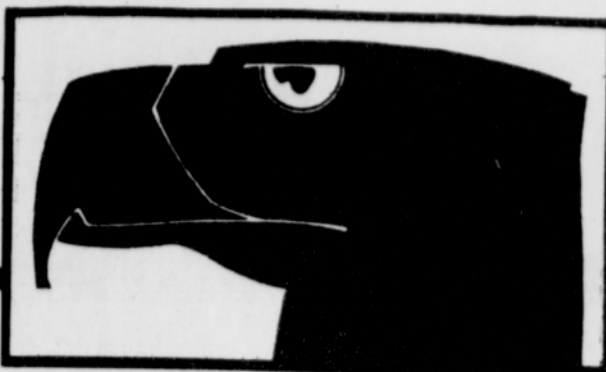


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*In a dark time the eye begins to see.*  
- Theodore Roethke



BRUCE OREN

## A NEW CIVIL WAR?

Probably unconscious of the ramifications of his words, the man who claims leadership of the anti-abortion crusades at abortion clinics compared the U.S. Supreme Court decision that transferred the right of abortion from women to the state, to the Dred Scott decision of 1857. He said that the high court's ruling to gut but preserve the skeleton of the 1972 abortion law (Roe vs. Wade) was comparable to Dred Scott, which was a major factor that precipitated the Civil War. Scott, a slave, sued the Supreme Court for his freedom. Slave owners and their political and judicial cronies insisted the Court reject Scott's claim of citizenship because he was a slave (which meant he was hardly human). Abolitionists attempted to convince the Court that all persons were human beings and entitled to citizenship and freedom.

Chief Justice Taney declared that the original intent of the Constitution favored only the freedom and citizenship of white men. The general consensus among the Founding Fathers and long afterward, he said, was that negroes were "so far inferior that they had no rights that a white man was bound to respect."

The net effect of the Dred Scott decision was to make the issue of slavery too explosive for political or judicial settlement. It was later termed a "monumental indiscretion" and a "public calamity." Justice Felix Frankfurter once remarked that Supreme Court justices never mention Dred Scott after the Civil War, any more, he said, than a family whose son had been hanged mentioned ropes or scaffolds.

The abortion decision by the Supreme Court last month follows the same unfortunate premise. Women are not citizens. They do not have the right to make elemental choices about abortion. The hypocrisy is that women have had to make these decisions for thousands of years. Women have been responsible for birth control or forced to be the instruments of euthanasia in

regards to unwanted children in the vacuum left by irresponsible men. Abortion at least allows a woman to dispose of an unwanted child before it is born. For some reason men who abdicate the responsibility for birth control yet believe they should control a woman's options, which has less to do with concern for the unborn fetus than it does retaining supremacy over women. Women are not allowed to be free and equal citizens. For that matter, more than a century after emancipation, neither are black people who wish to be known as Afro-Americans in recognition of their long presence in this hemisphere.

Humanity is crowding itself off its home planet. Abortion is a survival mechanism that attempts (consciously or subliminally) to alleviate the ever increasing ravage of the earth by an over abundant species that seldom practices successful birth control. In the bad old days children were abandoned or slaughtered when a population overran its resources. Abortion, and particularly the French abortion pill RU-486 (which is banned in the U.S.) is a much preferable option than an AIDS epidemic in stabilizing population growth.

Yet, as with slavery, abortion causes furious arguments and is such an emotional issue that a civil war of sorts is in the process of erupting. Nothing has been settled by the Supreme Court, which has enraged both sides, so-called pro-life and pro-choice. The Court erroneously made a political decision instead of an impartial Constitutionally rooted judgement that ultimately satisfies no one. Like the three-fifths compromise that allowed that much but no more consideration of being human beings to slaves, the Supreme Court has declared that women are "so far inferior that they have no rights a... man (is) bound to respect."

— MICHAEL PAUL McCUSKER