Are We Taking Away a Human Right?

Known as the “highest of all courts”, the Supreme Court was established to serve as our last resort for justice, but to also remind the government and public on the limits of power. It is the birthplace of many life-changing legislation that have served as the framework of our growing society. But with the great responsibility that we leave to the government, what happens if this system we call “just” fails on the people they swore to serve?

On December 13 1971, a controversial court case, known as Roe v. Wade, was argued to the United States District Court for the Northern District of Texas. Norma McCovey, or popularly known by her legal pseudonym “Jane Roe”, litigated her case as she was denied the right to have an abortion for her third child. McCorvey and her 2 lawyers, Linda Coffee and Sara Weddington, filed a lawsuit to the United States federal court against Henry Wade, McCorvey’s local district attorney. They argued that Texas’s abortion laws were unlawful and succeeded in constitutionalzing women’s right to abortion on January 22 1973. The Due Process Clause of the 14th Amendment to the United States Constitution grants people their “right to privacy” which includes a women’s right to an abortion. This guaranteed the Supreme Court’s 7-2 ruling in their favor. Although, McCorvey later admitted that she regretted her legal participation, Roe v Wade became a significant case in feminist justice in the United States.

Norma McCorvey was a negligent mother with a troubled past. Supporting her two born children became a burden to her, which forced her to give them up for adoption. Upon conceiving her third child, McCorvey decided to terminate her pregnancy. However, due to the strict Texas laws that bans abortion with the exception of the unborn child causing harm to the mother’s life, she was unable to do so. Richard Lane, who served as McCorvey’s doctor, referred her to Henry McClusky, an adoption lawyer based in Dallas. McClusky referred McCorvey to two female attorneys, Linda Coffee and Sara Weddington, who helped women that are seeking abortions in Texas. Their hard efforts in amedning abortion judicial law was not acknowledged by the public as they believed that this case denied the unborn child’s right to a livelihood. Therefore, 50 years later on June 24 2022, the Dobbs v. Jackson’s Women’s Health case overturned Roe on the grounds that the substantive right to abortion was not "deeply anchored in this Nation's history or culture.". (court citation). This caused an uproar in feminist acitivism and advocacy for women’s reproductive freedom all over the world, continuing the legacy of the Roe v. Wade case.

As the media became a more prominent platform for pro-life and pro-choice propaganda, it is imperative that we understand how delegalizing abortion will produce a negative cascading effect on women.

For years, people have had this misconception that by eliminating the possibility for women to terminate their unborn child, the number of abortions women have during their lifetime will decline. In reality, there will be an rise in unsafe and now illegal abortions that are not supervised by licsensed physicians. Resorting to such measures results in leaving both the unborn fetus and mother at higher risk of mortality. Ironically, women will avoid seeking professional medical help as there is a possibility of legal punishment if they do so. In other words, the healthcare system has failed in ensuring the safety of their citizens, no matter the state they are in. More importantly, women of color would suffer further due to the increased inaccessibility to medical facilities due to income inequality, racial and gender discrimination. While these issues have been improving, there is still a huge discrepancy between how women of color are treated in the healthcare field.

People of color experience blatant racism that manifests in different ways, such as racial stereotyping and profiling. Many have come forward and felt as if they were lowballed in the pregnancy health plan they were given during their medical visits. Some hospitals do not accept financial aid for the underprivileged. Moreover, specifically asian women have been denied pregnancy consultations due to the generalization that they only want male children instead of women, which contradicts the American morality that both genders are equal. The majority of women of color agree that it is crucial for women to have bodily autonomy over all aspects of their lives. Additionally, nine out of ten women of color think that having the power to decide if, when, and how many children to have has both personal and societal advantages. Empowerment boosts confidence to drive personal growth, learning self worth by standing up for oneself and so much more. In order to see a positive change in our community, we have to build a fair system that gives everyone an opportunity to thrive in their field. Legalizing abortion allows women to choose their life path. For example, juggling a demanding job while supporting a toddler poses a huge challenge for one person. Legalizing abortion would not only help the mother fulfill her career aspirations, but also allow her to conceive her child later on. This would increase the mother’s chance of being more involved in her child’s life, which in return, would benefit the child as the involvement would reduce the risk of having a deprived background.

This misinterpretation on abortion being a euphemism for “infant murder” is subjective. Though we are ending the possible life of a child, we have to put the responsibilities of motherhood into consideration. Whether it is being unprepared, financially unstable or experiencing health issues, we should not penalize women by eliminating the chance of making a choice. Our bodies and our minds are for us to decide, not anyone else’s, including the justice system. How are mothers supposed to ensure the wellbeing of their unborn child if they are not given the opportunity to weigh out their situation? Do we have the right to subject these innocent children to a miserable life because their parents are not able to terminate their pregnancy? Abortion enables parents to decide the optimal time to bring their children into the world. Unborn or not, they are entitled to experience the best life possible. Until we achieve equality for all living beings, delegalizing abortion ultimately takes away a human right.