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The Culture of Death Takes One on the Chin

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In so doing, President Bush fulfilled a promise, and made a significant advance against the Culture of Death. The signing ceremony for the bill took place in the Ronald Reagan Federal Building in Washington, DC—simply because the assembled crowd was too large for any venue in the White House. Arrayed behind the President was a group of congressional leaders who had been working for years to bring the partial-birth abortion ban to reality.

The history of the issue reveals something of the moral confusion that marks the American political scene. Momentum to ban the atrocity of partial birth abortions began almost a decade ago. Twice during the 1990s, Congress adopted partial-birth abortion bans, only to see those bills vetoed by President Bill Clinton. This past October, Congress approved the ban once again, with legislation carefully crafted to meet the inevitable challenges in the courts.

While running for President, George Bush promised to sign this legislation once it came to his desk. President Bush made good on that promise today and he pledged the full energy of the executive branch in facing future challenges to the legislation. It was a day for which many had long worked and prayed.

As President Bush explained, “The best case against partial birth abortion is a simple description of what happens and to whom it happens. It involves the partial delivery of a live boy or girl, and a sudden, violent end of that life.” With those words, the President turned back the curtain of vague language that often obscures this debate. The fact that President Bush described these unborn babies as “a live boy or girl,” is itself significant. A president of the United States leads by both action and words. By choosing these specific words, President Bush underlined the fact that the life so hideously taken in a partial birth abortion is that of a child—a boy or a girl—whose is murdered just moments and inches before full birth.

A large majority of Americans support a ban on partial-birth abortions. At the very least, this indicates a significant gain in building a consensus that at least some abortions are unconscionable. As President Bush stated, “The wide agreement amongst men and women on this issue, regardless of political party, shows that bitterness in political debate can be overcome by compassion and the power of conscience.”

This common ground is exactly what pro-abortion forces fear. The response of the abortion rights industry to the partial-birth abortion ban was as sad as it was predictable. The National Organization for Women [NOW] described the legislation as “the theft of our reproductive freedom and our Constitutional rights.” In language that can only be described as hysterical, the NOW statement included a call to action: “Women’s rights activists across the country are recommitting ourselves to keeping abortion safe, legal and accessible. We will not allow Bush and his buddies to erode our rights. We will take our case to the courts, to the streets and to the ballot box. We will restore women’s right to privacy and their access to critical medical procedures; we will march on Washington next year on April 25 to Save Women’s Lives; and

we will remember in November.”

Following their typical line of argument, the pro-abortionists claim that the partial-birth abortion ban is an effort to “to overturn Roe v. Wade, one step at a time.” Furthermore, the NOW statement acknowledges that the legislation “is the first ban on abortion procedure since abortion became legal in 1973.” Ominously, the press release warns that “it will not be the last if George W. Bush remains in office.”

The pro-abortion forces know that they are now put on the defensive. Their extremism on the issue of partial birth abortion reveals the desperation of their basic philosophy and worldview. By opposing this legislation, and by employing such ridiculous language, NOW and its allies show themselves to be driven by no higher cause than the absolute reproductive freedom of women under any and all circumstances. They are willing to embrace even a procedure that is recognized as nothing less than infanticide.

Challenges to the Partial-Birth Abortion Ban Act of 2003 were already prepared, even before the legislation was signed. Legal actions are pending in at least three different federal courts. Less than hour after President Bush signed the ban into law, U.S. District Judge Richard Kopf issued a temporary restraining order with a limited scope, citing the fact that the law did not contain an exemption for preserving the health of a woman seeking a partial-birth abortion. In 2000, the U.S. Supreme Court overturned a Nebraska law that had been crafted much like the present Partial-Birth Abortion Ban Act. In a 5-4 decision, the court struck down the law because it made no provision for an exception in a case where the life of the mother might be threatened.

The Partial Birth Abortion Ban Act of 2003 was fashioned with language that specifically addressed this issue. Judge Kopf, whose court is located in Lincoln, Nebraska, issued his temporary restraining order, and claimed that the provision included in the federal act is insufficient. Even though Judge Kopf’s order covers only four petitioning physicians, it is a sign of things to come. Forces on both sides of this debate expect the Partial-Birth Abortion Ban Act of 2003 to end up before the U.S. Supreme Court, and probably in short order.

Today’s events should quicken the American conscience. The clarity of President Bush’s comments in the bill-signing ceremony should remind all of us that the sanctity of human life is non-negotiable. As the President eloquently expressed, “Every person however frail or vulnerable, has a place and a purpose in this world. Every person has a special dignity. This right to life cannot be granted or denied by government, because it does not come from government, it comes from the Creator of life.”

At the same time, the action and comments of Judge Richard Kopf, combined with the outrageous claims offered by NOW and its allies, must remind all morally sensitive Americans of the fact that the battle for life is going to be contested at every turn, must be fought at every level, and will require vigilance and commitment far beyond applauding at a bill-signing ceremony.

Knowing of the battle that is to come, President Bush promised that, “The executive branch will vigorously defend this law against any who will try to overturn it in the courts.” His lawyers had better be prepared. The Culture of Death will march into court with its own lawyers, ready to argue for a constitutional right to kill.

The Partial-Birth Abortion Ban Act of 2003 is only a partial victory, nevertheless, it is a real victory, and the event that took place in the Ronald Reagan Building was more than ceremonial. This is a fight worth fighting.

