

# *Critical Thinking and Readings in Social Sciences*

**Winter Semester, 2022**

## **Mid-Semester Examination**

### General notes:

- The assignment has 1 compulsory question and carries a maximum 20 marks.
- **Deadline for submission is Saturday, June 18, 2022**
- Word limit: 500 + one paragraph of under 100 words.
- Prepare your assignment in MS Word and then convert to PDF format for submission (in font Times New Roman, size 12 with line spacing 1.5)
- Upload on one single document on Google Classroom, within the deadline given in your submission. We will not evaluate any extra files or zipped folder.
- Write your own responses and do not copy from any source. **There is zero tolerance for plagiarism.**

### **Question**

As discussed in class, you need to write a Letter to the Editor responding to the articles on the Roe vs Wade case which have been shared along with this question paper.

### Notes for composing the letter:

1. The assignment will have three parts, and you need to write each part from a fresh page.
2. Part I will have to have 5 standard form arguments, each based on inductive logic and providing evidence to support distinct conclusions. This will be followed by a final 6th standard form which will combine all conclusions (C1, C2...C5) using deductive logic thus ensuring that the premises and conclusion are indefeasible.
3. In Part II, you are to add more guarding, assuring and discounting terms to these forms, as evaluative terms, and reproduce each standard form argument into a readable and convincing paragraph.
4. In this part you will also need to add a **title to the letter**, which will draw from the

final argument.

5. Use the article 'Case against Homework' discussed in class as a guide in writing part II, be creative. Use questions, and explore contradictions within premises use all forms of application of generalising up and down inductively, as well as inference to the best explanation and causal reasoning. But draw all evidence from the given articles, not from any outside source.
6. In Part III you are expected to write a short paragraph justifying your newspaper/website of choice, and discuss why you think your letter will change the reader of the publication and why the editor is likely to select your letter.
7. Overall, the word limit for the Part I and II combined is 500, and part 3 should not be more than 50-100 words.
8. Finally, in no way would we take your letter to be reflective of your personal opinion on the subject, hence feel free to take any line of argument. We will only judge you by the critical thinking used to develop the letter. So avoid making any reference to your own person, simply sign off the letter as "A young citizen of the world", without mentioning any personal details in it!

# Opinion The road beyond Roe for the pro-life movement

By Marjorie Dannenfelser and Chuck Donovan

May 13, 2022 at 8:58 a.m. EDT

*Marjorie Dannenfelser is president of the Susan B. Anthony List. Chuck Donovan is president of the group's research arm, the Charlotte Lozier Institute.*

For the pro-life movement, the excitement about the possible reversal of the 49-year-old precedent of *Roe v. Wade* is real, even as we know the road ahead is uneven. There are strong views on both sides of this issue, and this historic moment arrives at a time when Americans seem to have lost the will for civic engagement and representative government.

In this environment, in addition to seeking peaceful change through electoral processes, the pro-life movement has clear priorities.

First, we welcome the give-and-take of the democratic process. For half a century, a small cadre of unelected judges has created abortion policy and wielded unparalleled power to strike down even the most modest statutes protecting nascent life. Now, we hope, the people will have a say and the chance to achieve consensus.

We will not act impulsively or rashly. Different states will reach different conclusions. Greenville, S.C., and New York City's Greenwich Village will choose differently. Unfortunately, the Democratic Party, once the home to stalwart antiabortion voices such as Pennsylvania Gov. Robert Casey Sr. and Louisiana Rep. Lindy Boggs, chose to rush a vote in Congress on an extreme bill to mandate abortion on demand. In the name of codifying *Roe*, they would impose a "super-*Roe*" on all Americans — abortion without limits, everywhere.

Americans consistently reject this agenda. Sixty-five percent in an AP-NORC Center for Public Affairs Research poll last year said abortion should be generally illegal after the first trimester of pregnancy, 80 percent after the second trimester. More recently, 65 percent of women supported a 15-week limit such as Mississippi's. The number and variety of antiabortion laws enacted in recent years show that the people and their elected representatives are ready to embrace the role reserved for them by the Constitution.

With the opportunity to save millions of lives finally on the table, we are eager for lawmakers in the states to be as ambitious as possible in their efforts to build consensus.

COUNTERPOINT

Time for businesses to speak up for reproductive rights

Democratic governors such as [California's Gavin Newsom](#) vow to make their states into "sanctuaries" for abortion — the opposite of what a sanctuary should be. Fortunately, governors in pro-life states are leading the charge to enact meaningful protections for unborn children *and* increasingly creative ways to ensure mothers have the resources they need to choose life.

Mississippi Gov. Tate Reeves (R), whose state is at the heart of the challenge to *Roe*, has been exemplary in this regard, signing two new bills to [boost pregnancy centers](#) and other community-based supports for pregnant women

and their children. Having spoken to more than 20 governors over the past few months, we have been heartened by the way statewide leaders are embracing this phase of the pro-life movement.

Meanwhile, we agree that there is a role for elected leaders in Congress, and we will support the strongest federal protections we can achieve. It is worth remembering that [legislation](#) to protect unborn children from [painful](#) late-term abortions has already passed several times in the House and received majority support (though not the 60 votes needed to overcome a filibuster) in the Senate.

There are many such common-ground efforts that are already well within the mainstream but need a president who will sign them into law. Those who would champion and sign these bills would have a chance to distinguish themselves in the upcoming midterms and ahead of the 2024 presidential election.

We know that angry countercharges to these statements will come. We should be clear. The pro-life movement has never abided, and will not now abide, criminal charges against women who seek or have abortions. Women are harmed, not helped, by abortion. Given support by the circles of protection that should surround them — partners, family, community, providers and government — women will maximize their decisions for life. We oppose any measure that would penalize those who have already suffered grave hurt. In every pregnancy there are two people intimately connected, and we would surround both with love.

We also reject the charge that our care commences at conception and ends at birth. The pro-life movement maintains a vast network of pregnancy centers that offer free care. The movement is building maternity homes, backing child and adoption tax-credit expansion, supporting massive [alternatives-to-abortion programs](#) in Texas and as many other states as will enact them. The social safety net has tears, but the solution is to sew them up — not dismember the children who should be swaddled in it. The [Her Plan](#) program of the Susan B. Anthony List seeks to help local partners identify and fill gaps. Another example of creative leadership is Mississippi's groundbreaking \$3.5 million [tax credit](#) for donations to pregnancy resource centers to help serve families in communities across the state.

Fifty years ago, no family in America had access to a dazzling 3D image of their son or daughter developing in the womb; today such images appear on family refrigerators. Fetal surgery is commonplace. Conditions such as spina bifida, congenital diaphragmatic hernia, twin-to-twin transfusion syndrome and dozens more are being identified and treated in the womb. Public policy should also seek to make these miracles available to every child and family, not merely to a favored few.

We pray that respect for all human life will once again be recognized as the core of our Constitution and national life. The road ahead will be bumpy sometimes, but the journey is worth our toil, sweat and tears.

# The Uterine State of America: Our lives depend on Roe v. Wade

We must protect Roe v. Wade and abortion rights. Freedom will be up for grabs if we don't.

By **Jeneé Osterheldt** Globe Columnist, Updated May 4, 2022, 12:07 p.m.



Nadia Frye Leinhos of Brighton (center) led a chant as she marched after an emergency rally for abortion rights at the State House on Tuesday. JESSICA RINALDI/GLOBE STAFF

Those who claim to uphold the Constitution are losing sight of justice.

We cannot afford to let freedom waver and be put up for debate. Freedom is life.

Everything else is a slow death. And we, America, have always been dying slowly, and sometimes quick.

Abortion, and the legal access to one, is a reproductive right, a human right. We're going to lose it.

The Supreme Court of 2022 would have us believe abortion cannot be implicitly protected by any constitutional provision because there is no reference to it in the Constitution.

In a draft of the majority opinion [leaked to Politico](#), Justice Samuel Alito writes that we need to roll back Roe v. Wade and Planned Parenthood v. Casey, undoing a half-century of abortion rights in America. SCOTUS [says the document is authentic](#), but it is not the Court's final decision.

Still, Amy Coney Barrett, Clarence Thomas, Neil Gorsuch, and Brett Kavanaugh are allegedly in alignment with Alito. Together, they make the majority. We cannot dismiss this as anything less than a probable attack against our freedom. A uterus should not be necessary to understand this as an act of oppression.

President Biden needs to prepare to call for an end to the filibuster. Make room for Congress to pass legislation and protect us. Otherwise, we are in for a freedom fight.

The [rejection of Roe](#) will not end at stopping abortion. To destroy a decision with 50 years of precedent so that a pregnancy becomes a part of the political process is to peel back every layer of privacy and the right to it.

Contraception, same-sex marriage, interracial marriage, voting rights, sodomy, segregation — it will all be up for political debate again. In a country entrenched in culture wars and bigotry, we could lose the right to learn languages other than English.

There will be no safe spaces or autonomy once we allow them to deny abortion on the basis of enumeration. Alito wrote, "The inescapable conclusion is that a right to abortion is not deeply rooted in the nation's history and traditions."

Neither was the freedom for all people.

Dred Scott was divorced from his humanity based on his Blackness in a 1857 Supreme Court ruling. No Black person, free or slave, could claim US citizenship, the court said. It would not be until 1868, when the 14th Amendment to the Constitution was ratified, that citizenship would be granted to “all persons born or naturalized in the United States.”

Alito opines through the lens of the 1857 Supreme Court, through the constitutional view that deemed enslaved people three-fifths of a person. Abortion was not explicitly mentioned in the original Constitution because the founding fathers were not concerned with freedom in ways that included all people. The founding fathers believed people could be property. Bought. Sold. Owned.

Once a certain sector of people in power are able to own you and your personhood, they will keep pushing until you are living the life they say you must live, in accordance with their views.

Freedom of religion also means freedom from religion. Your faith and opinions should not oppress the lives of others. But Alito is the same man who agreed that Hobby Lobby and other Christian corporations should be able to deny their employees medical coverage on the basis of their beliefs.

States across the country have already [begun to ban](#) and deeply restrict abortion access. Reversing Roe will hurl us into a hell that may take a generation of fights to escape.

The draft cites a pattern of punishing abortion seekers and providers. Alito writes that antiabortion laws were “spurred by a sincere belief that abortion kills a human being.”

Economic injustice, food and housing insecurity, a lack of access to quality health care, and discrimination kill humans, too.

When one says they are pro-life, I wonder, do they fight for the people who are in the world already living? Do they fight for the pregnant women, trans men, and non-binary folk who die during childbirth? The United States has a staggering maternal



mortality rate for a country with our resources. If one is forced into pregnancy, will the government be forced into providing child care, parental leave, economic equity?

Folk think we'll talk about COVID and inflation less because abortion is the big, red flag right now. I would say consider [COVID and inflation](#) in why some people consider contraceptives and abortion.

There are health conditions, mental health conditions, financial circumstances, trauma, violence, and other factors involved in the decision to have an abortion. But honestly, one should not have to explain their choice. It should be personal, between a patient and their medical provider. It should never be criminal.

I've never had an abortion. One of my best friends was raped and impregnated before she even started middle school. Abortion, she told me, saved her life. Another friend, a mom now, just wasn't ready when we were in college. Willing participation is paramount when it comes to parenthood.

Dreaming of motherhood is something I do often. But becoming a parent is a choice — one that belongs not to state, church, court, or country. It is a personal decision.

America should not be able to hold a person hostage to their pregnancy, make one's body a prison, and then call itself a land of liberty.

This draft is a great example as to why Supreme Court judges should not serve a lifetime term. Justices who preside over this kind of draconian decision-making do not know justice. They are sick with power.

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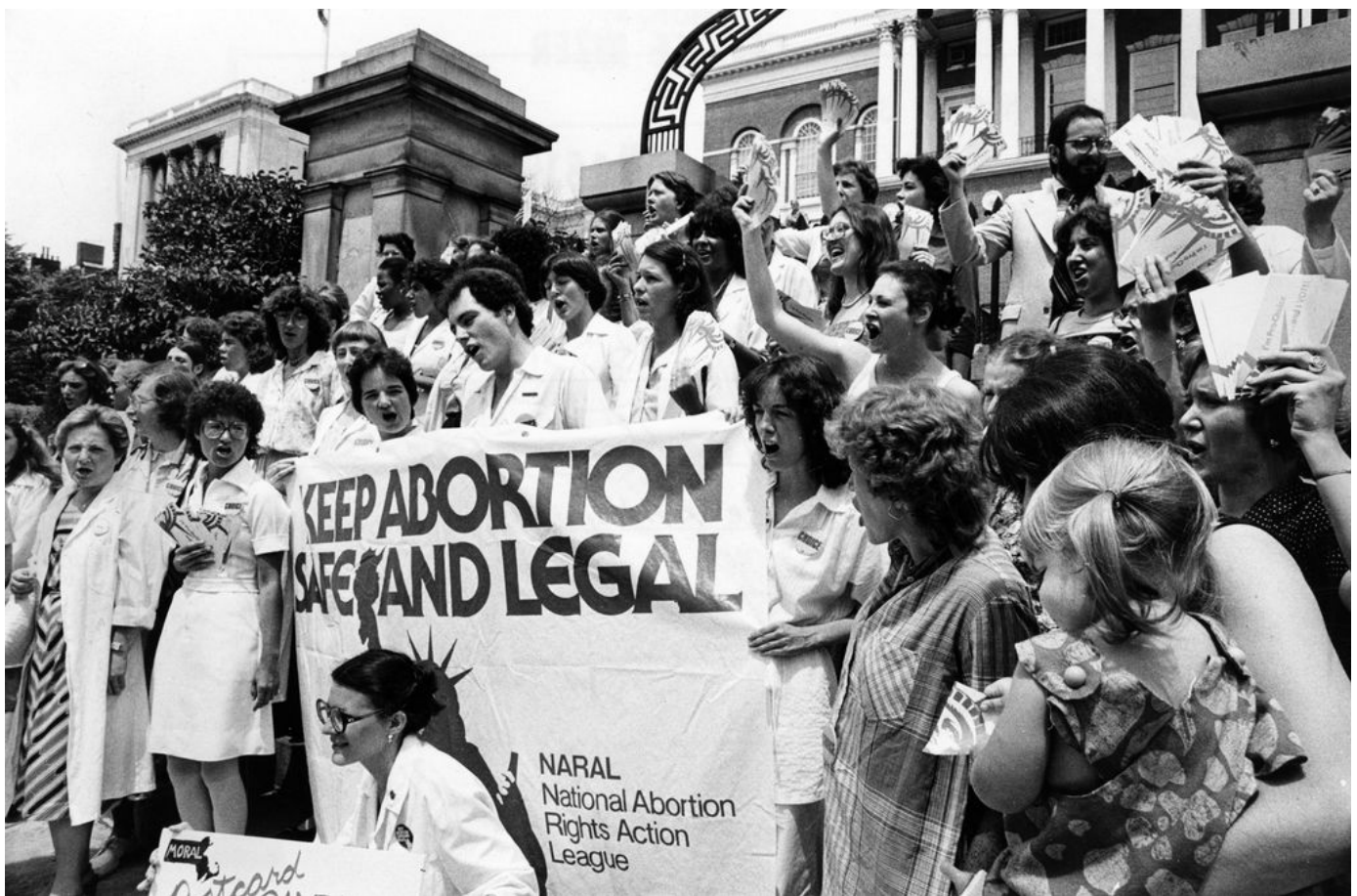
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# A history of abortion in the United States: How we arrived at the brink of overturning Roe v. Wade

By **Shelley Murphy** and **Tonya Alanez** Globe Staff, Updated May 5, 2022, 7:34 a.m.



Demonstrators stood on the Massachusetts State House steps during an abortion rights rally in Boston, June 18, 1979. GEORGE RIZER/GLOBE STAFF

The leaked draft Supreme Court opinion that would overturn Roe v. Wade and its guaranteed right to an abortion sent shock waves across the country. But those who've been watching the abortion rights debate closely were not surprised by the signal that this conservative majority plans to eviscerate what has been a constitutional right for nearly 50 years.

Indeed, the 1973 decision came under attack almost immediately. A mere three years after the court decided Roe, Congress curtailed abortion access by passing the Hyde Amendment, which prohibits federal funds being used to finance abortions. The measure, slightly altered, remains in force and means Americans who rely on Medicaid, by definition some of the country's poorest, can't receive federal support for an abortion, unless the pregnancy is the result of rape or incest or if the woman's life is in danger. (Massachusetts is one of more than a dozen states where Medicaid, which is funded by states and the federal government jointly, does cover abortion.)

Supreme Court Justice Samuel Alito's draft opinion reflects a movement that has been building for decades and has a different legal interpretation of what rights are guaranteed under the Constitution, said Bernadette Meyler, a Stanford University Law School professor and an expert in constitutional law.

"It's because of powerful social movements that supported a whole new philosophy of legal interpretation that enabled a set of reasons that would get rid of Roe," Meyler said. "This social movement has been building since the decision in Roe."

Below, key moments that brought us to the brink of Roe's demise:

## **A refresher on Roe v. Wade**

In a 7-2 landmark decision on Jan. 23, 1973, the US Supreme Court rules that women have a constitutional right to an abortion, striking down a Texas law making it a crime except in cases where the mother's life was at risk. Justice Harry A. Blackmun, a Republican writing for the majority, said that states may restrict abortions after a fetus becomes viable — meaning it could survive outside the womb, at that time considered about 28 weeks — but must consider the life and health of the mother.

## **Past cases that have upheld or chipped away at Roe**

**1980:** In Harris v. McRae, the Supreme Court upheld the Hyde Amendment to the US Social Security Act that says Medicaid funding may only be used for abortions in cases

of rape, incest, or when the woman's life is in danger.



Norma McCorvey, Jane Roe in the 1973 court case (left), and her attorney Gloria Allred held hands as they left the Supreme Court after listening to arguments in a Missouri abortion case on April 26, 1989. Months later, the high court ultimately upheld the Missouri law in the case, *Webster v. Reproductive Health Services*, making it illegal to use public officials or facilities for abortions. J. SCOTT APPLEWHITE

**1989:** In a 5-4 decision in *Webster v. Reproductive Health Services*, the Supreme Court upheld the constitutionality of a Missouri law that prohibited the use of government workers or facilities to perform abortions. It also upheld the legality of a provision in the law that required doctors to perform fetal viability tests on women who were at least 20 weeks pregnant and seeking an abortion.

**1990:** In *Hodgson v. Minnesota*, the Supreme Court struck down a Minnesota law that requires minors to notify both parents before having an abortion, ruling they must have the option of asking a judge to waive that requirement.





The front line of the March for Women's Lives rally in Washington, D.C., on April 5, 1992. The march was held as a response to a then-pending Supreme Court case (*Casey v Planned Parenthood*) that was seen as a threat to the legal standing of *Roe v Wade*. MARK REINSTEIN/GETTY IMAGES

**1992:** In *Planned Parenthood v. Casey*, the court upheld a woman's constitutional right to have an abortion until fetal viability, but loosened previous restrictions on states. It upholds the legality of most provisions in a Pennsylvania law, including an informed-consent requirement and 24-hour waiting period for women seeking abortions, and a requirement that minors get consent from one parent or guardian — as long as they don't interfere with a woman's right to terminate her pregnancy. However, the court strikes down a provision that required a wife to notify her husband before getting an abortion.

**2007:** In *Gonzales v. Carhart*, the Supreme Court voted 5-4 to uphold the federal Partial-Birth Abortion Ban Act. It marks the first time the court declared constitutional an abortion law that didn't include a provision for exceptions when a woman's life is at risk.

**2016:** In a 5-3 opinion in *Whole Woman's Health v. Hellerstedt*, the Supreme Court ruled that two Texas abortion restrictions were unconstitutional because they impose



conditions on doctors and health care facilities that would cause abortion providers to shut down and deny women access in the state.

**2020:** In a 5-4 vote in June *Medical Services v. Russo*, the Supreme Court struck down a Louisiana law, saying it was nearly identical to a Texas law it had ruled unconstitutional four years earlier and would impose a burden on access to abortion in the state. Chief Justice John G. Roberts joined the court's four-member liberal wing in casting the crucial fifth vote. It also marked the last time Justice Ruth Bader Ginsburg ruled on abortion access. She died later that year.



Demonstrators gathered in front of the Supreme Court in Washington, D.C., as the justices heard arguments in *Dobbs v. Jackson Women's Health*, a case about a Mississippi law that bans most abortions after 15 weeks in December. CHIP SOMODEVILLA/GETTY

**December 2021:** The Supreme Court heard oral arguments in *Dobbs v. Jackson Women's Health*, the case at the center of the leaked opinion. The case involves a Mississippi law that bans abortions after 15 weeks of pregnancy. During the arguments, the court signaled that it was on the verge of a major shift in its abortion jurisprudence.

## Appointments shift the court to the right

Justice **Antonin Scalia**, a Ronald Reagan nominee and conservative who railed against the Supreme Court rulings on abortion, died in February 2016. The following month, President Obama nominated moderate federal appeals court judge **Merrick Garland**, but Republican senators block a confirmation vote. Senate majority leader Mitch McConnell said the seat should be chosen by the next president, leaving it vacant for over a year. Newly elected President Trump, who vowed to put antiabortion justices on the court while campaigning, nominated **Neil Gorsuch** to succeed Scalia and he is confirmed in April 2017.

**Justice Anthony M. Kennedy**, an appointee of President Reagan who voted to overturn the Texas abortion restrictions two years earlier, retired in July 2018. Another conservative justice and Trump appointee, **Brett Kavanaugh**, was confirmed to succeed him in October after a wrenching debate over sexual misconduct and judicial temperament.



Supreme Court nominee Brett Kavanaugh at his confirmation hearing in September 2018. MATT MCCLAIN/THE WASHINGTON POST/THE WASHINGTON POST



Trump appointee **Amy Coney Barrett** won confirmation in October 2020, replacing Ginsburg and solidifying the court's conservative majority.

## States take action

While awaiting the Supreme Court's decision that could overturn Roe, Republican-led states have forged ahead with stringent legislation. In May 2021, Texas enacted one of the [nation's most restrictive abortion measures](#), banning the procedure after six weeks of pregnancy. Opponents say the legislation amounts to an outright ban on abortion, as many women are not aware they are pregnant at the six-week mark. In October, the Supreme Court allowed the Texas law to remain in place while weighing a final decision on whether it is constitutional.

## Why hasn't there been a federal law to protect abortion rights?

The Freedom of Choice Act, which attempted to codify Roe's protections, was first introduced in the Senate in 1989, then modified and refiled in Congress repeatedly in the decades since. But the bills have languished. In response to the draft ruling, Democrats have renewed calls for federal legislation to ensure that abortion access is protected. [In September](#), the House of Representatives voted to protect the rights enshrined in the Roe v. Wade ruling. But the measure, which would have superseded state laws, was defeated in the Senate.

## If Roe is overturned, could other rulings be next?

President Biden has warned that the draft opinion signals other privacy rights, including same-sex marriage and birth control, could also be at risk. Meyler, the Stanford law professor, agreed that people should be worried. The opinion held that abortion is not protected by the 14th Amendment because it's not deeply rooted in the nation's history and tradition. When the amendment was adopted, three quarters of the states made abortion a crime at all stages of pregnancy. That interpretation "could implicate a lot of other unequal laws regarding gender," she said.

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