

[https://www.postguam.com/forum/featured\\_columnists/bill-stirs-debate-over-roe-v-wade/article\\_2dfe2726-0709-11e8-8ea5-9b5596a9273e.html](https://www.postguam.com/forum/featured_columnists/bill-stirs-debate-over-roe-v-wade/article_2dfe2726-0709-11e8-8ea5-9b5596a9273e.html)

Letter to the Editor

## Bill stirs debate over Roe v. Wade

Tim Rohr Feb 2, 2018

The recent introduction of a measure prohibiting abortions after 20 weeks gestation (Bill 232-34, "The Unborn Child Protection Act of 2018"), has rekindled the ongoing debate over a woman's "right to choose" with the usual abortion rights entrenchment around Roe v. Wade as the "law of the land."

However, the belief that Roe gave women the "right to choose" is almost a metaphor for how much the 1973 U.S. Supreme Court decision is misunderstood, and why, after 45 years, Roe is still so hotly debated.

The fact is that Roe v. Wade did not give women the right to choose. In fact, Roe left the right of a woman out of its ruling all together.

In Roe, the Court first gave the "right to chose" to the "attending physician" during the first trimester, and thereafter, to the government:

- For the stage prior to approximately the end of the first trimester, the abortion decision and its effectuation must be left to the medical judgment of the pregnant woman's attending physician (Roe v. Wade, Pp. 163, 164).
- For the stage subsequent to approximately the end of the first trimester, the state, in promoting its interest in the health of the mother, may, if it chooses, regulate the abortion procedure in ways that are reasonably related to maternal health (Roe v. Wade, Pp. 163, 164).
- For the stage subsequent to viability the state, in promoting its interest in the potentiality of human life, may, if it chooses, regulate, and even proscribe, abortion except where necessary, in appropriate medical judgment, for the preservation of the life or health of the mother (Roe v. Wade, Pp. 163, 164, 165).

As can be seen, nowhere does Roe give women the right to choose anything.

Ironically, while the abortion rights mantra has remained “keep the government out of our wombs,” the very ruling relied upon for that mantra is exactly what put government there in the first place, and to this day, permits legislation such as The Unborn Child Protection Act of 2018.

*Tim Rohr is a resident of Agat.*