

PRO-LIFE FEMINIST GROUPS AND HUNDREDS OF WOMEN SCHOLARS AND PROFESSIONALS EXPOSE LIE THAT WOMEN NEED ABORTION FOR EQUALITY

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August 26, 2021- Washington, D.C. In an amicus brief filed in *Dobbs v. Jackson* by pro-life feminist organizations and 240 women scholars and professionals, amici urge the U.S. Supreme Court to overrule *Planned Parenthood vs. Casey* (1992) and *Roe vs. Wade* (1973). Law professors Teresa S. Collett and Helen Alvaré and legal scholar Erika Bachiochi represent amici.

On behalf of amicus Feminists Choosing Life of New York, Michele Sterlace, JD, LLM, comments: “This brief overthrows the fiction that women need and rely upon abortion rights to participate equally in civil society. The *Casey* Court largely upheld *Roe* based on stare decisis, grounded in the manufactured notion that ‘women rely upon abortion for their success.’”

The amicus contends: “Absent adequate evidence supporting *Casey*’s erroneous assumption, stare decisis poses no barrier to full judicial review and overruling the unfounded judgment in *Roe vs. Wade* that the Constitution protects a woman’s right to end the life of her unborn child.”

“This brief has gathered nearly half a century of empirical evidence and data available since *Roe*, and the evidence clearly fails to demonstrate that ‘abortion has played a necessary and casual role facilitating women’s participation in the economic and social life of the country,’” states Monica Snyder on behalf of amicus and executive director of Secular Pro-Life. Snyder adds: “Abortion tells us we can have the same opportunities as men--as long as we are willing to kill our offspring. That is not choice, and that is not equality. We reject a society that assumes women cannot have professional success and families at the same time, and we reject laws that treat mothers and children as problems to overcome.”

The brief empirically shows that “no consistent correlation” exists between “abortion rates or ratios” and “women’s participation in the labor market and entrepreneurial activities, as well as their educational accomplishments, professional engagement, and political participation.” “There simply is no causal link between the availability of abortion and the ‘capacity of women to act in society.’”

According to amici, the evidence and data instead reveal that women “surged forward as they resorted less and less to abortion.” The brief demonstrates, for example, that as abortion rates and ratios precipitously declined beginning in 1990, the percentage of women in the workforce with college degrees increased by 70%, the number of women-owned businesses increased by 114% (more than twice the national average) and for women of color by 467%. The percentage of women enrolling in college, law and medical schools also grew during “sharply declining abortion rates and ratios” as did the percentage of men’s income earned by women.

“For decades, women have been coerced into believing that their capacity to bear children is a disease, a defect that must be corrected if they are to find their place in the world. This brief provides empirical evidence for something that lies at the heart of a truly authentic feminism: an unshakable conviction that women do not need to force their bodies - or their personal identities - to conform to the norms set by the male body - in order to enter into public life,” observes Deborah Savage, Ph.D, co-founder of the Siena Symposium, an organizational amicus.

The brief also demonstrates that “scholarship and studies promoted as supporting a causal link between abortion and women’s advancement have all been fatally flawed.” They “ignore a wide-variety of confounding variables, including... the vast number of cases and laws powerfully fostering women’s social equality.” Their research is conducted and financed “almost exclusively by abortion proponents,” and perhaps, most importantly, it is “riddled with scientific flaws,” which amici painstakingly expose.

“Pro-life feminists have argued for decades that abortion rights harm rather than empower women and their opportunities to advance,” states Sterlace, “and the brief also explores and proves this with objective evidence.” The brief makes an evidentiary showing that access to abortion correlates with “the feminization of poverty, and women’s declining levels of happiness.” It also reveals that the entire argument that women need abortion to achieve equality is based upon a “male normative experience of reproduction as the model for economic and social participation.” This has “actually retarded meaningful accommodation of pregnancy and motherhood in the workplace and other spheres of society,” illustrates the brief.

“The widespread availability of abortion and ‘abortion as equality’ arguments’ in the U.S. since *Roe*, states Terrisa Bukovinac, on behalf of amicus, ‘promote the male childless norm in educational and employment settings,’ most poignantly. It’s no surprise that the U.S. ‘lags behind all other advanced countries in providing basic workplace accommodations for parenthood and paid leave,’ as the brief points out.” Bukovinac is vice president of Secular Pro-Life.

“Asking pregnant women to shoulder abortions in order to avoid creating real workplace solutions such as paid family leave, child friendly work policies and healthcare plans that include birthing costs is blatantly, anti-women, and only furthers workplace inequality,” claims Kristin Turner, executive director of Pro-Life San Francisco, an organizational amicus.

According to Destiny Herndon-De La Rosa, founder of New Wave Feminists, another organizational amicus: “For far too long feminists have been fighting for a piece of the pie while settling for the crumbs. We’re here to demand a future where women are able to participate in society without having to sacrifice their children on the altar of ‘equality.’ We are able to do something men cannot – bring new life into this world. Patriarchy gained its power by using violence against the vulnerable, and we refuse to replicate that model as it has no place in a truly equitable future for every member of the human family.”

Catherine Glenn Foster, MA, JD, individual amicus and CEO & President of Americans United for Life, states: “In *Roe v. Wade*, and its deadly progeny, the Court created constitutional fictions to justify the unjustifiable. The Court rejected the first and foundational human right to life condemning millions to death by abortion while creating a toxic culture of moral indifference. The claim that women cannot plan for our education, our careers, our families, or our future without resorting to legalized abortion is absurd. If American women cannot fully participate in society without aborting our children, then that is a sign that our nation has failed us.”

“For fifty years, society has told women that they cannot be mothers and have successful careers, or that having children is incompatible with their financial goals. Abortion on demand is touted as the antidote to women’s inequality in the workplace and higher education. Thankfully, these claims are all false as we demonstrate in our brief,” states lead counsel for amicus, Teresa S. Collett.

And Kathy McQueen, president of Feminists for Nonviolent Choices, another organizational amicus, explains: “The pro-choice narrative dehumanizes children in utero and their pregnant mothers. It elevates the right to kill the unborn as a rite of passage to equal status. This twists reality. *Roe* and *Casey* have hurt women. It's time both are overruled.”

Review the filed brief at <https://www.scotusblog.com/case-files/cases/dobbs-v-jackson-womens-health-organization/>.