

A FURTHER PERSPECTIVE

Aborting Health Care Reform

By Doug Bandow on 12.28.09 @ 6:08AM

Both houses of Congress have voted to nationalize American health care, but the battle is not yet over. Abortion coverage remains in dispute, and yet could sink the entire "reform" effort.

Although President Barack Obama may be the most abortion-friendly president ever, pro-life sentiment has been rising. The Pew Forum on Religion and Public Life released a new survey in October, which found the margin of supporters over opponents fall from 14 points to 3 points. An earlier Gallup Values and Beliefs survey found a similarly sizable shift that put abortion opponents in the majority.

Nearly 37 years after the Supreme Court voided state bans on abortion in *Roe v. Wade*, legal restrictions on the procedure remain few. Most anyone who is determined to get an abortion can do so. And without a revolution in Supreme Court membership that isn't going to change.

Still at issue, however, is whether the federal government will promote abortion. Those concerned with life long have had to battle pro-abortion activists determined to win official support for abortion. For the latter the simple legal "right" to have an abortion isn't enough. They want the federal government to promote abortion.

Pay for the procedure as part of Medicaid. Force medical schools to teach abortion and hospitals to perform abortions. Make pharmacists provide abortifacients.

Pro-lifers have been reasonably successful in resisting such efforts. Most importantly, the so-called Hyde Amendment restricts federal funding of abortion. The other issues continue to be fought out case by case, back and forth.

Most abortions are not paid for by insurance. However, nationalized health insurance offers abortion advocates an almost perfect vehicle for pushing abortion far further than before.

Federal direction of the medical system provides Washington with multiple opportunities to turn abortion into a required medical procedure. Imposing a mandate to buy insurance allows the government to decide what coverage is necessary for private plans to comply with the law. Subsidizing private plans provides the government with another hook to set coverage requirements. Creating a "public option" forces the government to decide what procedures to cover.

So far the "public option" has failed and pro-lifers have won significant limits on abortion elsewhere. While Rep. Bart Stupak (D-Mich.) insists that his amendment barring federally funded plans from covering the procedure merely maintains current law, Daniela Perdomo of AlterNet charges that the measure could limit "industry-wide coverage of medically-indicated abortions."

The legislative specifics matter greatly, however. The Senate bill allows state opt-outs, but forces states to either cover all or no abortion services, preventing states from providing abortion coverage limited to the usual narrow exceptions, such as life of the mother. Moreover, even with the state opt-out, observe James C. Capretta and Yuval Levin, both of the Ethics and Public Policy Center, "a state can't protect its taxpayers from financing abortions beyond its borders."

What will come out of conference is impossible to predict. Some liberals view health care "reform" to be worth even the Stupak amendment. For instance, E. J. Dionne, Jr., concluded: "health-care reform would leave millions of Americans far better off than they are now."

However, most pro-abortion forces will fight any restraints. Abortion advocates understand what is at stake. Perdomo wrote: "we need to stop taking our reproductive rights for granted." People should march, she added, since "All it takes is a little inaction on our parts to set the reproductive rights movement back over thirty years."

A bitter Katha Pollitt wrote in the *Nation*: "Prochoicers have been taking one for the team since 1976, when Congress passed the Hyde amendment." She added, "We knocked ourselves out, and it wasn't so that religious reactionaries like Stupak ... would control both parties."

Activists Kate Michelman and Frances Kissling focused their ire on Democratic leaders who recruited prolife candidates to win marginal congressional seats: "The Democratic majority has abandoned its platform and subordinated women's health to short-term political success. In doing so, these so-called friends of women's rights have arguably done more to undermine reproductive rights than some of abortion's staunchest foes."

Abortion advocates are right to believe this to be a crucial fight. Even the Stupak amendment is not enough. No legislative victory is ever permanent. If the government extends its control over health care, nothing would prevent abortion advocates gaining political ascendancy in the future and then using the government to promote abortion.

Abortion is never going to be an easy issue. No one should feel comfortable having the government intervene in such a personal decision. But abortion is not just a medical procedure. It involves another life, and other than the case of rape pregnancy occurs only as a result of the voluntary decision to have sex. As such, abortion is not a "choice," but an attempt to flee from responsibility for choices freely made.

It is essential for pro-lifers to continue to challenge *Roe v. Wade*, which really isn't constitutional law. Even many liberal academics acknowledge that the ruling is judicial law-making at its most extreme.

Irrespective of how the constitutional battle turns out, it is imperative to prevent abortion advocates from using the national government to promote abortion. Nationalizing medical care is a bad idea on its own terms. It is an even worse idea for anyone committed to the value of life.

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