

How Radical Feminism and Raw Judicial Power Created 'Abortion Rights' Out of Thin Air

*This week, a radical feminist group produced a video of young girls using the F-word to make the case for feminists' policy agenda—a “tragic, disgusting” strategy as Charisma News editor and Bound4LIFE chapter leader **Jennifer LeClaire** called it.*

*Such a story begs the question: What are the roots of the modern feminist movement? On abortion policy, are these “women's rights activists” actually working against the health and safety of women? Conservative leader **Phyllis Schlafly** offers her perspective in an exclusive excerpt from her new book.*

Modern feminism cultivates the attitude that a woman must put her own self-fulfillment above every other value.

The feminists' goal is not achievement for women—or they would be lauding successful women such as **Sarah Palin, Michele Bachmann**, the late **Margaret Thatcher, Diane Black**, and **Marsha Blackburn** as role models. They do not. Not one of these women is a “feminist.”

The Dogma of Abortion

Abortion is the litmus test of whether or not you are feminist. Feminists have even made it the test of whether a political candidate is pro-women or is waging a “war on women.” Resolutions passed by the National Organization for Women (NOW) repeatedly include language proclaiming that abortion is “a basic fundamental right of every woman.”

Abortion law traditionally had been in the domain of the states, as was nearly all criminal law. Beginning in 1967, seventeen states weakened their anti-abortion laws in various ways.

The tide turned against abortion in 1970, as pro-abortion bills were introduced and defeated in thirty-three states. In November 1972, pro-abortion referenda were defeated in North Dakota by 78 percent and in Michigan by 61 percent.

Then, on January 22, 1973, the U.S. Supreme Court, in the preeminent act of judicial supremacy, struck down the anti-abortion laws of all fifty states. As Justice **Byron White** wrote in dissent, *Roe v. Wade* was “an exercise of raw judicial power ... I find nothing in the language or history of the Constitution to support the court’s judgment.”

Now is the *TIME* to Stand for Life

For the next forty years, hard-fought battles about abortion were waged in Congress, state legislatures, and candidates’ campaigns for public office.

In January 2013, *Time* magazine clobbered the feminists with a sensational cover proclaiming in oversize type: “40 Years Ago, Abortion Rights Activists won epic victory with *Roe v. Wade*. THEY’VE BEEN LOSING EVER SINCE.”

Detailing the success of various federal and state laws, *Time* asserted, “obtaining an abortion is now more difficult than at any point since the 1970s.” Pro-life activists have successfully lobbied for regulations that limit access, require waiting periods or ultrasounds, impose safety regulations on clinics and require minors to get a parent’s permission.

Fewer doctors are willing to perform abortions, and fewer abortion clinics are open for business. Gallup polls report that support for abortion rights is fading, particularly among

young Americans. More people now identify themselves as pro-life rather than pro-choice.

Then, in 2014 a federal court upheld a Texas law that prohibits abortion unless the abortionist has hospital privileges within thirty miles, so that the abortionist can remain available to handle any complications he or she causes instead of letting those costs fall on the taxpayers in emergency rooms. This is the most effective law that states can pass to reduce abortions; nineteen abortion clinics have closed in Texas because of this law.

Nevertheless, the feminists still consider abortion the fundamental, irreducible first commandment of feminism. It's usually shrouded in words such as choice, or reproductive freedom, or privacy, or even equal rights; but to feminist leaders, abortion is much more than that.

It is the keystone of feminist power. As **Gloria Steinem** opined, the "right of reproductive freedom attacks the very foundation of patriarchy."

Supreme Court Justice **Anthony Kennedy**, writing for the court in *Casey v. Planned Parenthood*, explained the centrality of abortion to modern feminism: "The ability of women to participate equally in the economic and social life of the nation has been facilitated by their ability to control their reproductive lives."

The abortion dogma has a strong anti-male element. Radical feminists persuaded the Supreme Court to rule not only that the father has no say-so as to whether his own baby is killed, but even that the woman has a constitutional right *not* to tell her husband that his baby is being killed.

Supreme Court Justices Are Not the Supreme Authority

It's time to learn a constitutional lesson from **Abraham Lincoln** when he rejected the rule of the Supreme Court's

historic *Dred Scott* decision of 1857.

Lincoln admitted that the court's ruling was personally binding on the man **Dred Scott**, but Lincoln expressed the hope that the "evil effect" of the court's bad decision would be "limited to that particular case, with the chance that it may be overruled and never become a precedent for other cases."

Thus, Lincoln accepted judicial review as binding in a specific case, but he rejected judicial supremacy—the notion that the Supreme Court could legislate new laws for the nation—because that would abolish self-government and submit us to the rule of judges.

Lincoln said if we accept that concept, "the people will have ceased to be their own rulers, having to that extent practically resigned their government into the hands of that eminent tribunal."

Like Abe Lincoln, we should reject the power of "that eminent tribunal" to legislate or make public policy. Laws and policies should be made by our elected representatives, not by supremacist judges.

Editor's note: In her column addressing radical feminism Jennifer LeClaire concludes, "The answer is changing the hearts of a generation—turning the hearts of the children back to the Father. The answer is preaching the gospel of truth."

*A lawyer, conservative political analyst and author of 20 books, **Phyllis Schlafly** is founder and president of Eagle Forum. This Bound4LIFE article is an excerpt with permission from her newest book Who Killed the American Family? (WND Books, 2014).*