

# Roe's and Doe's Deadly Impact Explored

By Dave Andrusko

Rich in symbolism and substance, the Senate Judiciary Committee's Subcommittee on the Constitution, Civil Rights, and Property Rights held a hearing June 23 on the impact of *Roe v. Wade* and *Doe v. Bolton* that deserved far wider attention than it garnered. In a room filled to capacity, the testimony was so dramatic it drew tears from the audience.

Chaired by Sen. Sam Brownback (R-Ks.), the committee heard witnesses expound on "The Consequences of *Roe v. Wade* and *Doe v. Bolton*," the dual 1973 Supreme Court decisions that simultaneously gutted the abortion laws of all 50 states and spurred the creation of the Pro-Life Movement.

"The contentious debate since 1973 over the culture of life has proven that the American people, the democratic process, and ultimately even the federal judiciary have been ill-served by the Supreme Court's breathtaking intervention into, and circumvention of, the public debate about abortion," Brownback said. He added, "To put it simply, *Roe* was a mistake. A very, very costly one."

From the pro-life perspective, the most telling testimony was provided by Norma McCorvey, the "Jane Roe" of *Roe v. Wade*, and Sandra Cano, the "Jane Doe" of *Doe v. Bolton* (the companion case to *Roe*). Both testified they were exploited by lawyers whose first and foremost objective was to legalize abortion.

Neither, fortunately, had an abortion. Both now are strong advocates of the right to life cause.

McCorvey told the subcommittee that she was unmarried in the early 1970s when she found out that she was pregnant with her third child. She testified that while she wanted an abortion, "my lawyers did not tell me that I would be killing a human being."

"Instead of getting me financial or vocational help, instead of helping me to get off of drugs and alcohol, instead of working for open adoption or giving

me other help, my lawyers wanted to eliminate the right of society to protect women and children from abortionists," she said.

Ms. Cano's role was (in her words) "still pretty much a mystery to me." At no time had she wanted an abortion.

"I have tried to understand how it all happened," Cano told the subcommittee. "How did my divorce

O'Conner, a lawyer and professor of government at American University; and R. Alta Charo, a professor of law and bioethics at the University of Wisconsin Law School.

Opposition to *Roe* was also furnished by two distinguished scholars.

Teresa Collett is professor of law at the University of St. Thomas Law School. She explained that she has a

that women suffer many physical and emotional complications long after their abortions.

Edward Whelan is president of the Ethics and Public Policy Center. He offered a very interesting two-sided insight into the confusion that surrounds *Roe*.

"Leading political and media figures, deliberately or otherwise, routinely misrepresent and understate the radical nature of the abortion regime that the Court imposed in *Roe*," Whelan testified. "And, conversely, they distort and exaggerate the consequences of reversing *Roe*."

He continued: "Like few other Supreme Court cases in our nation's history, *Roe* is not merely patently wrong but also fundamentally hostile to core precepts of American government and citizenship. *Roe* is a lawless power grab by the Supreme Court, an unconstitutional act of aggression by the Court against the political branches and the American people."

*Roe*, he concluded, "prevents all Americans from working together, through an ongoing process of peaceful and vigorous persuasion, to establish and revise the policies on abortion governing our respective states."

The hearing represented the first of three or four the subcommittee is planning on prominent federal court decisions. According to press reports, the topics for future hearings are still under discussion.



**Norma McCorvey (right), the "Roe" of *Roe v. Wade*, and Sandra Cano, the "Doe" of *Doe v. Bolton*, the 1973 Supreme Court decisions that legalized abortion on demand, testified before a Senate Judiciary Committee subcommittee June 23. Both denounced abortion and told the subcommittee how unscrupulous lawyers used them. Neither ever had an abortion.**

and child custody case become the basis by which bloody murder is done on infants thriving in the wombs of their mothers? How can cunning, wicked lawyers use an uneducated, defenseless pregnant woman to twist the American court system in such a fraudulent way? *Doe* has been a nightmare."

The subcommittee heard from proponents of abortion, including Dr. Kenneth Edelin, an associate dean at the Boston University of Medicine and former chairman of the board of Planned Parenthood; Karen

great deal of experience in "assisting legislators and groups across the country evaluate proposed abortion laws during the legislative process and defending such laws in the courts."

Among other important points, Prof. Collett took aim at the fallacious notion that abortion was or is essential to women attaining full equality. Prof. Collett further emphasized how the early American feminists were strongly against abortion. In addition, she pointed to a raft of recent studies demonstrating

