

Transcript 102-2

Shea Houdmann

Welcome to the Got Questions Podcast. This is part 2 in our series on abortion. And so if you have not listened to part one where we go really in depth on what does the Bible say about abortion. Very important for what stuff we're going to talk about today, but this episode is going to be a little more focused on the politics. What's going on in society. And even a little bit of legal issues because with this episode we're going to be discussing Roe versus Wade. Now you're probably cognizant that the reason for this is because it appears, at least at this point, that the Supreme Court may be overturning Roe versus Wade. So we thought it would be helpful for you to understand the history of it and then just even discussion of what that would mean if it were overturned.

Shea Houdmann

Because there's a lot of misconceptions were already receiving some questions about what, what do I do? Or is some Christians who are celebrating is this is some tremendous victories as if abortion is suddenly going to be illegal throughout the entire United States, and it doesn't mean any of that so Kevin, why don't you start us off? Give us a little bit of the history of what is Roe versus Wade.

Kevin Stone

Yeah, there's a lot of history behind it. This is going to be a very, very condensed version of of how we got to where we are now. Probably we'd have to go back at least to the 1950s, where a legal group put forward a draft law. Kind of a Model Law of how states could provide the freedom to choose an abortion and then in the 1960s several states started drafting and passing laws that were based on that model.

Kevin Stone

Then the Supreme Court got involved in 1973 and issued a ruling on the case of Roe versus Wade, which legalized abortion nationwide. The court had earlier found a right to privacy in the Constitution and in the Roe V Wade decision they said that that right was broad enough to encompass the right to abortion, and in this particular ruling they divided the pregnancy into trimesters.

Kevin Stone

So in the first trimester no state could forbid or regulate abortion in any way. In the second trimester the state could enact some regulation, on a very narrow scope. But then in the third trimester, after viability, the state could, on paper, prescribe abortion, provided that it makes exceptions though for the life and health of the woman seeking the abortion and it's that word health that really became key and still is in the abortion debate. That same day that the SCOTUS passed Roe V Wade, or handed down that ruling, they also handed down a ruling in a case called DOE versus Bolton, which defined the word health. The health was defined to mean all factors that affect the woman, including physical, emotional, psychological, familial, and the woman's age. So basically a state could pass a law saying no abortions, but it had to have that health exception. And according to the court, that health could be just an emotional health so the woman could just say, well, it would be an emotional burden for me to carry

this pregnancy full term. Therefore she could have an abortion, that the law had to allow for that, and so the way it worked out was that there were no restrictions allowed on abortion whatsoever basically.

Kevin Stone

1992 then, a lot of stuff happened in between in those 19 years, but in 1992 another big case came before the Supreme Court in the case of Planned Parenthood versus Casey in a 6-3 vote, the SCOTUS reaffirmed the court rulings of of Roe V Wade, but it discarded the trimester division and allowed states to regulate abortions as long as they did not impose an undue burden on women before fetal viability at 23 to 24 weeks. Now since that ruling in 1992 that viability age has come much and much earlier, and that's one of the issues at stake now to.

Kevin Stone

Just an interesting side note, here in 1994 Norma McCorvey, who was the Roe of Roe V Wade. She was interviewed on Nightline and went public with the news that she by 1994 had rejected abortion and had rejected the the Pro abortion movement. She had left that. She was now right to life. She was in the right to life camp. And she was supporting unborn children. And then she also revealed that the pregnancy that was the center of attention back in 1973 was not the product of rape. Now they had always said that it was but Norma McCorvey said well, actually it was not the product of rape, so the whole case was built on a lie. They had been lying to people throughout all those years, and she set the record straight.

Kevin Stone

Skipping ahead all the way to 2018 then, Mississippi passes a law that bans abortions after 15 weeks. So that that viability age is is much lower today. And by the way, Arizona and Florida are both right now set to pass laws that are almost exactly like the one that was passed in Mississippi. They're all poised to do that. In 2021 then the SCOTUS agrees to hear a challenge to the Mississippi law in the this case that's before the court now of Dobbs versus Jackson Women's Health. In reviewing Mississippi's law, they're taking a look at the idea that Mississippi has a legitimate state interest in passing that law. And so that this is part of the argument that Mississippi as a state is saying we have the responsibility to our citizens to show respect for prenatal life, to mitigate fetal pain, and to eliminate barbaric procedures and some other things are listed as well. So the state sees those things as beneficial to address in the state of Mississippi.

Kevin Stone

And so that's kind of the crux of the argument right now in that brings us to today where the Supreme Court seems poised to uphold Mississippi's law and that would in effect overturn Roe V. Wade and the Casey decision as well. And one of the arguments being used by the Mississippi State is that the people should decide these issues, not the courts, but the people and their elected officials should make these types of decisions. They also point out that the Constitution is neutral on the area of abortion, in fact, you can't even find a right to privacy delineated in the Constitution, much less a right to abortion. So the Constitution is technically neutral on this so let the legislatures decide is one of the arguments being used before the Supreme Court, and so that's a very brief overview of how we got to where we are today.

Shea Houdmann

Excellent summary Kevin. I've been reminded of a few things that I had forgotten about. What's gone on in almost the last 50 years with the abortion issue. And just for our listeners who really just really want to know 'cause this may be the most frequent question we're given is what will happen if Roe versus Wade is overturned and essentially it'll go back to what it was pre 1973 that each state can have its own laws. What Roe versus Wade did was make abortion legal in all 50 states. Before that it was legal in some states, illegal in different states and you stayed at different laws.

Shea Houdmann

So what will happen is it'll go back to each state now can decide for itself whether it wants abortion at all, whether it wants abortion with no restrictions or wants abortion with some restrictions, and I was looking at a map the other day of some of the different changes. And then there's a lot of different rules, different laws that are going to that would go into effect. Some states have laws that if Roe versus Wade is ever overturned, these laws would go into effect and vice versa. It's honestly it's going to be to a certain extent a mess, but no so abortion is not going to become illegal throughout the United States and nor is it going to be free for all. It's going to go back to individual states, which is a principle of federalism. The United States was built on, that certain things should be decided by the states versus the federal government. Whether you think this is a good example of federalism or not, that's ultimately wanting going to occur, so let's keep that in mind.

Shea Houdmann

We're not talking about Roe versus Wade being overturned means abortion is now illegal. The Pro Life community needs to stop the in a sense the celebration to the extent of yay abortion is no longer happening. I know, trust me there are some states who are if this were to happen, would pass some of the most liberal, open free abortion laws imaginable. Other states like Mississippi are going to go the other direction.

Shea Houdmann

So ultimately, what would happen if Roe versus Wade is overturned? It will result in each state being able to decide for itself whether it wants abortions to occur and what restrictions, if any, to place on abortion.

Kevin Stone

In face California right now their governor there has just announced here in the past few days plans for California, to spend an additional \$57 million on abortions for the uninsured and out-of-state residents that he figures are going to be coming to California to have an abortion performed, you know, fleeing the the regulations in their in their home state. So, California is poised to just open the doors and pay for those abortions so yeah, the the overturning of Roe V Wade is not going to end abortion. Different states will have different different rulings on this.

Jeff Laird

The one of the reasons that Roe V. Wade's end if it happens isn't going to completely remove abortion is because. 'cause there are broader principles and broader ideas involved than just what's written in one

particular legal argument. I have heard, and I'm obviously I am not a legal scholar. I don't pretend to have the level of expertise it takes to really pick apart rulings, but I have seen that there have been persons on both sides of the political aisle, including those who are pro abortion, pro choice who have made the point that the original reasoning of Roe V Wade was extremely fragile. Very, very poor. To the extent that it was almost destined at some point in time to fail, as we've noted, the the Constitution doesn't specifically talk about a right to privacy and privacy was the main gist of what Roe V Wade was talking about.

Jeff Laird

On top of that, the ruling basically decided to legislate. It invented these three completely separate categories that when there's there's all these different reasons why the decision itself was sort of doomed eventually to failure. From my perspective, I think we we should also recognize that all of these arguments, all of these debates, to some extent miss the point. There is a fundamental concept involved in our prior podcast we were talking about biblical reasons why we as Christians believe that human beings all it all stages regardless of their race, their gender, their development, their ability, their age, all have intrinsic value according to God. We brought up the idea that there are secular arguments that go towards that same idea. All of the arguments that go for the Pro life cause are rooted in those ideas, things that are harmonized with human dignity and human rights and human value, every single argument that favors abortion is in essence, propaganda. And by that I mean something that sounds good on the surface. But when you really look into it. It doesn't really make sense. Arguments like pro choice. We don't apply the concept of choice to a father's ability to beat his children or to molest somebody. We talk about things like laws on women's bodies or my body, my choice. We respect the idea that people have bodily autonomy, but we also recognize that we are not talking about the woman's body. There is a completely separate organism involved in this.

Jeff Laird

We look at the arguments that favor abortion and all of those arguments in essence, force us to then accept things that we as a society want to say are wrong, like racial and gender discrimination, ability, discrimination, even things like rape, murder, slavery at some point in time when you break down society to where you're willing to say that we will decide what kind of a living human being does or does not have personal rights. You absolutely open the door to all these other ideas.

Jeff Laird

So we as Christians need to remember that the most important thing, and to be honest, it's something that even those who are in favor of abortion need to remember is that this is not a question of legislating something from the top down. It's not really, ultimately, about any particular Supreme Court decision or any particular law. It's about these basic ideas. What do we define a human being as? And what are we going to do with that?

Jeff Laird

The upside of something like Roe versus Wade coming down is that there is a broader legal protection for people to recognize biological and moral and spiritual logic and truth that leads to the pro life position. The downside is some of the controversies. Some of the argument the debate that's going to

come up that's going to sort of spiral into these other ideas, but we as Christians need to focus people on the idea that the law in and of itself is not really the issue.

Jeff Laird

We as Christians would rather be in a situation where the law is permissive and the thing it permits just doesn't happen because people truly understand how heinous it is. That would be a better circumstance than to have a culture that is confused and tries to prohibit something that people decide they're just going to go ahead and do anyway.

Shea Houdmann

So Jeff, I'd like you to touch a little bit more on the gender selection aspect of it, the the race selection and the fact that throughout the history of abortion in the United States minorities have minority babies. I know there's a better way to describe what I'm saying have been aborted at a far higher rate than the rest of the population, and I think that plays into this because it goes to the very nature of what it means to be a human being and that inherent intrinsic value there of.

Jeff Laird

It's a good example of how the Pro abortion position ultimately, it's just is it's propaganda. It's self defeating. It does not retain a sense of logic. Let's just say, for example, we were to suggest that we can genetically determine specific things about a baby race. We know that we can determine things about the baby gender. Let's say that we were to discover that we can genetically determine if a child's predisposed to things like homosexuality or a transgender perspective, or something else like that, what then do you say to woman who says I went and got the genetic tests back and I have decided that since the child is going to appear to be African, I'm going to have an abortion. The child appears to be inclined to be gay, so I'm going to have an abortion. The child's female. I don't want a girl. I'm going to have an abortion. People will tend to naturally recoil when you bring up the idea of having an abortion because you don't want a black or gay or female baby, but that recoiling in and of itself demonstrates that we're investing human rights in the unborn. There is no argument a person can really make if the unborn is not human, if it's not a person, if it doesn't have rights, we don't have any cause to complain or to claim that that's unethical or that that's wrong, or that people couldn't do that. Now you're talking about moving some of these things that we rightly recognize as unfair discrimination down to the level of existence, let alone what people are able to do or not able to do once they're born.

Jeff Laird

The other thing that it strikes to is this question of how do we actually define people? How how do we get down to this level of what people are or not. If we're going to make arguments that support abortion because the most important thing in our argumentation is to get to the point of abortion, we have to set up our arguments in ways that then enable those same kinds of discrimination after birth.

Jeff Laird

One of the most common ones that we'll hear sometimes from people who are well meaning is they'll talk about exceptions for abortion restrictions for things like rape and incest. Obviously, we understand where people are coming from. Both of those situations are tragic, they're terrible, they're awful. However, the question remains. Remember, it's not really a question of this law or that law or this idea

of that idea. What are we talking about killing? Are we trying to say that a person conceived in rape, a person conceived in incest does not deserve the same rights as everyone else. There are people in the world who have been conceived in those circumstance. They're alive. They exist. We don't look at those persons and say no, you don't really have rights because of the circumstances of your birth.

Jeff Laird

We have to treat all these things equally. We're going to argue that the circumstances of somebody's conception determines whether or not they have the right to live the most basic of all rights, if we're going to argue that people should not be told you don't have rights on the basis of your ability or disability or your race or being part of another race or your gender, we cannot filter that down and create this magical propaganda line where we suddenly say, but now we will and now we can. That's where they really just sort of explode if we're going to be consistent. If we're going to be fair, you cannot come up with a logical rational reason to have all of these human rights and civil rights that we want and support concepts like abortion.

Kevin Stone

Psalm 139, where David says you create, speaking to God, you created my inmost being. You knit me together in my mother's womb, your eyes saw my unformed body all the days ordained for me were written in your book before one of them came to be. So David here in this passage in this prayer of praise to God, he says that God is present in the womb, and God was there from the very first moments of life, which seems to be at conception here. And he also says that God has had plans for his life from that very very beginning moment, and he uses phrases like his unformed body, his inmost being. And this phrase of God knitting him together, so this is talking about construction on a very basic level, a cellular level that's taking place in the womb at the embryonic stage. God is involved in the whole process and it's one of the reasons why we are pro-life. We love life. And we see God's handiwork in it, and we want to do all we can to promote the the the rights of that child, that God given gift in that womb.

Shea Houdmann

Amen.

Jeff Laird

We definitely have to remember that there are, there are so many layers to what's going on here. That again, as we've defined things. When we talk about these issues, we want to be clear. When we say abortion, we're talking about the deliberate effort to kill, to end a life, not attempts to save at least one, maybe two, of the persons involved, so we don't want people to be confused and think that concepts like miscarriage or ectopic pregnancies and things like that are tide into this. There may be states that have laws coming up if Roe V Wade goes down that are going to complicate those issues and some of those laws may be unnecessarily complicated. They may do the wrong thing, but those don't really have anything to do with the basic idea.

Jeff Laird

The basic idea is what is a human being and how do we as a society choose to respect or not respect life. Same thing with the propaganda statements. Choice, bodies forced this or forced that all those things

ultimately just come down to that question of what does our law say about the rights that people have? What does it say about what life is and what it's supposed to represent and what it's not supposed to represent, and to some extent we as believers should not be overly concerned about the law in and of itself. It's good to celebrate when laws reflect godly principles. It's good to reflect when laws give us the freedom to act as we should but the ultimate test of something is not whether or not it's legal, it's whether or not it's godly, so our emphasis as believers should be to say and teach and preach and believe the same thing about the value of life, regardless of what any particular law says, and regardless of what any particular politician says.

Shea Houdmann

So again, this is part two of our ongoing conversation on the issue of abortion, brought mainly to the forefront. Obviously this is a question we've received hundreds, if not thousands of times in our twenty year history questions related to abortion. But the possibility of Roe versus Wade being overturned has really brought this back to the forefront of people minds. OK, what should a Christian view be on this? Again, we're not legal scholars. Yes, I think as again as a not legal scholar that Roe versus Wade should be overturned, not just from I disagree with it because it allows abortion, but because it's just so poorly argued. Such a fragile foundation. It doesn't actually work, it that's not, it's not constitutional so forth.

Shea Houdmann

But what's going to happen if Roe versus Wade overturned is going to be each state now has its own ability to decide for itself whether wants and I don't know ultimately whether that's a better situation or not, although I'd be happy to live in a state where it was not, but currently here in Colorado there are absolutely no restrictions on abortion and that does not appear to be something that's going to change anytime soon.

Shea Houdmann

So is Roe versus Wade being overturned the end all be all? No, it's not. I mean, I suppose, a decision whether from from Congress would be the appropriate way for to go to make abortion illegal except for in the extremely, extremely, extremely rare instances where it's the only way to save a woman's life, that would be what my conviction is. I don't necessarily say that has to be every Christian's conviction, but we are pro life.

Shea Houdmann

We are anti abortion because we believe that's what Scripture teaches. We believe that every human being from the moment of conception is created in the image of God and that informs everything else in our viewpoint on abortion. So hold this conversation a little different than any other podcasts we've done, and they were primarily talking about legal and cultural issues rather than specifically biblical ones, but we'd invite you to please listen to episode one where we go into a little bit more on why we believe the way we do specifically from the Bible on the issue of abortion, and also there's going to be an episode three and possibly episode 4, and in those episodes the three different women who work at Got Questions are going to be leading those discussions discussing some of these same issues, but also some differ ones.

Shea Houdmann

Part of me feels silly about it, I don't really think that as a man I'm not allowed to speak on these issues. No, I'm allowed to speak a conviction that's based on what the Bible teaches. I know Jeff and Kevin feel the same but also we are biologically, physiologically incapable of having an abortion, so there's never a decision we have to make for ourselves, so I thought having the the women of Got Questions also having a discussion, this would be very helpful because they have some unique perspectives and that maybe the three of us don't, so stay tuned, tune in for episode three of this series where the women of Got Questions are going to be discussing some of these issues as well. I am I am looking forward to listening to that to those episodes as well.

Shea Houdmann

So Jeff, Kevin, thank you for great conversation this morning and again, tune in especially to the end of episode one where we discuss the forgiveness is available through Christ. We want to focus this message on grace that if you have been involved in abortion in any way, forgiveness and salvation is available to you and please come to gotquestions.org. Ask any questions about this, so we'd be glad to give you a fuller explanation than we've been able to do in this episode.

Shea Houdmann

This has been the Got Questions podcast. Got questions? The Bible has answers. We'll help you find them.