult counterparts.*

Now Woods and his team have found that the amniotic fluid cells can actually be converted “to an embryonic-like stem cell state,” which can then “potentially give rise to all different cell types of the body, including neural cells, blood cells and heart cells, among others.” And the fact is, that’s where the real help is coming from anyway.

One of the Lund University study’s researchers, clinician Dr. Marcus Larsson, discussed the way this finding could transform medicine: *The combination of this novel device and the coupled cellular selection and cultivation methods could be transformative for the stem cell field, as large quantities of newborn-MSC’s can be provided by utilizing this waste material. The safety standards we adhere to are also a central component for gaining clinical acceptance. The obvious next step would be to evaluate these cells*

further in the laboratory and, if successful, in disease models.

And Woods adds:

Now that we have demonstrated the feasibility to access this neonatal MSC source, our hope is that many more research groups will start working with these cells. This will accelerate our understanding of their full therapeutic potential.

Woods and his colleagues draw this conclusion from their research:

The potentially large donor base from caesarean section deliveries, the high yield of term amniotic fluid MSCs obtainable, the properties of the MSCs identified, and the suitability of the cells to be reprogrammed into the pluripotent state demonstrated these cells to be a promising and plentiful resource for further evaluation in bio-banking, cell therapy, disease modelling, and regenerative medicine applications.

For entire article:

<https://www.liveaction.org/news/research-amniotic-fluid-no-fetal-tissue/>

Around the Office

Shortly after mailing our January newsletter, we were gifted by an “Angel” who made a very substantial donation to offset our 2017 deficit. This donation allows us to begin 2018 on a more secure foundation and expand our outreach efforts through more events and greater sharing of our materials with student groups. Pro-life students have enthusiasm, but often lack resources. We will once again be there to provide these much-needed resources.

One of our “expanded activities” was the First Annual Roe v Wade Information Tables for Life on January 22nd. We hope to expand this event to more locations in future years. If you would be interested in coordinating a table in your area, contact our office.

Calendar of Events

For the latest updates of events see

www.calendarforlife.org

40-Days for Life – “Spring Campaign” – Feb 14 – Mar 25, 2018. Visit: <https://40daysforlife.com/>

On Monday January 22, 2018 the 45th Anniversary of the horrible Supreme Court Decisions, Roe v Wade and Doe v Bolton, California Right to Life Educational Fund decided to commemorate this dark day in the history of our nation by heading to the shopping mall and doing an Information Table for Life. Overall it was a good day, and we were challenged as well as affirmed in our efforts. We

spoke with several members of families about to welcome the birth of a baby, including a very excited grandpa. Sadly we also talked to a couple of women who regretted a decision made in less informed days, and we directed these women to post-abortion healing resources.