

## What NEWS...Supreme Court to Hear Mississippi Law that Bans Abortion after 15 Weeks

This could be the BIG ONE...the one we've been waiting for a generation! After dithering for eight months, on Monday, May 17 the Supreme Court finally decided that it will hear oral argument in the fall on a case emanating from Mississippi. Passed in 2018, the Gestational Age Act banned most abortions after the 15th week of pregnancy, thrusting a dagger into the heart of *Roe v. Wade's* central tenant that no state could enact legislation restricting abortion prior to fetal viability. The law was challenged by women's rights groups. The state lost round one when heard before a district court. The state lost round two when, upon an appeal, it lost in the Court of Appeals for the 5th Circuit. Now comes round three, heard before the highest court in the land. This is the biggest abortion-related case in 30 years and will be heard before a 6-3 conservative court.

As already stated, at issue is whether a state can prohibit an elective abortion prior to fetal viability. In *Roe v. Wade* the Court granted women nearly unhindered "reproductive freedom" governing abortion until the point of viability when ostensibly, the fetus could survive if born prematurely. In 1973 the point of viability was about 28 weeks. Justice Sandra Day O'Connor observed the advance of medical science and doctors' ability to save babies earlier than 28 weeks. In 1983 she said that *Roe* was on a "collusion course with itself." In 1992 the Supreme Court (in its *Casey* decision) dropped *Roe's* three-trimester framework in favor of O'Connor's "undue burden" standard. A state may enact an anti-abortion law, even before viability, if it does not impose an undue burden on a woman's right to an abortion. The undue burden threshold has held for 30 years.

The very fact that the court has agreed to hear a case that directly challenges the viability threshold signals that maybe (MAYBE) the conservative justices want

to redraw the lines on legal abortion. If they look at new technology and the rapidly expanding field of neonatal medicine then the justices may rewrite everything. In *Roe*, the court granted women the advantage--their lives were of greater value than unborn babies. Perhaps now the court will ask a different question. Does the humanity of the unborn child trump the right of the mother to kill her? We will know the answer next spring. Meantime..... **fast and pray.**

### NEW WEBSITE FEATURE!

At [Kazoortl.org](http://Kazoortl.org), check out Rob Karrer's weekly update on the latest pro-life developments. On the homepage see Pro-Life Week in the right blue panel. Look for the newest video every weekend.

# Ruling by Sixth Circuit Court of Appeals May Force Supreme Court to Act on Pro-Life Law

*(The following was condensed from an April 13, 2021 article by Wendell Husebo from Breitbart).*

On April 13, 2021 the Court of Appeals for the Sixth Circuit (which includes Michigan) overturned a lower District Court to declare Ohio's 2017 pro-life law constitutional. The "Down Syndrome Non-Discrimination Act" prohibits abortion of infants with Down Syndrome if the procedure is chosen on the basis of a pre-natal diagnosis. The full court voted 9-7 to reverse an earlier ruling. Writing for the majority, Judge Alice Batchelder, a George H.W. Bush appointee, stated, "In plain terms, H.B. 214 prohibits a doctor from performing an abortion if that doctor knows that the woman's reason for having the abortion is that she does not want a child with Down syndrome." She added, "By prohibiting doctors from knowingly and deliberately eliminating fetuses because of their Down syndrome, the State intended to send an unambiguous moral message to the citizens of Ohio that Down syndrome children, whether born or unborn, are equal in dignity and value to the rest of us."

The lower court had argued that the law infringed on a woman's "unfettered right to choose to terminate, or continue, a pregnancy pre-viability." Batchelder disagreed. "The right to an abortion before viability is not absolute. The State may regulate abortion before viability as long as it does not impose an undue burden on a woman's right." The judge wrote that the concept of whether an unborn child is viable is irrelevant to the Down syndrome community and the medical profession because "The strength of these interests is the same throughout pregnancy, from the first day to the last." Batchelder concluded, "We hold that the restrictions imposed...do not create a substantial obstacle to a woman's ability to choose or obtain an abortion. Moreover, those restrictions are reasonably related to, and further, Ohio's legitimate interests."

What makes this decision significant is that in 2018 the Seventh Circuit Court of Appeals based

in Chicago overturned a similar law in Indiana. The Appellate Courts now have two conflicting rulings on nearly identical bills. Typically, the Supreme Court intervenes when such conflicts arise at the appellate level to render a final decision. With the Court now controlled by a 6-3 conservative majority, there is hope that the Court will uphold the Ohio law. Justices Thomas and Alito have already expressed their desire to see *Roe v. Wade* reversed. Chief Justice Roberts, while voting pro-life in 2016 on a Texas case involving hospital admitting privileges and clinic health and safety standard upgrades used that very case to vote with a pro-abortion majority in 2020 to strike down a similar Louisiana law using the argument that judicial precedent now required him to vote against his own prior position. The three remaining conservatives (Gorsuch, Kavanaugh, and Barrett), while probably pro-life to some degree, have not cast an abortion-related vote. Time will tell if these three will be the deciding votes if *Roe* will be reversed.

## Focus on Life Dinner is BACK Tentative Date October 21, 2021:

Covid-19 disrupted many events in 2020 and again this year. Our May, 2020 fundraising dinner was moved to September and even then, we had to host the event under two tents. This year we faced a similar scenario. Because covid cases remained high through the winter months and into the spring, we decided to delay our 2021 Dinner until this fall. Not everything is fixed in stone but we are looking at an October 21 dinner indoors like we have had the last 30 years. We are trusting that by then the pandemic will be over, or that new cases will be so few that we can declare victory and return to normal.

## PRO-LIFE NEWS ROUNDUP

### Pro-Life On The March!

On May 3 the pro-abortion Guttmacher Institute issued a new report on the status of pro-life legislation germinating at the state level. Since the first of the year pro-life lawmakers have introduced 536 pro-life bills! Yes, that is not a typo...536 pro-life bills all across the United States from heartbeat bills, 20 week bans, clinic reporting requirements, abortion pill reversals, bans on webcam abortions, parental consent, waiting periods, ultrasound requirements and MORE. As of early May sixty-one have not only been passed in state assemblies but have been signed into law by pro-life governors. Guttmacher lamented that in the last week of April 28 bills were signed into law, the most productive one-week flurry of pro-life activity since 2010. This surge in pro-life legislation indicates three things: the Democrats under President Biden hold a very, very slim majority and cannot afford to push their radical pro-abortion policies too far; state pro-life lawmakers feel emboldened to advance an aggressive agenda knowing that many heartland states are largely filled with pro-life voters; and Republicans may be sensing that the mid-term election in 2022 may very well swing in their favor giving them control of both House and Senate.

### Oklahoma, Idaho, and Texas Join the Fetal Heartbeat Express

“I am proud to be called the most pro-life governor!” So said Kevin Stitt, the governor of Oklahoma. In late April he signed four pro-life bills: H.B. 2441 is a heartbeat bill that bans abortions once a fetal heartbeat is detected. Doctors could be charged for murder if accused of violating the law; H.B. 1102 states that doctors who perform abortions that are not medically necessary may lose their medical licenses; H.B. 1904 requires that only doctors trained in obstetrics and gynecology are permitted to perform abortions; and H.B. 918 states that abortions will be immediately banned in the state if the Supreme Court reversed *Roe v. Wade*.

In the same week that Governor Stitt signed four pro-life bills Governor Brad Little of Idaho signed the Fetal Heartbeat Preborn Child Protection Act. The bill would basically ban abortions after the six to eighth week of pregnancy (when fetal heartbeats can be detected) with exceptions for rape or incest.

On May 19, Governor Greg Abbott of Texas signed his state’s heartbeat legislation. As more states enact similar laws, and as more challenges are made by pro-abortion groups, the likelihood increases that the Supreme Court will be forced to make a final decision.

### Good News from Texas

As of May 15, twenty-eight towns and cities in Texas have latched onto a novel way to ban abortions: declare their communities as “sanctuary cities for the unborn.” On May 2, this pro-life effort hit the jackpot when voters in Lubbock approved a ballot measure to make it the largest city in the nation to ban abortions. Lubbock’s population in 2020 was 258,000. The ballot proposal read: “The code of ordinances of the City of Lubbock shall be amended by enacting an ordinance outlawing abortion within the City of Lubbock, declaring Lubbock a sanctuary city for the unborn, making various provision and findings, providing for severability, repealing conflicting ordinances, and establishing an effective date.” Voters approved the measure by a resounding 62 percent. In political terms, that kind of response would be called a LANDSLIDE! The ordinance recognizes that unborn babies are valuable human beings who deserve to be protected under the law. It prohibits abortions within city limits and outlines legal consequences for abortionists who violate the ordinance.

### Planned Parenthood Reports Increase in Abortions

Planned Parenthood’s 2019-2020 Annual Report shows a 3.5 percent increase in the number of abortions performed by the pro-abortion giant since last year’s report. Since the annual number of abortions in the United States continues to drop each year, the percentage of abortions done by Planned Parenthood continues to grow. It now accounts for 40 percent of all abortions, some 354,871 procedures. Meanwhile, adoption referrals dropped to 4,279, a 40 percent decrease from last year. The Annual Report remains noticeably silent on how many abortions are performed on black women, or the rate of abortions on black women relative to their population. That Planned Parenthood has targeted the black community the last 40 years is evident. The black population has remained at 11-12 percent of the US population for decades. Once the second largest minority bloc, blacks have fallen to a distant third. Millions of black babies have been denied the right to life. Considering Planned Parenthood’s founder, Margaret Sanger, was a noted eugenicist, it is no surprise that its present incarnation continues to uphold Sanger’s disdain for minorities, their families, and their children.

## President's Corner by Rob Karrer

We receive information from a host of sources. In the past that may have been through newspapers like the *Kalamazoo Gazette* or *Detroit Free Press* or *NBC Nightly News*. Or *Time* or *Newsweek*. Today we have many more options. The explosion of internet sites and independent podcasts can deliver news and comment by the hour. For the pro-lifer finding good, reliable, current news is essential. Whether its a new pro-life bill, or some court action, or news from around the globe, we need to be informed. However, our pursuit of news from a pro-life perspective has intersected with the scorched-earth policy called "Cancel Culture." When I look for pro-life news I usually go to two main sources: [lifeneews.com](http://lifeneews.com) and [lifesitenews.com](http://lifesitenews.com). The latter has a wider topic list. The Ontario-based site, founded by John-Henry Westen, is more decidedly Catholic. Because of its opposition to transgender rights and covid vaccines in February, 2021 [lifesitenews.com](http://lifesitenews.com) was banned from YouTube. In May, 2021 Facebook joined the cancel culture ideologues and banned it as well. One can disagree or question Westen's "conspiracy theories" or his staunch allegiance with traditional Christian teachings on marriage, family, and the sanctity of human life, but still allow him the opportunity of sharing his (and others) convictions via his internet platform. For two years *MSNBC* spread the lie that Trump colluded with Russia in the 2016 election. We didn't see YouTube or Facebook coming after it, did we? It all falls on ideology. If you are a clear-headed, pro-life Christian you are a target for cancel culture. If you are a pro-abortion liberal who protects Planned Parenthood's history of racism and its targeting of blacks for abortion you are rewarded. I'd rather be cancelled and hear those words, "Well done good and faithful servant," from you know who.

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