

GUEST ESSAY

Texas' Abortion Law Should Force America to Change Its Ways

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By Karen Swallow Prior

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Abortion is a failure for every woman and her unborn child — a failure of love, justice and mercy. Texas' new abortion law is far from perfect, but I hope it can move us closer to these ideals.

The highest purpose of human law is the protection of human life, from its beginning to its natural end. As a pro-life Christian, I believe that each of our individual origins are in the moment of conception. That's when my life and your life began. Not in some abstract, ethereal way, but for real — all the very particular DNA, chromosomes, eye color, hair texture and toes of you.

The Texas law doesn't ban abortion from this earliest beginning. Rather it bans almost all abortions after cardiac activity in the unborn child is detected, usually around six weeks into pregnancy, when cheeks, chin and jaws are also starting to form.

Because most abortion procedures in Texas take place after six weeks, the new law, as one of the nation's most restrictive, will certainly reduce abortions in Texas drastically. It will also continue to be challenged in the courts. But if we start from the biological and ontological reality that each human life begins at conception, the law is hardly "extreme," as President Biden has called it. A law preserving the life of a human being at any stage can be considered "extreme" only within a distorted social context.

Because of the challenges *Roe v. Wade* has presented to attempts by states over the years to limit abortion in any meaningful way (such as after the first trimester, a restriction most Americans favor), the Texas law doesn't criminalize abortion outright. Rather, it allows private citizens to sue providers and others through civil litigation. Successful suits may result in fines hefty enough to put many abortion practices out of business, an innovative workaround.

Deputizing private citizens to enforce the ban is certainly fraught with risk. Some fear the law will turn otherwise uninterested citizens into bounty hunters who chase abortion providers, although one judge's temporary restraining order that blocks one group from suing Planned Parenthood shows that checks and balances are in place.

Perhaps the most pivotal part of this law is that it creates a cause of action against anyone who "aids or abets" the performance or inducement of an abortion. But it doesn't fully define "aids or abets."

Thus, the law demands that we ask: What does it really mean to offer aid to someone to whom abortion seems the best option?

In America, of all the pregnancies that don't end in miscarriage, nearly one in five is aborted; this is a society in which things are wildly off track. A world like this, spun by forces that lead to that many lives being undone, doesn't happen by chance. It takes all of us.

It takes a village to make abortion seem like the best choice.

We can change our ways, though. The Texas law ought to compel us to help women with unwanted pregnancies in meaningful ways. The millions of dollars that Texas lawmakers have allocated to the Alternatives to Abortion program, which offers support to those who "choose life in difficult circumstances," is a start. But Texas' infamously high maternal mortality rate must also be addressed. It is not pro-life to save the child, only to lose her mother in the process. Unborn children don't exist in a vacuum. Their lives are conceived, birthed (or not) and lived in community. To serve them, we must serve their communities.

A few years ago, following another abortion controversy, a pastor argued in a since-viral Facebook post that "'the unborn' are a convenient group of people to advocate for," because they don't make demands on us. Unlike others who need help, they don't disagree or argue or require that we change our lifestyles or societal structures. They are silent. As long as they live in their mother's womb, defending their lives requires no sacrifice from us.

This idea challenges me. It should challenge us all, including those who think other things outweigh letting little embryonic girls and boys to continue to live. A world that pits a mother's well-being against her child's life is a world that needs extensive repair.

And the fact is that in our consumerism, individualism and pragmatism, we live in a transactional society that gives rise to bounty hunters on the left and on the right. Outside the abortion clinics, and inside them, too.

We need to be people who act (not transact) for mercy, justice, and love.

And love isn't love that doesn't act.

As history has shown again and again, we sometimes need the law to teach us to love. Sometimes it takes a law to remind us that fellow human beings are not ours to own, harm, or kill.

Love is a higher law. But it is still a law. And this is where we must begin.

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