

WHAT CHOICE?

Abortion has again been dragged into the spotlight, recently by Mississippi. That State has decided to ban abortion after a certain time period. Again, struggling with the issue of viability, the case has reached SCOTUS. Apart from an unscrupulous villain seeing fit to provide private insight to the courts deliberations, the question has been fact shifted.

Within their ruling work product, SCOTUS has taken the high road. Stating abortion rights and restrictions is a state issue since neither resides in the Federal Constitution. SCOTUS properly points out the Constitution and its Amendments dictate that rights not articulated within the Constitution are reserved for the people to resolve. As Alito said succinctly, *BECAUSE* the Constitution holds no such right, the issue of Abortion is up to the people and their state representatives.

The saga will continue to rage now within each State rather than nationally. To what end. Ah such a ripe question. Both sides have historically focused on the choice by the mother rather than that of the father or the State's vested interest in the baby. That has been the downfall of the argument and why closure is nowhere in sight.

A resolution is a must and a resolution is due. It must be put into perspective of an end result rather than a question of justification. Human women are not asexual. There was an equal partner that created the baby. That makes three living things with "skin in the game". So why does the woman retain the only rights or supersedes that of others, just because of the 9/10th rule of possession? How does possession inherit the right to kill a being? Wow, what an attitude. Compare that to the mother that told King Solomon, "Give the baby to her, just don't kill him!"

The point is that somewhere between conception and birth, there evolves a human being. The argument that it does not become "official" life until born is the justification used by many, but terribly misguided. Once a human being, regardless of the environment that shelters it, is always a human being. A secondary argument of citizenship is mute since the Constitution and laws of the land protect life.

Today fetal viability has become a struggle between a medical concept and a legal definition. The two positions are not equal and in fact, quite opposite. They should not be. The legal viability definition looks to legislate morality. A definition that can take figuratively leaps to establish or even change. An oxymoron in itself. Whereas the medical viability is an evolving question. A consistent trait that diminishes the timeline from conception.

Viability is the consensus of a baby being able to survive equally in the womb or out. On that agreement we could claim a settled definition of when a human being becomes a human being, at least medically. Equally, that brings closure to the legal point. Killing of a viable human-being-baby is murder, no matter how it's accomplished. Keeping in mind all rules have exceptions but that's a separate discussion.

If the law frames its legal preface from the medical definition, then the laws must atone for that evolving change. Any statute wording of "time" must be replaced with "viability". Today, medically, viability occurs past the midpoint of the 2nd trimester. A time frame of about five months of human gestation. Legally, the viability cusp sits between the 2nd and 3rd trimester and many laws have been written with those opposing definitions.

If you are diagnosed with a terminal ailment, you can take illegal drugs, legally. Get a doctor's prescription and your marijuana possession is legal. A health provider's note gets your dog onto an airplane. The consequences of deadly force can be absolved if your life was in danger.

So, what is the resolve? A simple legal codification that defines a baby, regardless of environment, as a human being *if viable*. That brings the question of viability real-time and allows law enforcement to coexist with reality.

So as medical science keeps pushing the viability envelope, the right to choose is also pushed. With a human being codified, the choice time frame no longer sits somewhere between conception and birth. Or conception and an arbitrary event segmentation. But instead, where it should be, conception and viable life. Now we enter the true realm of choice. Not a time when life become viable but rather a time when conception becomes life.

Justification of what and to whom? The abortion? The terminated life? The woman's choice? Justification to abort is not a choice when the baby is viable or a human being. At that point

their needs to be consequences. At that junction, it is first degree murder because it was premeditated.

In several States you can be charged with manslaughter if you kill a pregnant mother's baby in a car accident. Murder if you were intoxicated.

Choice can be many things depending on outcome. That includes all aspects of personal gratification. Even suicide, the choice to kill oneself, is not legally acceptable in any State except medically assisted suicide, but then that is not private. But when your choice affects others, issue of rights do appear. When you drink by choice, then drive by choice, actions have consequences, even if you kill someone. The fact that you exercised a personal choice does not absolve you. Your right to decide does not get you the right to kill.

Back to the choice of personal gratification. In most cases a baby started with self-gratification. Like a drunk driver, it too started with a choice of personal gratification. Strange how both can have a similar outcome of taking another life, yet each has diametrically opposite justification view. From absolute to none.

SCOTUS properly avoids the real question of when does choice of abortion have consequences. Properly that determination rests at the State and by its people. So, let's turn to that very question. If as many pontificates, there is only personal repercussions when a mother aborts an unviable fetus, regardless of time. Why? They argue it is a personal choice because it's a privacy decision of the mother. A decision where she can exclude others because it is personal. That argument fails at the moment of time when the baby becomes human. That choice is no longer personal or private or without consequences.

For the sake of this missive on abortion let's set religion aside. The act of abortion is a biological challenge that needs to be elucidated by the scientific community. The act of abortion is the inhibiting the development of a human being. The child in the womb has its own DNA making it a distinct human from the mother. To arrest the child's development is unethical and possibly criminal. There is an inherent right to life. Abortion is killing a human being that cannot defend themselves.

The mother contracts a doctor, or another member of the medical community to kill her child. The doctor is now a hired gun – "have forceps will travel." What other circumstances in

the USA is contract killing legal? No -- assisted suicide is helping to end a life at the request of the patient. In abortion the victim has no input. The child is not part of the "choice".

The argument concerning rape is a valid one. If a woman or girl is raped, they should go immediately to the hospital and ask for a rape kit. That instigates a police inquiry. The victim should identify the attacker, if at all possible. The hospital should prescribe the morning after pill. This then avoids the conception before any human development starts. No woman or girl should have to undertake pregnancy as the result of violent attack.

A similar argument is made for protecting the life of the mother. If a mother's life or well-being is jeopardized by a pregnancy then abortion may be necessary. This moral dilemma is a difficult choice for the parents. It is weighing in many cases the life of a newborn against the loss of a mother's life which would make their other children motherless. I do not envy their decision.

The ranting of those who disregard the life in the womb in favor of "choice" is illogical and political fodder. Yes, there may be some who are worried they may not be able to abort on demand regardless of the developmental stage of the child. Abortion should not be a lifestyle. If a woman is to have sole reign over her child why not extend the age of abortion to twelve years old? A kindergartner can easily identify a baby in the womb when presented with a picture. So, what is the difference? Age? I think that age is then an arbitrary factor. In Pennsylvania a mother was just charged with murdering her toddlers.

Choice advocates blur their argument. They pontificate abortion as a reproductive choice. Birth control. That may well be in the immediate days after the sex act that created the life. The morning after pill or even a home remedy concoction are in general use. All taken in privacy of the mother and doctor. However, things grow as time goes on and reality sets in. It's called the second and third trimester. A time when the doctor decides which method to use in terminating the mother's child. A method based on the number of weeks within the second and third trimester. Bluntly, how old the baby is. The two primary methods used are Dilation and Evacuation (D&E) and Induction. D&E is used within the 13-24-week period and Induction after 16 weeks.

At the 13-24 week stage the fetus's body is too large to be broken up by suction and will not pass through the suction tubing. So, the D&E method is employed where the physician then

dilates the cervix and dismembers the body and crushes the skull to facilitate removal. After 16 weeks, much of the procedure is performed using forceps to remove the fetus in pieces due to the fetus' size. The doctor keeps track of all fetal body parts to ensure none are left inside. A curette and suction are used to remove any remaining tissue or blood clots.

Abortion by Induction is the procedure used when the baby is past the 24-week development stage. The baby's heart is injected with chemicals to kill it. Labor is induced and the fetus is delivered. In some cases, the induction method fails or cannot be used. Therefore, an extraction procedure is used to remove the fetal pieces using forceps

States, through their elected representatives, must decide and begin closure once and for all. Is it a question of choice? No choice is personal or private when it entails someone else's rights or the death of another human being, even when it includes a baby within the protection of the womb.

An abortion "choice" should be a soul-searching process.

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