

State Legislative Initiatives Put Emphasis Back Where It Belongs: On the Unborn Child

BY Dave Andrusko

With the composition of the Supreme Court gradually changing, that development alone would be enough to energize pro-lifers. Now they can hope that the rock against which so much state legislation has stumbled may be beginning to move.

But whether it be good times or not so good times, under the leadership of Mary Balch, the National Right to Life State Legislation Department continues to generate legislation, ideas, and strategies for NRLC's 50 state affiliates.

Balch told NRL News that some states are already in action while others are gearing up for the 2006 legislative session. While, broadly speaking, the goals never change—pass pro-life legislation and thwart anti-life measures—the specifics change each year.

“We took baby steps last year in passing state Unborn Child Pain Prevention measures,” Balch said. “Our affiliates are redoubling their efforts and we hope to pass more of these important bills this session.”

Such legislation varies from state to state. Generally speaking, when a woman is seeking an abortion of a child who is 20 weeks or older, the legislation would require that the abortionist make available to her specific information about the capacity of her unborn child to experience pain.

“These laws put the emphasis back on the victim of the abortion—where it belongs,” Balch said. “An unborn child aborted at this stage experiences excruciating pain, pain so overwhelming we can't really compare it to anything.”

A number of states have or are introducing Women's Right to Know laws. Other states, which already have such laws on the books, are clarifying and expanding their reach.

For example, if an abortionist uses ultrasound to scope out his victim, he or she could be required to offer the pregnant woman a chance to use that same ultrasound technology to see her unborn child. Or the law could mandate that the abortionist inform the woman that free ultrasounds are available through local problem pregnancy centers or other sources.

Likewise, some states may add the requirement that the pregnant woman be given the option of hearing her unborn child's heartbeat—a decidedly low-tech and inexpensive option.

In addition, some states will be attempting to pass parental involvement laws while others will be revisiting their existing laws to plug loopholes. For example, in one state, in lieu of contacting a minor's parents, the abortionist can get an okay from another abortionist, as long as the second one is not involved in the abortion.

“But just as important is defeating anti-life initiatives,” said Balch. Fighting off proposals to fund

embryonic stem cell and human cloning is very time-consuming and very difficult, she said.

“That’s why it’s so important for legislators to emphasize that there are appropriate—and proven—alternatives,” Balch said. One of the best sources is umbilical cord blood, which is rich in stem cells. The cord blood is derived directly from placentas and umbilical cords donated by parents after their babies’ birth, without harming the donor.

Balch said she expects another year of continuing gradual breakthroughs. “Pro-lifers should be encouraged to know that not so long ago there were a number of states where we had no chance to even have a bill introduced,” she said.

That is changing. While it is true that there remain some bastions of anti-life strength, more and more states are “in play.” Balch said she would be giving pro-lifers regular updates in future editions of National Right to Life News.

“The tide is running in our direction,” Balch said. “No wonder pro-abortionists are panicking.”