
Analysis Of A Famous Abortion Case To Understand Abortion Law In America

Is it morally wrong to abort a fetus? How does religion play a role? Most arguments against abortion are concerned with killing an innocent human life, while those that defend abortion argue that women should be able to have a moral right to decide whether they should bring another life into the world. There are many people in this world that have their own version of what is morally right or wrong, but isn't law supposed to distinguish that for us? Laws that are passed by the state and federal governments generally ensure safety and basic rights for the people, as well as govern our conduct, but not everyone agrees with it. The conservative view of abortion not being an option is prominent because a little over 48% of people in America are Christian, while almost 3% are non-Christian as of 2017. The controversy topic of abortion has been going on since the 1800s, but with our new president, Donald Trump, openly supporting the pro-life movement by attending the March for Life, for example, new restrictions on abortion have been adopted by several states which have increased differences of opinion. Despite Norma McCorvey, a plaintiff in an American lawsuit, deceiving the Supreme Court of the truth about her pregnancy to legalize abortion, and Kermit Gosnell, a former medical doctor, performing late-term abortions illegally in an unsafe, filthy environment, both McCorvey and Gosnell are important for understanding abortion law in America because their wrongdoings forced implications of abortion law.

Medical centers and surgical procedures starting out in the 1800s were completely unhealthy and hazardous. Those with primitive medical educations were still unfamiliar with antiseptics, which created a medical world of unknown dangers. Despite medical practices having developed equipment and technologies at their disposal, many women had to resort to 'back alley' abortions, ranging as high as about 1.2 million a year, because abortions were incriminating at the time until 1973. Since doctors did not want to compete with underqualified practitioners, like homeopaths and midwives, they became strong forces behind criminalizing abortion which was supported by all states in America except one by 1910. The support for pro-choice became more popular within society through feminist organizations and networks. For example, in Chicago, laywomen formed an independent referral group called the Abortion of Counseling Service of the Chicago women's Liberation Union that became an underground abortion service in 1969.

Norma McCorvey grew up building a life for herself because she had run away from home at a young age. She worked various kinds of jobs, one of which led her to work for an abortion clinic, A Choice for Women. At that time in Texas, a pregnant woman could have the abortion legally if the woman was endangered. When Norma sought to abort her third child, she did not have a reasonable excuse, so she did not receive permission to have a legal abortion. In hopes of obtaining a legal abortion, she lied to her lawyers about her pregnancy being the result of a rape, so she could challenge the constitutionality of Texas' abortion laws.

Sarah Weddington, a feminist lawyer who was supposed to represent Norma McCorvey, manipulated Norma to be the name and face of the case as Jane Doe, but Norma never stepped foot into the courtroom. Weddington wanted to use someone to protest the laws restricting access to abortion. After the state of Texas appealed, the Supreme Court ruled that a

pregnant woman has the right to an abortion during the first trimester since it was protected under the Fourteenth Amendment's concept of personal liberty. This ruling became known as *Roe vs. Wade*, which gave women the right to choose.

The anniversary of *Roe vs. Wade*, ever since 1974, has been on January 22 and has held a peaceful pro-life organization movement in Washington D.C. The movement has continued to motivate people to fight for the right to life.

In 1976, once abortion was legalized, Congress passed the Hyde Amendment, which banned the use of federal funding for abortion care, because a lot of women depended upon Medicaid for their health care (Contributors). As other abortions cases, like *Planned Parenthood vs. Casey*, continued to increase, anti-abortion violence started to escalate.

Norma's perspective on abortion was enlightened after attending church with a friend, Ronda Mackey, who was part of an organization called Operation Rescue. Norma was naïve enough to think that abortion was only about products of conception or missed periods, but she later realized that a fetus was a baby, a life, that she was killing by performing these procedures. After the change of heart and mind, Norma became so inspired that she decided to follow her beliefs and converted to Catholicism (Shaw).

She later had the courage to reveal her true identity after several years of being silent as "Jane Roe". Norma, soon after, started to become involved in pro-life affairs. She became an influential activist in the pro-life movement where she received tons of invitations to pro-life events, but in contrast, she also received tons of criticism from the media. Despite the media doubting whether she was serious or not, Norma still appeared and spoke at several events advocating to educate others on her mistakes and the underlying truth about abortion.

Kermit Gosnell, on the other hand, seems to have had some psychological problems that led to his arrest, as well as the downfall of his profession and clinic. He was sentenced to life in prison without parole plus 30 years. According to Sullenger's notes, Kermit Gosnell's psychological state lived between part serial killer and part cult leader. The serial killer was illustrated through the severed feet being kept as trophies, while the cult leader part being demonstrated is seen in his need to hire employees who are psychologically inept and dependent on him for support.

The Women's Medical Society was the name of his clinic where he trained employees to carry out procedures and trained staff to handle patients. He performed illegal and unethical abortions/procedures, in both the state of Pennsylvania and Delaware. Unlike the clinic Norma worked at, his clinic was primarily located in the city of Philadelphia; a poor neighborhood in one of the poorest cities in the United States. He lacked the ethical guidelines, considering many of his employees were not licensed nurses or doctors and the medical equipment was, not only outdated, but was not properly disposed of and was rather reused.

In contrast with Norma McCorvey, Kermit had an extensive educational background. Despite the unconventional ways within Gosnell's clinic, he was a top performing student at Central High School and later achieved his bachelor's degree at Dickinson College, and received his medical degree at the Jefferson Medical School.

In 2013, Kermit Gosnell was convicted with multiple charges, one of them being first degree murder because he took the liberty of delivering the babies and then killing them when

performing late-term abortions (Di Camillo). Not only did Gosnell kill babies, but one of his patients, who was an adult, managed to die after an overdose of a powerful medical drug, sedatives, under his procedural watch. Similarly, to Norma McCorvey, Gosnell was of the Christian faith. This had a major impact on his mindset because he justified his actions by claiming he was 'acting as a Christian doctor' during the four decades of child killing (Bellinger). The way Kermit Gosnell went about the process of abortion helped justices realize that moral and ethical guidelines must be set.

A case like Gosnell's raises questions for those that are supposed to be maintaining and regulating health facilities. It was conspired that government inspectors hardly followed up, as well as the idea that abortion practitioners of a professional association, who recognized illegalities, declined their seal of approval and did not put in further interest into the conditions the clinics may have been under.

Ultimately, the act of checking clinics was not encouraged or, more so, even done often by inspectors. Abortion clinics in Pennsylvania are now required to meet the same standards as outpatient surgical facilities, according to Act 122.

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